

ROB. W. B. BOARD

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Proceedings of the Sixth Session of the First Assam Legislative Assembly, assembled under the provisions of the Government of India Act, 1935

THE ASSEMBLY met in the Assembly Chamber, Shillong, at 2 p.m., on Friday, the 24th March, 1939 with the Deputy Speaker on the Chair.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(to which oral answers were given)

Motor Service on the Sylhet-Shillong Road

Srijut ROHINI KUMAR CHAUDHURI asked :

*158. Will Government be pleased to state when the permits for plying all the goods and passenger motor vehicles on the Sylhet-Shillong Road are due to expire ?

*159. Do Government propose to introduce, after expiry of the present permits, a similar arrangement for operation of the motor service on this Road as at present existing on the Shillong-Gauhati-Pandu Road ?

*160. Will Government be pleased to state when they propose to decide as to the arrangement to be introduced for operation of this motor service, after the present permits expire ?

*161. (a) Do Government propose to notify to the public, the important terms and conditions of such arrangements as may be decided upon, and call for tenders, based upon these terms and conditions ?

(b) If so, what steps will be taken to give publicity to the Government intentions and when will such notices be issued ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

158.—31st December, 1939.

Maulavi MUHAMMAD AMJAD ALI : Was it given annually ?

The Hon'ble Srijut GOPINATH BARDOLOI : I do not think it was an annual permit. I think it was given for three years, I am not sure.

Maulavi MUHAMMAD AMJAD ALI : It appears that the Hon'ble Premier is not sure of his position. Does not the Hon'ble Premier know for what period it was given ?

The Hon'ble Srijut GOPINATH BARDOLOI : It was not annual.

Srijut ROHINI KUMAR CHAUDHURI : The question is whether this permit was granted for one, two or three years.

The Hon'ble Srijut GOPINATH BARDOLOI : I think it was given for 3 years.

The Hon'ble Srijut GOPINATH BARDOLOI replied :
159-161.—Government have not yet taken up the matter. The suggestions will be borne in mind.

Srijut ROHINI KUMAR CHAUDHURI : If Government have not yet come to a decision, do Government propose to notify the public the terms and conditions of such arrangement as may be decided on ?

The Hon'ble Srijut GOPINATH BARDOLOI : The suggestion will be borne in mind.

Srijut ROHINI KUMAR CHAUDHURI : May we know whether it will be treated in the same way as the distribution of lorries on the Gauhati-Shillong Road ?

The Hon'ble Srijut GOPINATH BARDOLOI : In respect of lorries the rules, are clear, but in this matter, as I have said, the suggestion will be borne in mind.

Srijut ROHINI KUMAR CHAUDHURI : If no date is mentioned in any of the rules, what is the difficulty of the Hon'ble Minister in saying that notice will be given beforehand ?

The Hon'ble Srijut GOPINATH BARDOLOI : The suggestion will be borne in mind.

Srijut ROHINI KUMAR CHAUDHURI : Is not the Hon'ble Minister in a position to say so definitely ?

The Hon'ble Srijut GOPINATH BARDOLOI : I expect that notice will be given.

Permits to ply motor lorries on the Gauhati-Shillong Road

Dr. MAHENDRA NATH SAIKIA asked :

- *162. Will Government be pleased to state—
- (a) The criterion for the recent distribution of the 9 private lorries in the Gauhati-Shillong Road ?
 - (b) The names of the persons who were given licenses to run the said lorries ?
 - (c) Whether it is a fact that some lorries were subsequently cancelled and resettled with some persons other than those selected first ?
 - (d) If so, will Government be pleased to state who were the persons that were thrown out of settlement, and the reasons for the same ?
 - (e) Will Government be pleased to state whether any Scheduled caste people was given any license for lorries in the Shillong-Gauhati Road ?
 - (f) If not, why not ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

162. (a)—Accommodating the claims of the different communities as far as possible and bringing about a healthy competition between the Commercial Carrying Company and private lorry owners with a view that benefit of this competition may reach the growers and the consumers.
- (b)—A statement is laid on the table.

STATEMENT LAID ON THE TABLE IN REPLY TO STARRED
QUESTION No.162(b), ASKED BY DR. MAHENDRA NATH
SAIKIA, M.L.A.,

*Statement showing the names of permit holders for heavy goods lorries on the
Gauhati-Shillong Road*

Serial No.	Name and address	Number of permits
1	The United Fruit Company, Limited, Shillong ...	1 (one).
2	Maulavi Mawla Baksh of Messrs. Golam Hyder and Sons, Shillong.	1 (one).
3	Messrs. Bhojanlal Srinivas, Shillong ...	1 (one).
4	U A. MacDonald Kongor, Shillong ...	1 (one).
5	Maulavi Md. Abdullah, B.L., Howapara, Sylhet ...	1 (one).
6	Srijut Mohini Mohan Goswami, Gosainagar, Gauhati.	1 (one).
7	Srijut Nabin Kumar Agarwalla, Uzanbazar, Gauhati, on behalf of Gauhati Transport Company.	1 (one).
8	The Cachar Native Joint Stock Company, Limited, Silchar.	1 (one).
9	Babu Nil Lohit Das, Laban, Shillong ...	1 (one).

Babu Nil Lohit Das and Maulavi Md. Abdullah have since surrendered their permits, which have been given to Srijut Girish Chandra Barua and Maulavi M. Syed Ahmed of Gauhati.

(c) and (d)—Yes. Reference is invited to the statement laid on the table in reply to starred question No.162 (b).

(e)—Yes ; but he surrendered his permit.

(f)—Does not arise.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: Will Government please state when the permit of Maulavi Muhammad Abdulla was cancelled ?

The Hon'ble Srijut GOPINATH BARDOLOI: I cannot say definitely. I think it was just before the sitting of the Assembly.

Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI: Who has been granted that permit ?

The Hon'ble Srijut GOPINATH BARDOLOI: It will be seen from the statement that it was given to Maulavi Sayed Ahmed.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: Will Government be pleased to state the names of members of the Muslim community who applied for permits to ply lorries on the Gauhati-Shillong Road ?

The Hon'ble Srijut GOPINATH BARDOLOI: It will be difficult to do that. There were many such applicants.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: May I ask the Hon'ble Minister to give me the information asked for ?

The Deputy SPEAKER: This question was fully discussed yesterday. Next question.

Srijut ROHINI KUMAR CHAUDHURI: Can we not put supplementary questions, Sir ?

The Deputy SPEAKER: This matter was fully discussed yesterday. I have called out the next question.

(Starred question No. 163 standing in the name of Mr. Naba Kumar Dutta was not put and answered as the questioner was absent.)

Permits to ply motor lorries on the Gauhati-Shillong Road

Maulavi MUHAMMAD AMJAD ALI asked :

*164. Will Government be pleased to state—

- (a) The names of persons who have been granted permission to run lorries on the Gauhati-Shillong road ?
- (b) Who among them are (1) natives of the province of Assam, (2) domiciled in Assam and (3) foreigners ?
- (c) The sum for which each of the lorries has been settled ?
- (d) The duration for which they have been settled and with effect from what date ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

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

STATEMENT PLACED ON THE TABLE IN REPLY TO STARRED QUESTION No.164(a), ASKED BY MAULAVI MUHAMMAD AMJAD ALI, M.L.A.,

Statement showing the names of permit holders for heavy goods lorries on the Gauhati-Shillong Road

Serial No.	Name and address	Number of permits
1	The United Fruit Company, Limited, Shillong	1 (one).
2	Maulavi Mawla Baksh of Messrs. Golam Hyder and Sons, Shillong.	1 (one).
3	Messrs. Bhojanial Srinivas, Shillong	1 (one).
4	U A. MacDonald Kongor, Shillong	1 (one).
5	Maulavi Md. Abdullah, B.L., Howapara, Sylhet	1 (one).
6	Srijut Mohini Mohan Goswami, Gosainagar, Gauhati.	1 (one).
7	Srijut Nabin Kumar Agarwalla, Uzanbazar, Gauhati, on behalf of Gauhati Transport Company.	1 (one).
8	The Cachar Native Joint Stock Company, Limited, Silchar.	1 (one).
9	Babu Nil Lohit Das, Laban, Shillong	1 (one).
10	The Commercial Carrying Company, Limited	9 (nine).

Babu Nil Lohit Das and Maulavi Md. Abdullah have since surrendered their permits, which have been given to Srijut Girish Chandra Barua and Maulavi M. Syed Ahmed of Gauhati.

(b)—All are natives of the province except Nos.2 and 3 who are domiciled in Assam, and No.10 which is a company consisting mainly of people outside the province.

(c)—Annual fees of Rs.4,500 and Rs.5,000 for each vehicle driven by petrol and crude oil respectively.

(d)—Four years with effect from the 1st January, 1939. The duration of the two permits granted later in place of the surrendered ones will be upto the 31st December, 1942 with effect from the date of payment of the permit fee.

Srijut ROHINI KUMAR CHAUDHURI: Sir, we have got supplementary questions to put in connection with this question.

The Deputy SPEAKER: This matter was sufficiently discussed yesterday.

Srijut ROHINI KUMAR CHAUDHURI: May I point out.....

The Deputy SPEAKER: Order, order. Next question.

Maulavi MUHAMMAD AMJAD ALI: I rise to a point of order, Sir. May I know how this question of sufficiency to be judged?

The Deputy SPEAKER: It is the discretion of the Chair.

Maulavi MUHAMMAD AMJAD ALI: With due deference to the Chair, may I ask how the sufficiency of supplementary questions are judged?

The Deputy SPEAKER: In the opinion of the Chair the matter has been sufficiently discussed.

Permits to ply motor lorries on the Gauhati-Shillong Road

Dr. MAHENDRA NATH SAIKIA asked :

*165. Will Government be pleased to state—

- (a) If any of the permit holders, on the Gauhati-Shillong Road, to ply motor lorries for goods, belong to the Tribal community of the plains and Moslems of the Assam Valley?
- (b) Will Government be pleased to state if tenders of applications were invited for grant of these permits?
- (c) If so, how was such notice published?
- (d) If not, why not?
- (e) Will Government be pleased to state who amongst these permit holders were actually engaged in motor transport business, before the grant of these permits and who have put new lorries on the road from the date fixed for commencement of the running of these lorries?
- (f) Is it a fact that the lorries run on the permits of Maulavi Md. Abdulla, Mr. MacDonald Kongor and Mr. Mohini Mohan Goswami, belong to Messrs. Ganeshdas Sriram of Shillong, and that the lorry run on the permit of Mr. Nabin Chandra Agarwalla belongs to Mr. Hari Ram Goenka of Shillong?
- (g) Will Government be pleased to state if Rai Sahib Sonadhar Senapati, M.L.C., who owned a lorry and was running it since 1934, applied for a permit?
- (h) If so, why not permit was granted to him?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

165. (a)—One of the permit holders is a Moslem of the Assam Valley.
- (b)—No. The rules do not require such publication.

(c)—Does not arise.

(d)—It is not necessary to publish the notice. Reference is invited to Rule 105 of the Assam Motor Manual, 1931.

(e)—The question is not clear. Maulavi Mawla Baksh and the United Fruit Company had permits for the Gauhati-Shillong Road previously, and Messrs. Bhajanlal Sreenivash had transport business on the Shillong Town and Mawphlang Roads. No body put new vehicles on the road.

(f)—The lorry run by (1) Mr. Nabin Chandra Agarwalla belonged to Rai Sahib Sonadhar Senapati, (2) Maulavi Abdulla to Mr. F. E. Unger, (3) Mohini Mohan Goswami to Rai Bahadur Jiwanram Goenka and (4) Mr. MacDonald Kongor to the Sree Lakshmi Motor Transport Company. All these vehicles were transferred to the present owners.

(g)—Yes.

(h)—Government have tried to accommodate the claims of every community as far as possible. Government consider it undesirable to enter into contract with a member of the Legislature.

Maulavi MUHAMMAD AMJAD ALI: On a point of information, Sir. Your ruling is that these questions have been sufficiently discussed. If that be so how is that these questions have been answered by the Hon'ble Minister?

The Deputy SPEAKER: The answers are there.

Maulavi MUHAMMAD AMJAD ALI: May I point out, Sir, that your ruling is that these questions have been sufficiently discussed by this House during question time yesterday and the day before. But if we have to submit to that ruling then these questions which are going to be asked need not come up and need not be answered.

The DEPUTY SPEAKER: It appears in the agenda of the House.

Srijut ROHINI KUMAR CHAUDHURI: May I point out that these questions are not the same questions. All these are new questions and answers have been given to them by Government. So supplementary questions arise. Our grievance is that supplementary questions have not been allowed. Will you be pleased to hear what is the question and if it is a repetition it should not be allowed?

The Hon'ble Srijut GOPINATH BARDOLOI: With reference to that, may I point out that all these questions were thoroughly thrashed out during the discussion on the cut motion yesterday as well as in the question time. Therefore, we have to observe only the formality that the questions are to be answered and not go beyond that. If it is the desire of the House that we should enlarge the proceedings by replying the same question again and again then I have nothing to say, but I respectfully submit that in such a case supplementaries should not be allowed.

(Four members rose up to put supplementary questions)

The DEPUTY SPEAKER: *Order, order.*

Dr. MAHENDRA NATH SAIKIA: On a point of order, Sir. As these questions were put by me there are still some points on which the matter should be cleared.

Maulavi Saiyid Sir MUHAMMAD SAADULLA: Sir, have I a right to address the Chair in this matter?

The DEPUTY SPEAKER: On what point?

Maulavi Saiyid Sir MUHAMMAD SAADULLA: Has the Chair the right to address the House sitting or he is to stand up when addressing the House? That is the point I want to be made clear.

The DEPUTY SPEAKER: When calling out questions, I think, I was right to call out questions even while sitting.

Maulavi Saiyid Sir MUHAMMAD SAADALLA: And in giving your ruling, Sir?

The DEPUTY SPEAKER: In giving ruling it is desirable that I should stand up.

Maulavi Saiyid Sir MUHAMMAD SAADULLA: Is it your ruling that no supplementary questions will be allowed on the questions that are on the agenda to-day without hearing what are the supplementary questions?

The DEPUTY SPEAKER: How can I allow an opportunity to the hon. members to put supplementary questions on a particular question, the answer to which is given in the printed form and which has been sufficiently discussed on previous occasions? Moreover I regretfully bring it to the notice of the hon. Leader of the Opposition that while putting supplementary questions on a particular question as many as four members stood up at a time. This does not serve any useful purpose.

Maulavi Saiyid Sir MUHAMMAD SAADULLA: I perfectly see the point of your ruling that more than one member should not stand up at a time. To that extent some of the hon. members were guilty, but at the same time I find that you are under a misapprehension, for the printed replies are not in the question papers laid on members tables. The printed replies appear only in those question papers that are in the hands of the Hon'ble Ministers and the Chair. Therefore it is only after hearing the reply that we can put supplementary questions, I think, my point will be clear if I place this agenda paper before you. (The hon. member then made over the paper to the Deputy Speaker). There is not a single reply printed in that paper.

The DEPUTY SPEAKER: However, I am reverting to question No.165 of Dr. Mahendra Nath Saikia and I would like to allow some supplementary questions to be put on the same and I hope the hon. members will not disturb the peaceful functions of the House by putting questions which have already been answered yesterday and the day before. I think new things or new information might be brought now.

Maulavi Saiyid Sir MUHAMMAD SAADULLA: It will be news to you, Sir, that before we assembled this afternoon I drew the attention of my party members to the fact that these matters have been thoroughly discussed in the question time a few days before and in the cut motion yesterday and they should not put supplementary questions on anything which are not new.

Dr. MAHENDRA NATH SAIKIA: As the Hon'ble Premier stated yesterday that after the cancellation of the permit of Nil Lohit Das it was not notified again calling for tenders from Scheduled castes people because due to delay, there will be loss to Government revenue. Now, will the Hon'ble Premier please state whether there was an interval without the permit being held by anybody from the date of cancellation of the permit up till the settlement of the same with Maulavi M. Syed Ahmed?

The Hon'ble Srijut GOPINATH BARDOLOI: I could give the reply that it was settled on the very day on which it was cancelled.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: May I ask the Hon'ble Premier whether Government while accepting the tenders from the Muhammadan contractors ever considered that either Maulavi Md. Abdullah or Maulavi M. Syed Ahmed had no previous business experience?

The Hon'ble Srijut GOPINATH BARDOLOI: Sir, I have already replied that some old contractors with experience were taken and others had no experience, but they are expected to be able to run those vehicles.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: May I ask the Hon'ble Premier whether Maulavi Md. Abdullah of Sylhet or Syed M. Ahmed of Gauhati had any previous experience of motor traffic in Gauhati-Shillong Road?

The Hon'ble Srijut GOPINATH BARDOLOI: This point was brought out yesterday and I gave the reply and I have given the reply.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: Had these gentlemen any experience?

The Hon'ble Srijut GOPINATH BARDOLOI: I think the answer would cover that. As I said, 4 persons with previous experience were taken and 5 others had no experience.

Maulavi JAHANUDDIN AHMED: May I know from the Hon'ble Premier whether the number of questions asked by the members of this side really show that there was something wrong in settlement of these lorries?

The Hon'ble Srijut GOPINATH BARDOLOI: What was wrong and right was very sufficiently discussed last afternoon.

Venture Primary Schools of the Province

Srijut PURNA CHANDRA SARMA asked:

*166. (a) Will Government be pleased to state the number of Venture Primary Schools, district by district, for the entire province?

(b) Do Government propose to introduce Compulsory primary education in any area within the province?

(c) If so, where?

The Hon'ble Srijut GOPINATH BARDOLOI replied:

166. (a)—A statement showing the latest figures which Government possess, though not quite up-to-date, is laid on the table. The number is believed to have considerably increased since then.

Statement showing the latest figures (not quite up-to-date) of the number of Venture Primary Schools, district by district, for the entire Province

Goalpara	...	...	...	...	...	92
Kamrup	...	...	...	...	...	148
Nowgong	...	...	...	...	...	51
Darrang	...	...	...	...	...	50
Sibsagar	...	...	...	...	...	98
Lakhimpur	...	...	...	...	...	79
Cachar	...	...	...	...	...	80
Sylhet	...	...	...	...	...	442

The Hon'ble Srijut GOPINATH BARDOLOI replied :

(b) & (c)—Under the existing Act the initiative lies with the local authorities, Government are considering the question on broad lines, in relation to the matter of adult illiteracy which claims their immediate attention. Although compulsion is difficult to be adopted immediately, Government will be prepared to consider it, if co-operation—both pecuniary and otherwise—is obtained from any concentrated area with sufficient school going population.

Srijut PURNA CHANDRA SARMA : When were these figures obtained, Sir ?

The Hon'ble Srijut GOPINATH BARDOLOI : These figures were obtained sometime in the beginning of 1938.

Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI : Are Government aware that the Habiganj Local Board submitted a petition with a scheme to introduce compulsory Primary Education at Baniachong and it is lying with Government ?

The Hon'ble Srijut GOPINATH BARDOLOI : I am not aware of that petition. But I shall be very glad to enquire if there is such a proposal from the Local Board of Habiganj.

Srijut ROHINI KUMAR CHAUDHURI : Do Government propose to introduce compulsory Primary Education according to the existing Act, namely, whether the people will be called upon to pay certain amount of taxes before compulsory education is introduced ?

The Hon'ble Srijut GOPINATH BARDOLOI : The matter has not yet been finally decided. But I think that the Act will require some revision.

Srijut ROHINI KUMAR CHAUDHURI : Do I understand that the existing Act will be amended before compulsory Primary Education is introduced ?

The Hon'ble Srijut GOPINATH BARDOLOI : Before or after it is very difficult to foresee now. But as I have already said, under the present

Act certain amount of expenditure has to be borne by Local Boards for the particular area over which the scheme is to be introduced. As a matter of fact, we are considering the question. Beyond that it is difficult to say anything more.

Srijut ROHINI KUMAR CHAUDHURI: Do Government propose to ask any Local Board which may be anxious to introduce compulsory primary education to exempt people from paying tax and bear the expenses themselves?

The Hon'ble Srijut GOPINATH BARDOLOI: We will be prepared to make that.

Maulavi MUHAMMAD AMJAD ALI: With regard to question No. 166 (a), is the Hon'ble Minister aware that 27 schools at Goalpara were closed down on account of financial stringency by the Local Board last year?

The Hon'ble Srijut GOPINATH BARDOLOI: Yes, I came to know about that when I was not in office.

Maulavi MUHAMMAD AMJAD ALI: May I enquire from the Hon'ble Minister what steps he took after he took office.

The Hon'ble Srijut GOPINATH BARDOLOI: The Budget is already there and if it is passed the matter can be looked into.

Maulavi MUHAMMAD AMJAD ALI: May I know whether the Goalpara Local Board is going to get additional grant so that they may revive those 27 schools?

The Hon'ble Srijut GOPINATH BARDOLOI: It is expected that with the allotment of Rs.50,000 something might be done in Goalpara also.

Maulavi MUHAMMAD AMJAD ALI: May I know when the sum will be distributed?

The Hon'ble Srijut GOPINATH BARDOLOI: After the Budget is passed, the scheme will be examined.

Want of a Municipal Market in the British area in the Metropolis of Assam

Babu SHIBENDRA CHANDRA BISWAS asked:

*167. (a) Is it a fact that there is no Municipal Market in the British area in the Metropolis of Assam?

(b) If so, will Government be pleased to state the reasons?

The Hon'ble Babu KAMINI KUMAR SEN replied:

167. (a)—Yes.

(b)—Government are unable to analyse the reasons, which are a matter of the historical development of the town.

Babu KARUNA SINDHU ROY: Will Government consider the question of starting a Municipal Market at Shillong?

The Hon'ble Babu KAMINI KUMAR SEN: Yes, Sir.

Assessment of the Gauhati Municipal Board

Mr. KEDARMAL BRAHMIN asked:

*168. Will the Hon'ble Minister-in-charge of Local Self-Government be pleased to state—

(a) Who has appointed the present Assessor of the Gauhati Municipal Board?

- (b) Who was the person selected by the said Board for the post ?
 (c) What are the special qualifications of the present Assessor ?
 (d) What standard has been adopted to assess the rate-payers of the Gauhati Municipal Board ?
 (e) Whether the said Assessor ever visited the house of rate-payers for valuation ?
 (f) Whether it is a fact that the assessment has been made by an Officer who was not selected by the Board ?
 (g) Whether it is a fact that the rate-payers are vehemently opposing the new assessment ?

The Hon'ble Babu KAMINI KUMAR SEN replied :

163. (a)—The Board obtained the loan of the Sub-Deputy Collector, Gauhati, with the approval of Government to make the valuation on a fee of Rs. 500. In order to speed up the work, which had been greatly delayed by various causes, the present assessor was placed eventually on whole-time duty.

(b)—Maulavi Ziauddin Yusuf.

(c)—He, like Maulavi Ziauddin Yusuf, is a Sub-Deputy Collector with training and experience in survey and settlement.

(d)—The purport of the query is not understood. A reference may be made to section 71 of the Municipal Act.

(e)—Yes, so Government are informed.

(f)—The work was completed by a different Officer to that first selected, as already stated.

(g)—So far as Government are aware, only the residents of Fancy Bazar, Marwaripatty have so far protested.

Srijut ROHINI KUMAR CHAUDHURI: Are Government aware that the Gauhati Municipality has since selected another Assessor to revise the assessment ?

The Hon'ble Babu KAMINI KUMAR SEN: I am not aware of that ?

Srijut ROHINI KUMAR CHAUDHURI: I want to know definitely if it is correct ; my information is that the Gauhati Municipal Board, at a meeting has superseded the old assessment and has appointed another Assessor, a member of the board, to revise the assessment ?

The Hon'ble Babu KAMINI KUMAR SEN: I am not aware of that ; I have no such information.

Srijut ROHINI KUMAR CHAUDHURI: Are Government aware that the Assessor who actually assessed was not regularly appointed and, therefore, his assessments was treated to be invalid ?

The Hon'ble Babu KAMINI KUMAR SEN: No, Sir. As I have already said in the answer to (a) above "The board obtained the loan of the Sub-Deputy Collector, Gauhati, with the approval of Government to make the valuation". Government sanctioned the loan of the Sub-Deputy Collector, without mentioning any name.

Srijut ROHINI KUMAR CHAUDHURI: Is it a fact that Government appointed Maulavi Ziauddin Yusuf by name and, therefore, the work done by Maulavi Muhammad Ali who succeeded was considered invalid ?

The Hon'ble Babu KAMINI KUMAR SEN: I have already answered that a Sub-Deputy Collector, Gauhati, was appointed and no mention of name was made there.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Defence of Assam and Military Training to the College Students**Kumar AJIT NARAYAN DEV** asked :

100. (a) Is it a fact that two aeroplanes were seen flying over the borders of Assam sometime ago ?

(b) If so, did Government make any attempt to ascertain to which nation the aeroplanes belonged ?

(c) If the answers to the above questions are in the affirmative, do Government propose to give military training to the people of Assam ?

(d) Do Government intend to take any steps to move the proper authorities to strengthen the defence of Assam ?

(e) What steps, if any, Government have since taken to give military training to the College students of Assam in the line of the Calcutta University Training Corps ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

100. (a)—Government have no information.

(b)—Does not arise.

(c)—Does not arise.

(d)—No. Defence is a subject for the Central Government and local Government can take no action in the matter.

(e)—Government have moved the University through the Director of Public Instruction to form detachments of the Calcutta University Training Corps at Gauhati and Sylhet, and the question is awaiting decision by the Military authorities. It is understood that the whole question is inter-connected with the re-organization of Defence and must, therefore, await the conclusions on the report of the Chatfield Commission which recently visited India.

Permits to ply motor lorries on the Gauhati-Shillong Road**Kumar AJIT NARAYAN DEV** asked :

101. Will Government be pleased to state—

(a) The number of permits issued by Government recently to ply lorries between Gauhati and Shillong ?

(b) Who are the recipients of such permits ?

(c) On what basis, those permits were issued ?

(d) What is the amount of revenue derived by Government from this source ?

(e) Whether it is a fact that the recipients of such permits have sublet their permits to other sub-contractors ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

101. (a)—Eighteen including 9 given to the Commercial Carrying Company, Limited, under the terms of the contract with them.

(b)—A statement is laid on the table,

Statement showing the names of permit holders for heavy goods lorries on the Gauhati-Shillong Road

Serial No.	Name and address	Number of permits
1	The United Fruit Company, Limited, Shillong	1 (one).
2	Maulavi Mawla Baksh of Messrs. Golam Hyder and Sons, Shillong.	1 (one).
3	Messrs. Bhojanlal Srinivas, Shillong	1 (one).
4	U. A. MacDonald Kongor, Shillong	1 (one).
5	Maulavi Md. Abdullah, B.L., Howapara, Sylhet	1 (one).
6	Srijut Mohini Mohan Goswami, Gosainagar, Gauhati.	1 (one).
7	Srijut Nabin Kumar Agarwalla, Uzanbazar, Gauhati, on behalf of Gauhati Transport Company.	1 (one).
8	The Cachar Native Joint Stock Company, Limited, Silchar.	1 (one).
9	Babu Nil Lohit Das, Laban, Shillong	1 (one).
10	The Commercial Carrying Company, Limited	9 (nine).

Babu Nil Lohit Das and Maulavi Md. Abdullah have since surrendered their permits, which have been given to Srijut Girish Chandra Barua and Maulavi M. Syed Ahmed of Gauhati.

(c)—To accommodate the claims of all communities as far as practicable and to bring about a healthy competition between the Commercial Carrying Company and the various lorry owners, so that the benefit of the competition might accrue to the growers and the consumers.

(d)—Rupees 81,000.

(e)—Government are not aware of any subletting.

Permits to ply motor lorries on the Gauhati-Shillong Road

Maulavi MABARAK ALI asked :

102. Will Government be pleased to state—

- The names of persons who have been granted permits to run goods trucks over the Gauhati-Shillong Road recently ?
- The names of unsuccessful applicants, if there be any ?
- Whether any tender was invited for the purpose ?
- What were the considerations that weighed in granting these permits to the permit holders ?
- Whether any permit has been cancelled in the meantime ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

102. (a)—Reference is invited to the reply to a similar question No.101 asked by Kumar Ajit Narayan Dev, M.L.A.

(b)— A statement is given below—

Statement showing the names of unsuccessful applicants for permits to run lorries on the Gauhati-Shillong Road, from the 1st January 1939

Serial No.	Name and address of applicants	Remarks
1	Rai Sahib Sonadhar Das Senapati, Laban, Shillong. Permanent residences, Shillong and Gauhati.	
2	U Raju Singh Giri, Shillong, son of the late U Ronsingh, Siem of Myllem State.	
3	Babu Rasamaya Gupta, Laban, Shillong.	
4	The South Bank Motor Transport Company, Gauhati.	
5	Srijut Kiran Ram Phukon, Bharalumukh, Gauhati. Residence, Gauhati.	
6	Srijut Kabindra Ram Das, B.L., Gauhati. Residence, Soalkuchi, Kamrup.	
7	Srijut Kamakhyalall Goenka, 29 Cantonments, Shillong.	
8	Srijut Bajrong Lall Mawr, Shillong.	
9	Jendro Nath Swer, Mawkhar, Shillong. (Cherra State).	
10	Messrs. Deb Bros. & Co., Fancy Bazar, Gauhati. Proprietor is a native of Sylhet.	
11	U Rolip Singh, Mawkhar, Shillong. Residence, British Village Mawmluh, Khasi and Jaintia Hills.	
12	U Pati Laloo, Barabazar Road, Shillong. Jaintia Hills.	
13	Surain Singh, Police Bazar, Shillong.	
14	U Rash Mohon Roy, Mawkhar, Shillong.	
15	Maulavi Wahed Ali, Proprietor, The Shillong-Cherra and Sylhet Motor Service, Shillong.	
16	Babu Kailash Chandra Chaudhury, Badalpur, P.O. Jalsuka, Sylhet. Present address—Laban, Shillong.	
17	Ka Glorymai Ryndem, Laban, Shillong.	
18	U Wellson Roy Kyndiah, 44, Cantonment Bazar, Shillong. A British subject of Jaintia Hills.	
19	Maulavi Mahbub Ali Chaudhury, Wahingdoh, Shillong.	
20	Jata Hadia, Barabazar Road, Shillong. A British subject.	
21	Chauthmal Dudheria for Messrs. Sermal Chauthmal, 28 Cantonment Bazar, Shillong.	
22	Dileymany Diengdoh, Cherrapunji, Shillong.	
23	Nirmal Chandra Das, Laban, Shillong. Residence, village Agnai, Sunamganj subdivision.	
24	Mr. E. N. Nichols-Roy, Mountain View, Shillong.	
25	Maulavi Abdul Hamid, Proprietor, the Sylhet-Shillong Union Motor Service, Shillong. Head office—Sylhet. A native of Sylhet district.	
26	Babu B. B. Dutt, Proprietor, Messrs. Eastern Bengal and Assam Commercial Syndicate, Head office—Sylhet, Transport Branch, Gauhati, Shillong.	
27	Srijut Tarini Charan Das, Public Works Department Contractor, Gauhati, Maskhoa. A native of the Kamrup district.	

Serial No.	Name and address of applicants	Remarks
28	Srijut Kedarnath Sarma, Laban, Shillong.	
29	Srijut Narendra Nath Dutta Chaudhury, Central Boarding, Shillong.	
30	Rai Bahadur Jibanram Goenka, Police Bazar, Shillong.	
31	Srijut Chunilal Barua, "Rosaville", Shillong, or Gauhati. Residence, Gauhati.	
32	Girish Chandra Barua, Gauhati	Subsequently granted a surrendered permit.
33	Nabin Kumar Agarwalla, Uzanbazar, Gauhati.	
34	Maulavi Talebuddin Ahmed, Public Works Department Contractor, Machkhowa, Gauhati. Residence, Gauhati.	
35	Babu A. K. Bhattacharjee, Gauhati-Shillong Road, Shillong.	
36	The Siem of Myllem State, Mawkhar, Shillong.	
37	Mr. F. E. Unger, Gauhati-Shillong Road, Shillong.	
38	Barik Doloi, Myntri of Myllem State, Mawkhar, Shillong.	
39	M. Syed Ahmed, Mackhowa, Gauhati. An Assamese Muhammadan.	Subsequently granted a surrendered permit.
40	Charu Chandra Ghose, Proprietor, The Bharat Lakshmi Stores, Police Bazar, Shillong. A native of Assam and resident of Shillong since 1912.	
41	Tilakanta Goswami, C/o T. N. Phukan, B.L., Uzanbazar, Gauhati.	
42	Hariram Goenka, Police Bazar, Shillong.	
43	U Hinmoney, Mawkhar, Shillong. A native of Shillong.	
44	Mr. E. Hraris Kongor, Pleader, Nongthymmai, Shillong.	
45	Sorjo Mohan Shome, Mawlai Phudmawri, Shillong.	
46	U Hiro Singh Massar, Gualapatty, Shillong. A British subject of the Jaintia Hills residing in Shillong.	
47	U Kistobin Roy Rymbai, Garikhana, Shillong (of Jowai).	
48	Bhairab Chandra Baruah, Laban, Shillong. (Native of Upper Assam).	
49	Messrs. Dutta Barua and Company, Arbuthnot Road, Shillong.	
50	The Sree Lakshmi Motor Transport Company, Limited, Shillong.	
51	The Surma Valley Stock Limited, Shillong.	
52	The Carriers Limited, Shillong.	

Serial No.	Name and address of applicants	Remarks
53	The Shillong Transport and Trading Company, Limited, Shillong.	
54	Dipchand Madanlal Sarawgi, Shillong.	
55	U Dewarin Ghyriem, Bara Bazar Road, Shillong.	
56	The Shillong Hydro-Electric, Limited, Bijli House, Shillong.	
57	Dr. H. Lyngdoh, L.M.S., M.B.E, Lyngdoh Road, Shillong. A native of Khasi and Jaintia Hills District.	
58	Rameswar Jalewa, Mawkhar, Shillong.	
59	The Shillong Engineering Works, Keatinge Road, Shillong. The proprietors are natives of the Sylhet District.	
60	M. Lal Singh, Proprietor. The Assam Engineering Works, Gauhati. Domiciled in Assam.	
61	Messrs. Meghraj Nemchand, Paltanbazar, Shillong.	
62	Bhomsingh Sewdanmall, Fancibazar, Gauhati.	
63	P. Sher Singh, C/o Messrs. Pretam & Co., Gauhati Road, Shillong.	
64	Sasanka Shaker Dutta, Umsohsun, Shillong.	
65	Joad Ali Chaudhury, P. O. Bairagi Bazar, Village Bar Saleswar, Sylhet.	
66	Golak Chandra Pathak, Mawkhar, Shillong.	
67	Messrs. Sukhlall Mohanlall, 27 Cantonment Bazar, Shillong.	
68	Soroj Bardoloi, Mawkhar, Shillong, Resident of Gauhati.	
69	Mrs. Premlata Das, Laban, Shillong.	
70	Sarat Chandra Bora, Shillong. Residence, Jagi, Nowgong District.	
71	Messrs. Mahari & Sons, Mawkhar, Shillong. A Khasi concern.	
72	Messrs. Hardeo Dass Puranmall, Mawkhar, Shillong.	
73	Messrs. Purkayastha Brothers, Police Bazar, Shillong.	
74	Ka Rose Solomon, Mawkhar, Shillong. A Khasi business woman.	
75	Nagarmall Agarwalla, Mawkhar, Shillong.	
76	Aruneswar Sarma, C/o D. Sarma, Esq., Director of Land Records, Shillong.	
77	Kumud Ranjan Dev, C/o the Shillong Medical Stores, Shillong.	
78	Dharmeswar Majindar Barua, Laban, Shillong.	
79	Srijut Radha Mohan Bordoloi, Mawkhar, Shillong. A resident of Gauhati.	

(c)—No.

(d)—Reference is invited to the reply to a similar question No. 101 asked by Kumar Ajit Narayan Dev, M.L.A.

(e)—Yes, two have been surrendered.

Development of Cottage Industries in Assam

Maulavi ABDUR RAHMAN asked :

103. Will Government be pleased to state—

- (a) The steps taken by Government for the fosterage and expansion of the bamboo and cane industries in the province ?
- (b) Whether it is a fact that the railway freight on such goods is prohibitive ?
- (c) The steps taken by Government for the umbrella chip-making industry of the province ?

104. (a) Are Government aware of the fact that the yarn supplied through the Government Emporium is higher in price than the market price ?

(b) If so, what steps Government have taken to check it ?

105. (a) Are Government aware of the huge waste of man power owing to lack of occupation for the cultivators of the province during six months of the year ?

(b) If so, what Government propose to do by way of supplementing their income by providing subsidiary occupation for these people ?

106. Will Government be pleased to state—

- (a) Whether Government made any attempt to ascertain the monthly income of the people of the province ?
- (b) If not, do Government propose to have a survey in the matter ?

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI replied :

103. (a)—Government have not taken any action so far for fostering and expansion of the bamboo and cane industries in the province.

(b)—Government cannot accept the suggestion in view of the fact that the authorities have with effect from 1st October 1936 introduced a special rate of 3½ annas a mile per wagon loads of bamboo and cane furniture with a minimum charge of Rs.10 which merely covers the haulage costs.

(c)—Government helped at least one local concern making umbrella handles with industrial loan. Director of Industries also sent names of some manufacturers of umbrella handles to inquirers from outside the Province.

Maulavi MUHAMMAD AMJAD ALI: With regard to (b), may I know from the Hon'ble Minister whether he has also taken note of the unfinished goods ?

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI: Yes, Sir.

Maulavi MUHAMMAD AMJAD ALI: Then what is the price levied for their freight ?

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI: These goods are sent in wagons and not in small quantities. So the rate is there in answer to (b). But for small quantities or small number of things the freight will be a bit different which I cannot remember at present.

Maulavi MUHAMMAD AMJAD ALI: The Hon'ble Minister has apparently not understood my question. My question is with regard to big scale commodities of raw materials whether he has laid down any specific rate for freight purposes so that it could be worked on a commercial basis ?

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI: It is not for the Government to fix the rates ; but it is for the Railway authorities to fix the rate.

Maulavi MUHAMMAD AMJAD ALI: With regard to (b), how was the 3½ annas fixed ?

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI: It is the Railway authorities that gave it on the recommendation of Government in 1936.

Maulavi MUHAMMAD AMJAD ALI: Why are not Government minimising it now ?

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI: It is under the contemplation of Government.

Maulavi MUHAMMAD AMJAD ALI: Is it also contemplated to minimise the cost of transport for unfinished goods ?

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI: I have already replied, Sir, that it is under the consideration of Government.

Maulavi MUHAMMAD AMJAD ALI: May I know from the Hon'ble Minister in charge of Industries what is the total output of bamboos and cane approximately in the province ?

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI: It is not possible for Government to say that off hand.

Maulavi MUHAMMAD AMJAD ALI: May I know, Sir, what the Hon'ble Minister means by "haulage costs" ?

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI: The hon. member may consult a dictionary.

Maulavi MUHAMMAD AMJAD ALI: May I know whether the Hon'ble Minister himself has consulted the dictionary ?

Mr. BAIDYANATH MOOKERJEE: Is that a fair question, Sir ?

Srijut ROHINI KUMAR CHAUDHURY: The haulage cost, so far as we know, cannot be found in any dictionary. I can challenge the Hon'ble Minister to find out that.

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI: Is it Parliamentary to challenge like that ?

Maulavi MUHAMMAD AMJAD ALI: I appeal to you, Sir. I have not understood this answer, as to what is meant by haulage charge.

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI: The hon. member may consult the Director of Industries and he will tell him everything.

Maulavi Saiyid Sir MUHAMMAD SAADULLA: Can the Hon'ble Minister suggest that we should approach the Director of Industries ?

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI: Only yesterday I had consultation with the hon. member about this kind of freight affairs, etc.

Maulavi Saiyid Sir MUHAMMAD SAADULLA : Yesterday my Hon'ble friend met me in the corridor and asked me about his scheme and I was prepared to help him. But seeing his attitude, I will be the last person to help the Hon'ble Minister. He has not understood the question at all. It refers to the output of canes and bamboos with which the Hon'ble Minister is not at all concerned. The cane and bamboo mahals are in charge of the Forest Department, and there is no meaning in bandying words like referring to the dictionary or referring to the Director of Industries.

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI: I have already said, Sir, that I am not in a position to say these things off hand.

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI replied :

104. (a)—The prices of yarn fluctuate like other commodities—sometimes the prices charged by the Emporium may have been slightly more and sometimes less than the market price.

(b)—Attempts are made to keep our prices as low as possible but unless funds are forthcoming to stock large quantities of yarn when the prices are favourable it will not be always possible to compete with the local yarn merchants.

Maulavi ABDUR RAHMAN: As regards (b) may I know what particular steps have been taken in regard to this matter ?

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI: On another day I replied to these things. To-day also I say that Government are doing much more in the present state of finances of the province. The financial troubles are there and for that reason whatever is possible is being done. We find here also weaving, sericulture, mat-making and other things are given.

Maulavi ABDUR RAHMAN: So far as I can follow the Hon'ble Minister, he says that they are doing much more than what is possible. May I know what is that 'much more' that Government are doing ?

The Hon'ble Srijut GOPINATH BARDOLOI: Sir, if I am allowed, I can help. All that has been stated under question No. 104 is that

Government are in want of funds so that they cannot purchase a sufficient amount of yarn at favourable rates to enable them to compete with the local dealers.

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI replied :

105. (a)—Yes.

(b)—Wherever possible, departmental officers carry on propaganda to encourage subsidiary occupations like weaving, sericulture and jute weaving, etc., amongst them so that their spare time may be usefully spent.

Maulavi ABDUR RAHMAN: With reference to answer (b) may I know from the Hon'ble Minister in Charge of Industries what he means by propaganda work ?

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI: For propaganda work we have our officers and demonstrators who go through localities and advise the people to take to these things.

Maulavi ABDUR RAHMAN: Can the Hon'ble Minister refer to a single instance where some subsidiary occupation has been taken by people of a certain area ?

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI: There are umbrella-making, mat-making, bell-metal works, ivory works and so on in different places undertaken by different people.

Maulavi MUHAMMAD AMJAD ALI: May I know, Sir, the nature of the propaganda, these demonstrators do in the villages ?

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI: I think there are demonstrators in Goalpara also and the hon. member knows it.

Maulavi MUHAMMAD AMJAD ALI: Does the Hon'ble Minister mean that the demonstrators came to me ? Will the Hon'ble Minister please explain his statement ?

Khan Bahadur Maulavi KERAMAT ALI: May I know what the Hon'ble Minister means by jute weaving industry ?

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI: By jute mat, carpet and other things are prepared. It has just been started and training also is being imparted in some schools.

Maulavi MUHAMMAD AMJAD ALI: Sir, are we to understand that mats are prepared out of jute ?

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI: It may be news to the hon. member, Sir, but I can say that mats are made out of jute.

Srijut ROHINI KUMAR CHAUDHURI: May I know from the Hon'ble Minister why he has not included spinning also ?

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI: In weaving, Sir, spinning comes first.

Srijut ROHINI KUMAR CHAUDHURI: Is it the idea of the Hon'ble Minister that weaving comes first and spinning comes afterwards ?

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI: No, in weaving, spinning is included.

Khan Bahadur Maulavi KERAMAT ALI: May we know, Sir, at what place the construction of mats has been introduced ?

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI: If the hon. member do not mind, I can tell him that even at Jorhat there is a newly started weaving school and I hope he will please go there for a minute and see that weaving is done there. (*Loud laughter*).

Maulavi MUHAMMAD AMJAD ALI : Sir, Jorhat is a place which is far away from my place. Would the Hon'ble Minister please tell us about any station like Gauhati emporium or anywhere near my home where this weaving takes place ?

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI : As far as I remember, even in Goalpara there is a weaving place at Rangajuli.

Maulavi MUHAMMAD AMJAD ALI : May I know in which part of Rangajuli, that weaving place is situated ?

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI : That I cannot say definitely, Sir. It is somewhere in that village.

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI replied :

106. (a)—No.

(b)—Government will consider the desirability of having such a survey in due course.

Maulavi ABDUR RAHMAN : The reply to question No. 106(a), is 'No'. May I know from the Hon'ble Minister whether he does not feel it necessary that there should be a survey of this kind ?

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI : Yes, Sir, it is under the consideration of Government.

Maulavi MUHAMMAD AMJAD ALI : May we know whether Government are at all going to do it ?

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI : Yes, Sir, Government are considering it.

Maulavi MUHAMMAD AMJAD ALI : My question is whether Government will do it or not.

The Hon'ble Khan Bahadur Maulavi MAHMUD ALI : I have already answered, that Sir.

Cancellation of the ban on the novel "Pather Dabee"

Mr. ARUN KUMAR CHANDA asked :

107. (a) Has the attention of Government been drawn to the fact that the Bengal Government has been pleased to cancel the ban on the famous novel "Pather Dabee" by Sarat Chandra Chattapodhyaya ?

(b) If so, do Government now propose to lift the ban on the said book in Assam ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

107. (a)—Yes.

(b)—By the action of the Bengal Government the ban has become automatically lifted in Assam also.

Mr. ARUN KUMAR CHANDA : Has any notification been issued ?

The Hon'ble Srijut GOPINATH BARDOLOI : Yes, Sir, the notification has already been issued in the gazette.

Standards of bazar seer weights

Srijut JOGENDRA NARAYAN MANDAL asked :

108. (a) Will Government be pleased to state whether they have received reports from various quarters of the Dhubri Subdivision about the use of bazar seer weights varying from 60 tolas to 96 tolas ?

(b) Are Government aware that the *raiyats* do not get real price of their commodities from those businessmen who use such bazar weights ?

(c) If so, do Government propose to take early steps, so that a standard weight of 80 tolas a seer may be made compulsory for all marketing purposes even in the interior villages of the Dhubri Subdivision ?

The Hon'ble Babu KAMINI KUMAR SEN replied :

108. (a)—No reports appear to have recently come to Government, but they are aware of the wide variations of the weights in use.

(b)—Yes: this is no doubt often the case.

(c)—The hon. member is probably aware that a Standards of Weight Bill is now before the Indian Legislative Assembly: the problem will be much simplified when this passes into law and Government will consider the question of local legislation.

Srijut JOGENDRA NARAYAN MANDAL: Will Government inquire about this fact ?

The Hon'ble Babu KAMINI KUMAR SEN : Yes, Sir.

Maulavi MUHAMMAD AMJAD ALI : Sir, the answer with regard to question No. 108(c) is that the problem would be much simplified when this passes into law and Government will consider the question of local legislation. Is it in the contemplation of this Government to take up legislation in this matter ?

The Hon'ble Babu KAMINI KUMAR SEN : Yes, Sir. I think, this Government will have to do so because the matter is included in the provincial list ?

Maulavi MUHAMMAD AMJAD ALI : Are Government considering the question of taking up local legislation ?

The Hon'ble Babu KAMINI KUMAR SEN : Yes, Sir. That is what I have replied. The Provincial Government will have to do it.

Maulavi ABDUR RAHMAN : May I know from the Hon'ble Minister whether measurement of weight is a provincial concern ?

The Hon'ble Babu KAMINI KUMAR SEN : Yes, Sir.

Maulavi ABDUR RAHMAN : Cannot the Hon'ble Minister in-charge issue a circular asking all the businessmen not to use such bazar weights ?

The Hon'ble Babu KAMINI KUMAR SEN : I don't think, Sir, any useful purpose will be served by circular without legislation.

Maulavi JAHANUDDIN AHMED : May I tell the Hon'ble Minister that it may not be useful to him, but it will be useful to the public at large.

The Hon'ble Babu KAMINI KUMAR SEN : Government do not consider that any useful purpose will be served by issuing a circular.

Maulavi ABDUR RAHMAN: Our information is that if such a circular is issued then it will be useful to the public.

The Hon'ble Babu KAMINI KUMAR SEN: As I have already said, Sir, that this matter cannot be effectively dealt with by issuing a circular. It requires a legislation.

Maulavi JAHANUDDIN AHMED: Are Government going to bring any legislation to this effect during the next session of the Assembly?

The Hon'ble Babu KAMINI KUMAR SEN: We are considering about that. We shall try to expedite the matter.

Maulavi JAHANUDDIN AHMED: Is it not a very important matter, Sir?

The Hon'ble Babu KAMINI KUMAR SEN: Certainly, it is an important matter.

Maulavi JAHANUDDIN AHMED: Are Government going to consider it very early?

The Hon'ble Babu KAMINI KUMAR SEN: There is a Standard Weight Bill now before the Indian Legislative Assembly and we are waiting for the passing of that Bill.

Maulavi JAHANUDDIN AHMED: Sir, we are not concerned with the Indian Legislative Assembly. We are concerned with the Assam Legislative Assembly and we want to know from the Hon'ble Minister whether he is going to do something early for the poor people.

The Hon'ble Babu KAMINI KUMAR SEN: When the Central Bill will be passed we will take up the matter because we like to initiate a similar legislation.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: May I ask the Hon'ble Minister whether the Act passed by the Indian Assembly is not acceptable to the province of Assam?

The Hon'ble Babu KAMINI KUMAR SEN: I have already said Sir, that this is a provincial subject.

Re publication of the recommendations of the Retrenchment Committee in the newspaper.

Khan Bahadur Maulavi SAYIDUR RAHMAN: Before we take up the next item of business, Sir, I want to ask a question. May I know from the Hon'ble Prime Minister whether the recommendations of the Retrenchment Committee are confidential?

The Hon'ble Srijut GOPINATH BARDOLOI: Yes, Sir. They are confidential till they are taken up by Government.

Khan Bahadur Maulavi SAYIDUR RAHMAN asked: May we know Sir, how these recommendations had been published in the *Amritabazar Patrika* yesterday?

The Hon'ble Srijut GOPINATH BARDOLOI: We do not know that, Sir. We are surprised to find how the report of this nature appear in the paper from time to time. We did all that we could to see that these things do not receive any publication, but it is not known how the publication is given. I also do not know whether the publication that has been made in the paper is at all true. It is to be regretted that things of this kind are happening from time to time. All that I can say on behalf of Government is that it was not through the agency of the Government that this publication has been made.

Khan Bahadur Maulavi SAYIDUR RAHMAN: May I have the assurance that this leakage will be inquired into?

The Hon'ble Srijut GOPINATH BARDOLOI: Yes, Sir. We found some exhibition of leakage in this House also. We will see what can be done in this matter.

Khan Bahadur Maulavi SAYIDUR RAHMAN: May we expect that the recommendations of the Retrenchment Committee will be made available to this House also ?

The Hon'ble Srijut GOPINATH BARDOLOI: As soon as they are considered by Government. If I am permitted to explain, Sir, the whole idea behind is that we had a representative Committee of all sections of the House and as such we thought its value was really great. In view of the fact that all sections of the House were represented in the Committee, we thought it was not necessary to put the recommendations before the House and Government would take action on those recommendations giving them the value which they certainly deserve ; and then Government would communicate their decision on those recommendations.

Khan Bahadur Maulavi KERAMAT ALI: May I bring to the notice of the Hon'ble Premier the fact that in all Committees the representatives of the whole House are appointed, but all the same up to now the report has always come to the House for consideration before any decision has been taken by Government ?

The Hon'ble Srijut GOPINATH BARDOLOI: I am afraid the hon. member is not right in saying that it is a fact in all cases. In a representative Committee of the whole House the views of the members are taken for the views of the House, and therefore all weight and consideration are given to such recommendations.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURI: May I know from the Hon'ble Premier whether he will issue any communiqué with regard to the publication that appeared in the *Amritabazar Patrika* relating to the recommendations of the Retrenchment Committee ?

The Hon'ble Srijut GOPINATH BARDOLOI: In view of the statement I have made before the House I do not think any communiqué is necessary.

Mr. F. W. HOCKENHULL: May I point out that the members of the Retrenchment Committee have considered those recommendations confidential, and their own party members up-to-date are unacquainted with the deliberations of that Committee and with its recommendations ? The Committee might have been representative of the House, but the House generally is still in the dark as to the recommendations formulated by that Committee.

The Hon'ble Srijut GOPINATH BARDOLOI: I agree that that may be so, but all the same the recommendations will be taken as recommendations of the House in view of the fact that the Committee, which submitted those recommendations, were a Committee fully representative of all sections and interests of the House.

Khan Bahadur Maulavi KERAMAT ALI: Were the members of that Committee elected by the House ?

The Hon'ble Srijut GOPINATH BARDOLOI: The Committee owes its existence to a resolution (although not taken up by the House) from both sides of the House, the Government side as well the Opposition. The Opposition tabled a resolution ; of course the resolution did not come up for discussion, but the Government of the time was pleased to concede that such a Committee was absolutely necessary, and in view of that, the different parties of the House were asked to submit the names of the members who would work in the Committee, and accordingly that Committee was constituted.

Srijut ROHINI KUMAR CHAUDHURI: I am afraid the Hon'ble Prime Minister is making a new departure. As far as my experience goes, the actual discussions in a committee may be kept confidential, but the conclusion arrived at by the Committee are always made available to the members of the House. They are never kept back until Government come to a decision. I can cite several instances; for instance, the Opium Enquiry Committee's Report, the Line System Committee's Report and so on. Their conclusions were always made available to the House before Government came to any decision. It is indeed curious that certain members of the committee, who are also members of the House, should know what they have recommended, but the House which appointed them to the Committee should be in dark.

Mr. ARUN KUMAR CHANDA: It is not a Committee appointed by the House.

Srijut ROHINI KUMAR CHAUDHURI: Yes, it is in the sense in which the Opium Enquiry Committee, the Provincial Franchise Committee were Committees of the House. The members of the Provincial Franchise Committee were appointed by Government, and their proceedings were made available to the members of the House before Government came to any decision.

Mr. ARUN KUMAR CHANDA: Sir Muhammad Saadulla, as head of the then Government, asked all sections of the House to nominate members who constituted the Retrenchment Committee. The Committee was not formed on a motion of the House.

Khan Bahadur Maulavi SAYIDUR RAHMAN: We have no quarrel about the formation of the Committee. In view of the fact that the recommendations of the Committee had already seen the light of day, is it reasonable that we, the members of the House, should be kept in dark about them?

The Hon'ble Srijut GOPINATH BARDOLOI: I do not say anything now, but I will give this suggestion our consideration.

Ruling by the Deputy Speaker whether a Minister is justified in referring a member to the Head of a Department to get information arising out of supplementary questions

Maulavi JAHANUDDIN AHMED: On a point of order, Sir. The Hon'ble Minister in-charge of Industries, in reply to a question asked by Maulavi Muhammad Amjad Ali, stated that the hon. member may go to the Head of the Department and know all the information required by him. Sir, I want a ruling from you whether to get any answers to our questions we should go to the Heads of Departments, or whether the answers should be given in this House, by the Hon'ble Minister in-charge.

Srijut ROHINI KUMAR CHAUDHURI: This point was raised by the Hon'ble Leader of the Opposition, and it has been raised again because you were not pleased to give any ruling then.

The DEPUTY SPEAKER: As regards the point of order raised by the hon. member over there to the effect whether the Hon'ble Minister in-charge of Industries was justified in referring the hon. questioner to go to the Head of the Department and have the information, I have every reason to say that he is not quite justified (*Hear, hear*). When the Hon'ble Minister fails or when he cannot answer any question off hand he ought to ask for notice of the question (*Hear, hear*), and then in his leisure hour, after consulting some other books or some other officials of the department concerned, he may give his answer later on. There is no bar in giving any answer later (*Opposition applause*).

Babu RABINDRA NATH ADITYA: On a point of order, Sir. Since this Assembly House is not a school room, when any question is put it must certainly be put for eliciting informations with regard to the administration of some department of Government. But, when questions are asked about the meaning of this or that word, I submit, Sir, that it is not the duty of the Government Member to give the meaning of particular word or words, because it is not an information relating to the administration of any department of Government. I want a ruling from you whether any member is justified in asking meanings of particular words, as the hon. member did in his question.

Maulavi Saiyid Sir MUHAMMAD SAADULLA: Sir, questions, according to our rules, can be asked to elicit information. If in any reply from any Minister, any statement or technical term is not generally understood, every member has got a right to enquire what is meant by that term or statement.

The DEPUTY SPEAKER: Quite so. As regards any technical words which are used in the course of the debate in the House, I think it is always very undesirable on the part of any hon. member to challenge another hon. member as to the meaning or interpretation of what that is (*Hear, hear*), or on the part of an Hon'ble Minister to refer the hon. questioner to dictionary. That is a system, which, I should like to say should, in future, be altogether discouraged. But as regards any information regarding which any hon. member of the House would like to have from any Hon'ble Minister, I hope the hon. questioner is fully justified in asking information of the department regarding which the Hon'ble Minister in-charge is connected.

DEMANDS FOR GRANTS

GRANT No. 5

(11—Registration)

The Hon'ble Srijut RUPNATH BRAHMA: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs. 1,48,600 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1940, for the administration of the head "11.—Registration".

The DEPUTY SPEAKER: Motion moved:

"That a sum not exceeding Rs. 1,48,600 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1940, for the administration of the head 11.—Registration".

I find that there are as many as 12 cut motions under this grant. Now the time at my disposal, as has already been allotted, is only half an hour. May I call the attention of the Hon'ble Leader of the Opposition to enlighten me as to which of the motions he would like to be discussed?

Maulavi Saiyid Sir MUHAMMAD SAADULLA: Nos. 10 and 12.

The DEPUTY SPEAKER: I have already brought it to the notice of hon. members that I have only got less than half an hour at my disposal. I hope hon. members taking part in the discussion of these cut motions will be very concise regard being had to the time-limit.

Maulavi ABDUR RAHMAN: I beg, Sir, to move that the total provision of Rs. 1,48,600 under Grant No. 5, Major head—11.—Registration, at page 49 of the Budget be reduced by Rs. 100, *i.e.*, the amount of the whole grant of Rs. 1,48,600 do stand reduced by Rs. 100.

Sir, my object of moving this motion will be evident from the motions which are already tabled in connection with the insufficiency of sub-registry offices in various part of the province. I have given in the list of cut motions that my object is to raise a discussion for not making sufficient provision of money in the Budget for establishing more sub-registry offices where necessary. As I have already referred, if we look to the list of cut motions, we find that most of the hon. members have placed similar grievances by submitting different motions. There are as many as 5 or 6 motions to the same effect. In the lists, it will be found that there is one grievance for not opening a sub-registry office at Kamalganj. There is another grievance for establishing a sub-registry office at Barlikha. There is a similar motion regarding establishment of a sub-registry office at Katlicherra. There is another for Dhubri. These are motions regarding the establishment for sub-registry offices in different places of the province. But what do we find in the Budget? While we look to the provision made in the Budget in this respect, we are left to despair. I find that a very scanty amount has been provided in the whole department. The amount which is provided in the Budget is not meant for any new project, but for the purpose of maintaining those that are existing. While there are such serious grievances from different quarters of the province, I do not find any reason why our Government should be so callous. Even in previous Budget Sessions there were similar grievances and these grievances were discussed very freely by different members of the House, and, so far as I remember, the then Minister-in-charge held out hopes and on many occasions took early steps as to the establishment of sub-registry offices, but since then no attempt has been made. We discussed previously and assurances in certain cases were given. But the Hon'ble Minister forgets everything as soon as the session is over.

With these words, I commend my motion to the acceptance of the House. I would also request the Hon'ble Minister-in-charge to be earnest; if they are to do anything they must be sincere in making attempts.

The DEPUTY SPEAKER: Cut motion moved:

"That the total provision of Rs. 1,48,600 under grant No. 5, Major head—11.—Registration, at page 49 of the Budget be reduced by Rs.100, i.e., the amount of the whole grant of Rs. 1,48,600, do stand reduced by Rs. 100".

Srijut ROHINI KUMAR CHAUDHURI: I take this opportunity of bringing to the notice of the Government the anomalous condition that is prevailing in the district of Kamrup, so far as Sub-Registry office at Nalbari is concerned. At Nalbari, arrangements have recently been made to register documents and the Magistrate there was invested with the powers of performing this duty. Now, Sir, we have found that there are as many as hundred—and sometimes more than that—documents have to be registered at Nalbari, which means that the Magistrate has no time to do criminal duties. Because although a case may be postponed, registration of documents cannot be postponed.

On the other hand there is a whole-time Sub-Registrar at Gauhati, but he has practically very few documents to register. The most convenient arrangement would have been to depute one of the Extra Assistant Commissioners at Gauhati to go and register the documents there.

Maulavi JAHANUDDIN AHMED: On a point of order, Sir. We have given some cut motions for not providing money for sub-registry offices at different places. Shall we be allowed to speak on this motion also?

The DEPUTY SPEAKER: Yes, I have no objection.

Babu HIRENDRA CHANDRA CHAKRAVARTY: Mr. Deputy Speaker, Sir, I rise to support this motion. In supporting this motion I would like to draw the attention of the Hon'ble Minister in charge to my cut motion* on the same subject. By that motion I want to urge on the Government the necessity of opening a Sub-Registry office at Katlicherra in Hailakandi Subdivision. Sir, during last Budget Session also I moved a similar motion, and hopes were held out to me by the then Hon'ble Minister in charge, but nothing has been done so far. I know that similar hopes may be held out to me again this time, but I would request the Hon'ble Minister to take up this matter earnestly and establish a sub-registry office there as early as possible. In my speech during the last Budget Session, I referred to the necessity of the people, and as the time is short, I will not repeat the same again today.

With these few words, I would ask the Hon'ble Minister to open a sub-registry office there without any further delay.

Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI: On a point of information, Sir. May I know the approximate cost per year of a sub-registry office on a commission basis? I want to know the approximate cost if it is run on a commission basis. I think one sub-registry office has been opened at Derai in the Sunamganj Subdivision and that office is still working. I want to know what is the cost per year of that office.

The DEPUTY SPEAKER: That will come next, in motion No. 12. When we come to that for discussion the hon. member will have ample opportunity to ask for an answer and to have a discussion.

Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI: I bow down to your ruling, Sir. Still I insist that before we come to that motion it will be better if we get the information from the Hon'ble Minister.

Maulavi MUNAWWAR ALI: May I point out, Sir, that that motion raises quite a different matter, *i.e.*, registration done on commission, but what the hon. member means is that the Sub-Registrar should be paid by commission system.

Maulavi ABDUR RAHMAN: The question involved here is that the Sub-Registrar will work not on salary but on commission.

The Hon'ble Srijut RUPNATH BRAHMA: I cannot give the exact figure just now, but if the hon. member wants it I can supply it later.

Maulavi JAHANUDDIN AHMED: Mr. Deputy Speaker, Sir, I also tabled a motion † to criticise the Government for not providing money for the construction of a sub-registry office at Dhubri. In my budget speech last year, I also mentioned about the deplorable condition of the Sub-registry office at Dhubri. The then Minister-in-charge of the Department give us an assurance that they will immediately do this as there are some very important documents in that registration office. Now I take thi:

* That the provision of Rs. 1,48,345, under Grant No. 5, Major head—11—Registration, Minor head—A.—District Charges (total), at page 50 of the Budget, be reduced by Rs. 100, *i.e.*, the amount of the whole grant of Rs. 1,48,600 do stand reduced by Rs. 100.

(To censure Government for not opening a Sub-Registry office at Katlicherra in the Hailakandi subdivision though demanded before).

† That the provision of Rs. 2,786 under Grant No. 5, Major head 1.—Registration, Minor head—A.—District Charges, Sub-head—4—Contingencies (non-contract) (total), at page 50 of the Budget, be reduced by Rs. 5, *i.e.*, the amount of the whole grant of Rs. 1,48,600 do stand reduced by Rs. 5.

(To criticise Government for not providing money for the construction of the Sub-Registry office at Dhubri).

opportunity of requesting the Hon'ble Minister who comes from the same subdivision to be generous enough to take up the project at an early date, so that this office may be reconstructed at a very early date. I would also request the Hon'ble Minister that as the site of the present Sub-registry office is very far from the Court offices, this Sub-registry office should be removed to a site close to the Court Offices where there are some vacant plots, and if this is done it would be convenient for the public at large.

With these few words, I support the motion of my hon. friend.

Maulavi ABDUL AZIZ: Mr. Deputy Speaker, Sir, the motion* that stands in my name is No. 2. Sir, when I moved this motion last it was two years ago and an assurance was given by the then Minister-in-charge of the Department that a Sub-registry office would be opened there very shortly. Sir, two years have elapsed since that assurance but we have not got a Sub-registry office there yet. Sir, there was a Sub-registry office before, but it was closed some three years ago, and from that time the people have got to go to the Srimangal Sub-Registry Office. Sir, the area which the proposed Sub-registry office will have got to serve is about 120 square miles, and the Sub-registry office at Srimangal which is functioning now for the area happens to be separated by a hill, and there is great difficulty for the villagers in attending that office. They have to go there by rail and by the time they return home it is night.

Sir, it is very difficult specially for the women folk to catch the train and reach the registration office in due time. Further, after finishing the work in the registration office they cannot get back to their homes before it is night. So my object in moving this motion is to request the Government to re-open this office at Kamalganj as early as possible. In this connection I bring it to the notice of the Government that the Registration Department is not a money-making Department. If we look to the Budget we find that the income on this side is Rs.1,67,000 and the expenditure budgeted for the year is Rs.1,48,600. Thus there is a clear margin and this should be utilised in re-opening a Sub-registry office at Kamalganj.

I further beg to point out to the Hon'ble Minister that owing to the passing of the Sylhet Rent Act, transactions among the villagers particularly amongst the tenants have undergone a great increase. So the Hon'ble Minister should provide facilities for the poor tenants and they should be supplied with Sub-registry offices at convenient places. With these words, I support the motion.

The Hon'ble Srijut RUPNATH BRAHMA: Sir, there are demands after demands for opening Sub-registry offices at various places and we have been trying our best to meet some of the demands as far as possible.

Srijut ROHINI KUMAR CHAUDHURI: What about Nalbari scheme? It does not require any fund.

The Hon'ble Srijut RUPNATH BRAHMA: I am coming to that also. In the year 1937 there were demands for opening Sub-registry offices at Derai, Kamalganj, Balaganj and some other places. (Maulavi Abdur Rahman: Patharkandi also) and recently we have opened three Sub-registry offices—one is at Derai, one is at Balaganj in the Sylhet district and one is at Katigora in Cachar. We have also opened an *ex-officio* Sub-registry office at Nalbari. (Babu Hirendra Chandra Chakravarti: What

* That the provision of Rs.74,448 under Grant No. 5, Major head—11—Registration, Minor head—A—District charges, Sub-head—1.—Pay of officers (total), at page 50 of the Budget, be reduced by Rs. 100, *i.e.*, the amount of the whole grant of Rs.1,48,600 do stand reduced by Rs.100.

(To criticise Government for not opening Sub-Registry Office at Kamalganj, Sylhet)

about Katlichera?) Regarding Katlichera there is not so much demand from the public for such an office and moreover it is under the Hailakandi Sub-registry office in which the figure as I have got is decreasing gradually. So, if we open another Sub-registry office at Katlichera, I think, it will be a sheer waste. Regarding Dhubri Sub-registry office, arrangement has been made to remove the present Sub-registry office to the building where the police office is now accommodated. The proposal has been approved by the Government and we are putting this proposal into effect as soon as funds permit. Regarding Nalbari Sub-registry office, the matter is under consideration and we have asked the Deputy Commissioner to submit the total annual figures just after the end of the present financial year and as soon as we receive that we shall also take that question into consideration. Regarding Kamalganj, I think, it is now under Srimangal Sub-registry office. There also the number of registration is gradually decreasing. He may further examine the question of Kamalganj and take that into consideration. So practically we have been trying our best to meet the demands as far as possible in places where it is absolutely necessary (Maulavi Mabarak Ali: What about Barlikha?). As regards Barlikha, we have already provided in the Budget for opening an office on commission basis.

Maulavi ABDUR RAHMAN: In view of the assurance given by the Hon'ble Minister, I beg, Sir, leave of the House to withdraw my motion. The motion was, by leave of the House, withdrawn.

Maulavi ABDUR RAHMAN: Sir, I beg to move that the total provision of Rs.1,48,600 under Grant No.5. Major head—11.—Registration, at page 49 of the Budget, be reduced by Rs.100, *i. e.*, the amount of the whole grant of Rs.1,48,600 do stand reduced by Rs.100.

My object of moving this motion is to criticise Government for the exorbitant rates of commission fee charged in registering documents on Commission basis. Previously the rate of commission fee, if I remember aright, was only Rs.5, but since the enhancement of court-fee and stamp duties have been raised the Sub-Registrar charges Rs.10 as commission fee. This is too exorbitant at the present period while serious depression is going on all over the country. People are unable to pay this high rate. Further, Government is also going to bring back the stamp duties to the former level. Therefore, I do not understand why these rates also which were fixed only on a temporary basis should not be brought to the original scale. If the present rate is allowed to continue, then it will mean great hardship to the people. Particularly in connection with the women executants, generally they ask for the registration of documents on commission. If it is not reduced, I fear, they shall be hard hit. With these words, I commend my motion for the acceptance of the House.

The DEPUTY SPEAKER: Cut motion moved:

"That the total provision of Rs.1,48,600 under Grant No.5, Major head—11.—Registration, at page 49 of the Budget, be reduced by Rs.100, *i. e.*, the amount of the whole grant of Rs.1,48,600 do stand reduced by Rs.100".

One thing I should point out to the hon. members is that the time-limit I had given has all been taken up. Now it will be my painful duty to close up this motion, as it is now 3-30 p.m., I would call upon the Hon'ble Minister-in-charge to reply.

The Hon'ble Srijut RUPNATH BRAHMA: Regarding the commission it has been pointed out by the hon. mover that it was Rs.5 sometime ago and it was made Rs. 10 again. As far as I remember, in the previous Council this question was raised and there was a resolution for reducing the commission fee from Rs.10 to Rs.5. After examination, it was

reduced to Rs.5 for some years as an experiment. In the Assembly also there was a question again for reducing this fee to Rs.5. But after close examination of the facts and figures it has been found that by the reduction there was a heavy loss of revenue in the department. So in consideration of the loss involved we cannot reduce the figure of Rs.10 to Rs.5.

Khan Bahadur Maulavi SAYIDUR RAHMAN: May we know what is the loss ?

The Hon'ble Srijut RUPNATH BRAHMA: I cannot give the exact figures just now. So, Sir, considering the loss, I think, there is no justification for reducing the present rate of commission.

Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI: Is the present rate Rs.5 or Rs.10 ?

The Hon'ble Srijut RUPNATH BRAHMA: It is Rs.10. It was reduced to Rs.5 for some years.

Maulavi MUNAWWAR ALI: Is the Hon'ble Minister aware that the previous Government undertook to reduce the rate to Rs.5 ?

The Hon'ble Srijut RUPNATH BRAHMA: But the Hon'ble Minister then did not give any definite assurance. He simply said that the matter will be considered. In fact it was fully considered and after examination it was found that there is no justification for reducing the present rate of commission.

The DEPUTY SPEAKER: The question is :

"That the the total provision of Rs.1,48,600 under Grant No.5. Major head—11.—Registration, at page 49 of the Budget, be reduced by Rs.100, i. e., the amount of the whole grant of Rs.1,48,600 do stand reduced by Rs.100.

The motion was negatived.

The DEPUTY SPEAKER: The question now is :

That a sum not exceeding Rs.1,48,600 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1940, for administration of the head—"11.—Registration".

The motion was adopted.

GRANT No. 12

(29.—POLICE)

The Hon'ble Srijut GOPINATH BARDOLOI:

On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs.25,40,100 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1940, for the administration of the head "29.—Police".

The DEPUTY SPEAKER: Motion moved :

That a sum not exceeding Rs.25,40,100 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1940, for the administration of the head "29.—Police".

I find there are as many as 23 cut motions on this Grant. I would like to know from the Opposition members how many of them they wish to move.

Srijut ROHINI KUMAR CHAUDHURI: We shall discuss cut motion No.4 first.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: I beg to move that the provision of Rs.50,390 under Grant No.12, Major head—29.— Police, Minor head—B.—District Executive Force—(a).— District Police, (total), at page 92 of the Budget, be reduced by Rs.101, *i. e.*, the amount of the whole grant of Rs.25,40,100 do stand reduced by Rs.101.

My object in bringing this motion is to criticise the policy of Government for frequent cancelling transfers of certain police officers. Sir, we frequently hear that officers are transferred in public interests. The term 'public interests' covers an extensive bearing and therefore the interpretation rests with the authorities. But we find now that Government cancels orders of transfer with regard to certain officers and for whose interests these orders of transfer are cancelled we do not know. I am referring to some specific instances. It is not unknown to hon. members of the House that the Inspector of Police who is now at Hailakandi was under orders of transfer. This police officer, it is said, was responsible for a communal riot at Hailakandi as well as in other places in Surma Valley and he was said to be very zealous in bringing a case against an hon. member of this House. This matter was sufficiently discussed in this House by means of an adjournment motion brought by the hon. member Srijut Rohini Kumar Chaudhuri. I am now told that the case brought against the hon. member, I mean Mr. Hirendra Chandra Chakravarty, has failed. Even after the case has failed Government has not thought it fit to remove that officer from that place.

I can cite another instance. One police officer of South Sylhet was under orders of transfer. That order also has been cancelled and I do not know for whose interest it was cancelled. Now it transpires from the public that certain officers are there in various departments who are helping substantially in carrying out Congress propoganda in certain areas. I do not know whether these officers are included among those. I bring these facts to the notice of the Government who are supposed to stand for better administration. If these things are allowed to go on and if an Inspector who unnecessarily harasses an hon. member of this House, is given such indulgence of being allowed to hold his office where he likes, it is certainly a dangerous policy. The case that he brought against the hon. member failed, but still he is kept at Hailakandi. The public will think that though the matter was referred to this House still the Government are not prepared to hear these things. As a matter of fact the tie of the officer with the hon. members on the other side is greater than the cry of the hon. members of the Opposition!

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

The DEPUTY SPEAKER: Cut motion moved:

That the provision of Rs.50,390 under Grant 12, Major head—29.— Police, Minor head—B.—District Executive Force—(a).—District Police (total), at page 92 of the Budget, be reduced by Rs.101, *i. e.*, the amount of the whole grant of Rs.25,40,100 do stand reduced by Rs.101.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: Sir, I rise to support the motion brought by my friend Maulavi Maqbul Hussain Chaudhuri. In the course of certain cases that cropped up in the Hailakandi communal affair it transpired that the Inspector of Police was also prosecuted by one Sarpanch. In similar other cases also he had to figure, not as a Supervising officer, but as one who identified himself with the troubles locally. I should say, Sir, that any officer should not as a matter of principle identify himself with any local agitation. Further, Sir, in the

course of the evidence in which he figured as a witness, he admitted that he was under orders of transfer, but had been retained only to supervise those cases. Those cases have ended, rather have been compromised and closed. But I do not know why this gentleman is still allowed to continue there. It transpires that the Head of the Department wanted that he should be transferred, but on the other hand efforts were made by the Ministers to the contrary and that the Ministry intervened and upheld the desire of the latter. This is my information and I hope the Hon'ble Premier will enlighten me on this point.

Another specific instance which I should point out is the case of Babu Subodh Chandra Palit, Inspector of Police. He was also under orders of transfer. The orders were gazetted and our information is that the order of transfer was under the direction and recommendation of the Head of the Department. But here too the Ministry intervened. If such sort of thing goes on, if the Head of the Department is not allowed to work, and the Ministry intervenes in this manner at the desire of particular members of the locality who may have some sort of confidence with the Police Inspector, the interests of the general public will certainly suffer. I do not know whether the police officer who trespassed into the mosque at Kulaura with his shoes on is still allowed to continue there as a reward for his action (A voice: question) even after the Gazette notification that he is transferred from the locality.

I happened to pass through Assam Valley, Sir, and I heard a curious case that one Superintendent of Police has been asked to take over charge of the district of Sibsagar, but that the other gentleman who was formerly posted there had no information. The newcomer was there waiting to take charge of the district, but the other gentlemen had no information about that. The result was that for 7 days the Superintendent of Police, Jorhat, was drawing a fat salary without doing anything.

Srijut DEBESWAR SARMA : The hon. member is absolutely incorrect.

Maulavi MUHAMMAD ASHRAFUDDIN MD. CHAUDHURY : Whether in this matter I am right or not I hope the Hon'ble Premier will clear the position. In any case I should like to know from the Hon'ble Premier so far as the two other gentleman are concerned whether it is not a fact that the Head of the Department wanted that these two gentlemen should be transferred and whether it is not a fact that there was an interference from the Ministry on this point.

The DEPUTY SPEAKER : May I know if there are any other hon. members who want to speak on this motion?

Babu DAKSHINARANJAN GUPTA CHAUDHURI : It is highly regrettable, Sir, that in this motion relating to the question of transfers, with all the emphasis at my command, are absolutely baseless. I can say, only say that the protection which this hon. House gives to freedom of speech has been abused by the hon. members who have introduced these things in the discussion.

Maulavi MUHAMMAD ASHRAFUDDIN MD. CHAUDHURY : Does the hon. member refer to my remarks about the suspension of the transfer orders?

Babu DAKSHINARANJAN GUPTA CHAUDHURI: I do not mean anybody. While stating fact I seek protection from the Chair, Sir, lest I should be a victim to the creed of my hon. friend Maulavi Dewan Md. Ahab Chaudhury.

Sir, the last speaker in the course of his speech has made an allegation against the Inspector of Police, Maulvibazar, namely that he entered at Kulaura into the mosque with his boots on. That, Sir, to all intent and purpose is a very serious charge. (A voice: *Surely.*) If this charge had been in any way true, we from this side of the House would have been the first party to condemn it as strongly as anybody else. (*Hear hear.*) But, Sir, I was an eye witness, as I was present there on that day, and I can swear in the name of God and say with all the emphasis that I can command that this is absolutely false and baseless.

Srijut ROHINI KUMAR CHAUDHURI: Sir, swearing is not permitted in this House.

The Hon'ble Babu KAMINI KUMAR SEN: Yes, we begin by swearing.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: What are the facts of the case, Sir? Let us analyse the whole thing. I would say that this is the way how a nefarious campaign throughout the length and breadth of the district of Sylhet is carried on and how the simple villagers who are the victims thereof are thus being made to play to the tune of some mischief-mongers for political ends. Let us analyse the facts, Sir. The allegation is that an Inspector entered the mosque with boots on. First let us see, Sir, what was it due to. There is no case made out by the hon. member. Is it in human nature to attack like a mad dog without any reason or provocation? This has been described in a paper of which my hon. friend Maulvi Maqbul Hussain Chaudhury is the editor, and for the enlightenment of the House I will read it.

The DEPUTY SPEAKER: The hon. member has exceeded the time limit.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: I will confine my quotation only to the particular portion required.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: I will prove my statement from the newspaper, Sir.

The Premier visited Kulaura on the 21st January last and immediately he left, some Muslims from amongst a Muslim crowd attacked a bus carrying lady passengers and surrounded the car of the Subdivisional Officer in a threatening attitude. The only offence the Inspector committed was that he arrested some of the attackers and peacefully dispersed the crowd. The allegation was made to the Superintendent of Police that the Inspector entered the mosque with boots on, but the Superintendent of Police made a local enquiry and found the charge absolutely untrue. Even nobody came to Superintendent of Police on the spot and the miscreants have apologised for their conduct. So I declare Sir, that the charge levelled against the Inspector is a myth. I would prove from the statement of the paper the Editor of which is a Muhammadan gentleman that this charge is absolutely baseless and false. A respectable Muslim member of the Local Board who

was personally present at the time of occurrence has said that the allegation is nothing but a myth. He rather thanked the Inspector for preservation of law and order.

Khan Bahadur Maulavi KERAMAT ALI: On a point of order, Sir. Is the expression 'mad dog' stated by the hon. member in his speech Parliamentary?

Babu DAKSHINARANJAN GUPTA CHAUDHURI: It is quite relevant Sir, because it relates to the matter under discussion.

The DEPUTY SPEAKER: The hon. member should sit down.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: Sir, I seek the protection of the Chair.

The DEPUTY SPEAKER: I hope the hon. member will please resume his seat.

Maulavi MUHAMMAD AMJAD ALI: May we know, Sir, whether the expression 'mad dog' is Parliamentary?

Mr. ARUN KUMAR CHANDA: Has my hon. friend forgotten the expression 'ass'?

Babu DAKSHINARANJAN GUPTA CHAUDHURI: It is clear from the paper, Sir, that there was an occurrence and some people were attacked. The fact of the case is that the culprits themselves offered written apology. The allegation of entering into mosques with boots on is absolutely false. The hon. members are obstructing me and so I seek the protection of the Chair.

The DEPUTY SPEAKER: I would like to refer to the expression 'mad dog' to which the hon. members of the Opposition have taken exception to. I hope the hon. member will kindly enlighten the House as to what he means by this expression. I find it is a very undesirable expression.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: My hon. friend on the opposite said that the alleged Inspector of Police entered the mosque with boots on. My question is whether there was any reason or provocation for the Inspector to enter to mosque. I used this expression only to show that mad dogs want to bite people as soon as they see people. But the human nature is that unless there is any provocation they will not go against anybody. It is only the mad dog who runs to bite people as soon as he sees people but this is not the case with the human beings.

Srijut ROHINI KUMAR CHAUDHURI: May I know, Sir, whether this sort of expression can be allowed?

The Hon'ble Srijut GOPINATH BARDOLOI: The hon. member said that a man cannot be expected to act like a mad dog. This is exactly what he was telling all the while.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: Yes Sir, I meant that. I did not mean any reflection on any hon. member.

Srijut ROHINI KUMAR CHAUDHURI: Is that expression Parliamentary Sir.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: On a point of order, Sir. Shall I be allowed to speak? I don't know what the hon. member is speaking.

The DEPUTY SPEAKER: Let me first of all hear what he says.

Khan Bahadur Maulavi DEWAN EKLIMUR ROZA CHAUDHURI:

সভাপতি মহোদয়, আনাদের দেশে একটা কথা আছে—বাহারা শপথ করিয়া কোন কথা বলে তাহারা মিথ্যা কথা শপথ করিয়া বলে। শপথ করিয়া কোন কথা বলা হইলে মিথ্যা কথা শপথ করিয়া বলা হইয়া থাকে। আমি দ্বিজ্ঞাসা করিতেছি অনারেবল্ মেম্বার সভ্য কথা বলিতেছেন না মিথ্যা শপথ করিয়া বলিতেছেন।

Maulavi ASHRAFUDDIN MD. CHAUDHURY: Sir, one point has been raised by my hon. friend Babu Dakshinaranjan Gupta Chaudhuri that he can swear in the name of God. reply?

The DEPUTY SPEAKER: Is the hon. member going to give a

Maulavi ASHRAFUDDIN MD. CHAUDHURY: No Sir. I rise on a point of personal explanation. I do not say a word about the case. I think, the case would be rather investigated by the Superintendent of Police. I only suggest that the transfer order may be suspended because of the fact that the Inspector of Police entered the mosque with boots on. I never referred to any case.

The DEPUTY SPEAKER: That will come in course of a reply from the Hon'ble Minister in-charge.

Maulavi JAHANUDDIN AHMED: Sir, we were so long hearing that Government transfer officers in the interest of public service but as soon as this Congress Ministry assumed office, we find that they are transferring officers not in the interest of public service but for the interest of the Ministry and sometimes for the interest of the hon. members who are supporting the Ministry and who has just now spoken. He brought to the notice of the House a fact in such a way that he said that the members are going just like mad dogs. I think, Sir, the manner and gesture he expressed in this Hon'ble House clearly show that he himself was mad at that time through excitement, and it is he who excited that officer to enter into the mosque with boots on. His very temperament and his behaviour in this House show that he himself was mad at that time.

Mr. BAIDYANATH MOOKERJEE: On a point of order, Sir. Is it Parliamentary to call any hon. member of this House 'mad'?

Srijut ROHINI KUMAR CHAUDHURI: Was the hon. member sleeping all this time? The Chair has already given the ruling.

Mr. BAIDYANATH MOOKERJEE: No Sir. No ruling has been given on this point.

The DEPUTY SPEAKER: The hon. members should know that he used the term 'mad dog' not in relation to a particular member of this House but he used this expression in relation to a particular officer. I should also point out that this remark was not properly levelled against that particular officer but it was said only in the tune of an analogy. Therefore the term was not then unparliamentary.

Now, the hon. member Maulavi Jahanuddin Ahmed has used the word 'mad' in reference to a particular member of the House (*shame, shame*). He has made a personal charge which this honourable House will not permit, and I hope the hon. member will withdraw that.

Maulavi JAHANUDDIN AHMED: I am sorry to say, Sir, that it was introduced by the hon. member.....

The DEPUTY SPEAKER: I want to know whether the hon. member will withdraw that expression. He should first withdraw and then give explanation.

Maulavi JAHANUDDIN AHMED: Yes, Sir, I withdraw, but I submit that his very expression and his way of speaking in this House showed us the mentality of the Jambhuban. However, Sir, as it has been objected to and as I think he will correct himself in future, I beg to withdraw the expression.

With these few words, I support the motion.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: May I draw your attention to the fact that there has been a ruling to the effect that there cannot be any analogy like this? The other day Khan Bahadur Dewan Eklimur Roza Chaudhury compared the Government Benches with asses, horses and beasts. Exception was taken by the other side and the Hon'ble Speaker gave a ruling that they cannot be compared to animals. In view of that ruling, I want to know whether it is permissible and is not in conflict with the ruling of the Hon'ble Speaker to compare certain officer with a mad dog.

The DEPUTY SPEAKER: The matter has been thoroughly discussed. I don't think any further ruling is necessary on this point. I would now call upon hon. members to participate in the debate over this cut motion.

Mr. ARUN KUMAR CHANDA: Sir, after the exhibition of the temper by the Opposition I feel very uncomfortable to rise to speak anything about this motion [*Interruption and Voices*:—What about you?] I do not like to imitate the hon. members opposite who have brought in an element of abuse in their speeches, because it is only when reason abdicates that abuse comes in, it is only when the case is very weak that people have to take to abuse. Sir, I will only state a few facts. My hon. friend Maulavi Ashrafuddin Md. Chaudhury has referred to his part in the communal case which occurred in Hailakandi, but he has not enlightened the House as to how this communal case ended. I may enlighten the House and state that the communal case ended by both the parties coming to a compromise.....

Maulavi JAHANUDDIN AHMED: On a point of order, Sir. Is the hon. member speaking on the motion, or on some other subject?

The DEPUTY SPEAKER: His speech relates to the particular point raised by the hon. Maulavi Ashrafuddin Md. Chaudhury. Therefore he is within his right to discuss it.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: I also said that there was a compromise. What I said was that the particular officer should not be identified with any party.

Mr. ARUN KUMAR CHANDA: If I may resume, Sir, the compromise took place on the basis of certain Muhammadans tendering unqualified apology to the Hindus for their conduct. I may also refer the hon. members to the enquiry I myself held on behalf of the Congress Committee into the occurrence. In connection with that enquiry not a single Muhammadan witness, who appeared before us, said a word about the Police Inspector. Sir, this Police Inspector has been in the confidence of Government for years, and he bears the title of 'Rai Sahib'.....

[Interruptions and uproar in the Opposition. Mr. Chanda sat down by saying "I refuse to speak if you do not extend any protection to me, Sir."]

Maulavi ABDUR RAHMAN: I want to take part in the debate, Sir.

The DEPUTY SPEAKER: But the hon. member has not finished.

Maulavi ABDUR RAHMAN: Will he speak at his sweet will? He is speaking and sitting down according to his convenience and pleasure. The time of the House cannot be wasted on account of the whims of a particular member...

The DEPUTY SPEAKER: This is due to the disturbance caused by the Opposition.

Maulavi ABDUR RAHMAN: But we are not to see his gestures here. If he wants to speak, let him say.

Mr. ARUN KUMAR CHANDA: I have nothing more to add. I cannot return the manners which are being extended to us. I am sorry, Sir, I cannot descend to that level. I will therefore resume my seat.

Srijut ROHINI KUMAR CHAUDHURI: Sir, the cat has been let out of bag by the hon. Deputy Leader of the Congress Party. He went to defend the cancellation of the transfer of a particular divisional Inspector (Mr. Arun Kumar Chanda:—Most definitely yes). It is his case that as communal case—whatever it was—ended in a compromise, the part which the Inspector played in sending up the case was creditable. That is the significance of his speech, but I would ask him whether any officer, merely because he investigates a particular case properly has to be kept in a particular station for ever. Is the Deputy Leader of the Congress Party convinced that the retention of that officer in Hailakandi was in the interest of public service? (Mr. Arun Kumar Chanda:—Most certainly yes.) Is he ignorant for what reasons and on what grounds that officer was transferred from that particular place? If he says that his transfer referred to a particular case and that the cancellation of transfer also refers to that case then he has thrown out the whole case for Government. That shows that Government has a great interest in a particular case, and because in that particular case the officer concerned carried out the intention of Government the cancellation of his transfer was justified. I do not wish to bring to the House again the circumstances which prompted the present Government to cancel the transfer of that Inspector, but I have to repeat that the order was cancelled because that officer was overjealous enough to arrest a member of this House, a member who is opposed to the present Government (*shame, shame*). Although, Sir, his name did not appear in the first information report, and although the case against him, after sufficient harassment, after exposing the hon. member to identification parade and all sorts of humiliation, after doing all that he could possibly do to disgrace a member of this House, the case against him was afterwards unconditionally withdrawn at considerable expense to Government and not one or two but several pleaders had to be engaged by the Government and a relation of the Deputy Leader of the Congress Party had to be called on to prosecute my hon. friend, who is a member of the Opposition Benches.

Babu RABINDRA NATH ADITYA: On a point of order, Sir.....

Srijut ROHINI KUMAR CHAUDHURI: This case was unconditionally withdrawn.

Babu RABINDRA NATH ADITYA: Is not the time over, Sir?

The DEPUTY SPEAKER: Whether the case was unconditionally withdrawn or conditionally disposed of is a matter entirely lying in court and I do not see what necessity arises of exposing what is in the court.

Srijut ROHINI KUMAR CHAUDHURI: Because the other side has brought in the merits of the cases into discussion.

The DEPUTY SPEAKER: The hon. member is going too far and wide of the actual mark. The motion was one way and the hon. members are going on the other way without going deep into the merits or demerits

of the question. I think, the hon. members have been indulging in things beyond the purview of the matter under consideration.

Srijut ROHINI KUMAR CHAUDHURI : I am pointing this out because the Divisional Inspector for improper reason went out of his way to arrest a member of the Assembly and afterwards that case has been withdrawn. But cases are withdrawn on the application of the Public Prosecutor and not at the instance of courts. Therefore, the point arises. Now that all these things have ended would the Government see its way to give effect to the order of transfer? On the point I want an answer from the Government.

Khan Bahadur Maulavi KERAMAT ALI : Mr. Deputy Speaker, Sir, a very simple point has been prominently raised in this motion. It is said that the Inspector at Hailakandi was transferred to Jorhat before the riot took place. And after this occurrence he took some part in the case and was instrumental in sending up a member of this House sitting in the Opposition Benches. Was this a reward for what he did in making out a case against the member in question?

The DEPUTY SPEAKER : The hon. member has just now said that the officer was transferred to Jorhat. The point is whether he was transferred to Jorhat, or he was under orders of transfer to Jorhat. But the hon. member has just now said "He has been transferred to Jorhat."

Khan Bahadur Maulavi KERAMAT ALI : May be, Sir. Let us take it that he was under orders of transfer. Our information is that this officer at Hailakandi was to go to Jorhat and the Jorhat Inspector had to come to Hailakandi. But before the officers were actually transferred the unfortunate riot took place and an hon. member of this House now in the Opposition was sent up by the Inspector of Hailakandi, although his name did not occur in the first information report. In return he, it is said, got what he wanted in the cancellation of his transfer. Is this all true? This is the point.

The Hon'ble Srijut GOPINATH BARDOLOI : I did not anticipate that in a motion of this kind feelings would run so high. It seems to me that there must be some under-current behind this motion so as to make it so acrimonious before the House. Personally, I think that the matter was very simple. I can definitely say that it should never be the policy of any sound Government to see to the transfer or to take serious action on any of its officers simply on the ground of certain misapprehension that may be entertained in the mind of certain members of this House or of persons outside. Any Government would be at an end if on mere accusation of one or two individuals against certain officers, Government have got to take action against them. It is a most undesirable situation and this Government will never agree to it.

In the matter of Hailakandi, I might explain this as a matter of exigency of public service which justified the retention. But, I am not going to do so. The Inspector at Hailakandi has been there only since June last. It is not a very long period that he has been there. His fault is that he put down a communal riot that took place in August, 1938. I am sure that some feelings were raised among the Muhammadans that he took some strong action. After the riot, Sir, a number of cases, 25 in all cropped up. There was a talk of compromise about all these cases. But this compromise did not take place. Both sides stood adamant and no chance of compromise at that time arose. After some time the cases had, therefore, to be taken up and the cases were tried in court. The evidence of

this Inspector was necessary and, therefore, his presence at Hailakandi was absolutely necessary. Did Government do anything wrong in not transferring that officer at that time? Is Government liable to be criticised for that ?

Then, Sir, as regards South Sylhet Officer.....

Khan Bahadur Maulavi KERAMAT ALI: Whether orders have been cancelled ?

The Hon'ble Srijut GOPINATH BARDOLOI: Orders have been definitely cancelled.

Khan Bahadur Maulavi KERAMAT ALI: Whether the Senior Extra Assistant Commissioner was transferred and he had to come back ?

The Hon'ble Srijut GOPINATH BARDOLOI: He was also merely a witness in the identification parade.

As I was saying, Sir, the order has been cancelled. And when it is found that a particular officer is wrongfully pursued by a certain section of the House it should be the duty of the Government to protect him.

Then as regards the officer in South Sylhet, it was one Mr. Subodh Palit who was mentioned. He has been accused of having trespassed into the compound of a mosque. In that matter I can definitely say that the Subdivisional Officer made an enquiry and he found the whole thing to be absolutely baseless. His fault was that he had been rather strict in dealing with communal cases. Only the other day after I had gone to Kulaura and left that place. Reports were received soon after I had reached Sylhet that a number of ladies and children were attacked by some Muhammadan students and Muhammadan public (*shame, shame*). He arrested some of them. If these are faults for which his transfer is asked for I have nothing to say.

Maulavi ASHRAFUDDIN MD. CHOWDHURY: These are all false.

The Hon'ble Srijut GOPINATH BARDOLOI: But if a particular officer be ready to do his duty in the proper manner, I think the hon. members should not complain about him. If the grievances are real and legitimate the Government will look into the conduct of these officers and will never fail to take action. But on the other hand if the complaint is on the merest apprehension and if it is on the merest suspicion, Government cannot take any action whatsoever.

In view of this explanation I hope this motion will not be pressed to a division.

Maulavi ASHRAFUDDIN MD. CHOWDHURY: On a point of information, Sir. May I ask whether so far as the South Sylhet Inspector is concerned was he not under orders of transfer ?

(No reply.)

Khan Sahib Maulavi MUDABBIR HUSSAIN CHOWDHURY: On a point information, Sir. The information asked for has not been supplied.

The Hon'ble Srijut GOPINATH BARDOLOI: Sir, I have nothing further to add to what I have said.

The DEPUTY SPEAKER: The question is :—

“That the provision of Rs 50,390 under Grant No. 12, Major head 29.—Police, Minor head—B—District Executive Force—(a)—District Police—(total), at page 92 of the Budget, be reduced by Rs.101, *i.e.*, the amount of the whole grant of Rs.25,40,100 do stand reduced by Rs.101.”

The motion was negatived.

Maulavi Dewan MUHAMMAD ABHAB CHAUDHURY :
Mr. Deputy Speaker, Sir, I beg to move.

That the total provision of Rs.25,40,100 under Grant No. 12, Major head—29.—Police, at page 90 of the Budget be reduced by Rs.101, *i.e.*, the amount of the whole grant of Rs.25,40,100 do stand reduced by Rs.101.

By this cut motion, I want to criticise Government for making heavy provision for the Police Department and also to criticise the general administration of the Police Department.

Sir, I thrice read the Police Budget and rubbed my eyes. It has sprung a series of unpleasant surprises upon us. I could not believe, Sir, that the present so-called democratic Government—I mean the Congress has really increased the Police Budget by three lakhs. But, Sir, it is a fact—a true fact. Our *Assam Herald* truly observed—“From many a Congress platform the Congress politicians have thundered against expenditure on Police, which they described as excessive and out of proportion to expenditure on nation-building departments. Nation-building departments we have been told, have been starved to feed fat the Police. How does the Congress tackle the situation? While the expenditure on Agriculture, Veterinary, Medical Departments remains practically stationary, Industry and Co-operative Department register a slightly decreased expenditure, the Police Budget increases by three lakhs of rupees—an increase of over 10 per cent. over the previous year”.

Sir, the increase in the Police Budget cannot be justified in any way. The political situation is quite normal. Assam is a tame province—she has got no terrorist problem of her own. But, Sir, if we examine the communal motive behind the purdah of the Budget, the mentality of the Congress will be fully exposed.

The House may remember that one of the Congress leaders of this province wrote an open letter to the Hon'ble Prime Minister on the 4th October, 1938. It was published in the Press. He sent an ultimatum to the Hon'ble Premier and said:—“If you have not strong intention and the means of governing, as a friend of yours and as a member of your political party, I would humbly beseech you to resign”. This threat had created a great effect on the present Government. Just after the assumption of office this Government issued a communiqué on the 27th November 1938 as follows:—

“A strong wave of communalism seems to have taken hold of the province. It may indeed be necessary to enforce those measures with a strong hand. The Government is obtaining information regarding the course of action adopted by other provinces in this behalf, and as soon as it is obtained, they will forthwith proceed to frame and enforce regulations for the purpose”.

Again, Sir, one of the pillars of the Coalition Government, I mean the hon. Babu Lalit Mohan Kar, got an inspiration from the Government communiqué and dictated to the Congress Government to follow his instructions. He said in his budget speech:—“দেশে সাম্প্রদায়িকতা বৃদ্ধি

অভিযোগ অতি সত্য এবং উহা বন্ধ করা একান্ত প্রয়োজন। আমার মনে হয় তজ্জন্য কঠোর আইন করা উচিত। তাহাদের সম্পত্তি বাজেয়াপ্ত, প্রদেশ হইতে বহিস্করণ, বেত্রদণ্ড প্রভৃতির ব্যবস্থা থাকা একান্ত প্রয়োজন। সরকার ও বিরুদ্ধদল এইটা অবিহিত হইয়া সমবেত ভাবে দমন করিবার চেষ্টা করিলে অচিরে দমন হইবে সন্দেহ নাই।”

I translate the above statement into English for those who do not know Bengali. “The complaint that communalism has increased in the country is true. I think rigorous laws should be framed for this. It is urgently

necessary that there should be provision in the law for confiscation of property, flogging and expulsion from the province. There is no doubt if both the Government and the oppositionists be combined together, such communalism shall at once be vanished”.

By curious coincidence, the ideas and the language of all statements seem to be quite similar. Our Congress Government tried to obtain information regarding the course of action adopted by other Congress provinces. May I inform the Government about what has happened in other provinces governed by the Congress? They have opened fire on disarmed poor labourers, have passed injunctions under Section 144, have gagged the press, prohibited the slaughter of cows, have declared the Kisan Sabhas and social associations as illegal and what not? They have suppressed the anti-Congress movement and now comes the turn of Assam. What we apprehended has come to be true.

The DEPUTY SPEAKER : The hon. member has exceeded his time limit.

Maulavi Dewan MUHAMMAD ABHAB CHAUDHURY : My hon. friends will have no objection if I proceed for three minutes more.

The DEPUTY SPEAKER : I can allow only two minutes.

Maulavi Dewan MUHAMMAD ABHAB CHAUDHURY : The subject is very important, so I may be given another five minutes. Congress is now in power in the province. They will utilise these vast sum of three lacs in mobilising the Police force for suppressing and oppressing those who do not believe in Congress principles and ideals. The prosecution and harassment of one hon. member of this House by the Police may be cited as a specific case in point. His only fault was this, Sir, that he belonged to the Opposition. Moreover, Sir, the conduct of certain Police officers at Karimganj and Maulvibazar who were instrumental in creating communal disturbance in connection with the visits of the Hon'ble Premier and Hon'ble Minister for Industries will give testimony to my argument. It pained me to think, Sir, that the Congress who were so long espousing the cause of the people and who were fighting for the personal and political liberties of the people of our country are now trying to curtail their liberties by establishing the reign of terror in Assam.

Sir, it is an undeniable fact that the present Ministry of Assam have accepted the programmes and principles of the Congress. Their future policy will be moulded and guided by the decisions arrived at the last Tripuri Congress. Sir, Tripuri has clearly defined the future programme of their work. The dream of democracy has vanished. Even Pandit Govinda Ballav Pant, the mover of the confidence resolution in Mr. Gandhi, was imbued with the ideals of Hitler and Mussolini. The whole Congress have delegated the power of dictatorship to the sage of Shegaon.

The Hon'ble Srijut GOPINATH BARDOLOI : On a point of order, are these relevant to the cut motion?

Maulavi Dewan MUHAMMAD ABHAB CHAUDHURY : Yes, it is relevant to the cut motion. I am criticising the policy of the Government.

The DEPUTY SPEAKER : It is my painful duty to ask the hon. member to finish. I have given only two minutes and he has now finished those two minutes.

Maulavi Dewan MUHAMMAD ABHAB CHAUDHURY : I have not yet finished. I want only three minutes more.

The DEPUTY SPEAKER : It is an unusually long speech.

Maulavi Dewan MUHAMMAD ABHAB CHAUDHURY : Now, Sir, I hope that I have been successful to convince the hon. members of the House regarding the future policy and programme of the present Congress

Ministry. The fate of Dr. Khare and Mr. Nariman are well-known to us all here. I apprehend, Sir, the reign of a Stalin has ushered in, in the province and we shall not be at all surprised if the fate of a Trostsky, Bukharin or Kameneff fall on the leaders and humble supporters of the Opposition. But, Sir, in this connection I may remind the House of a stanza from a Persian verse.

“Ay Jabardast Jerdastra Azar

Garom takoi bemanad dar in Bazar”

“ Oh, powerful, the oppressor of the weak

How long will you continue your oppression ”.

“ওদের বাধন যত শক্ত হবে,

মোদের বাধন তত টুটবে।

ওদের আধি যত রক্ত হবে,

মোদের আধি তত ফুটবে।

Sir, we are apt to say that a third party, *i.e.*, a foreign bureaucracy was mainly instrumental for this communal dissensions. But after the inauguration of the responsible Government in India that bureaucratic form of Government has died a natural death. We have now got power in our hands. But what do we find? Colour has no doubt been changed. But the ghost of bureaucracy still haunts the present system of administration in the four provinces with great horror and tribulation.

Now, Sir, a few words more and I finish. During the past decades Assam had no communal problems and there were no communal riots in the province. During the Muslim rule and even after the battle of Plassey Muslims and Hindus lived in harmony and peace and fought and died for India. Even in the year 1839 Dr. Taylor in his topography of Dacca said—“Religious quarrels between Hindus and Muhammadans are of rare occurrence. These two classes live in perfect peace and concord and a majority of individuals belonging to them have even overcome their prejudice so far as to smoke the same *Huka* ”

Sir, we the poor and innocent people of Assam lived in peace and harmony. But just after the assumption of their office, the present Ministry suddenly took a very communal turn and under the ill advice of some extreme communalists, the present Government issued a communique on music before mosque. Assam had no communique before and it is the first of its kind in the province.

The DEPUTY SPEAKER: This does not come under the purview of this motion. The hon. member should finish now.

Maulavi Dewan MUHAMMAD ABHAB CHAUDHURY: Only one minute.

The DEPUTY SPEAKER: No, I cannot allow any more time. Cut motion moved:—

“That the total provision of Rs.25,40,100 under grant No.12, Major head—29.—Police, at page 90 of the Budget be reduced by Rs.101, *i.e.*, the amount of the whole grant of Rs.25,40,100 do stand reduced by Rs.101.

Khan Bahadur Maulavi SAYIDUR RAHMAN: Mr. Deputy Speaker, Sir, the Police Budget is a sad commentary on the present Congress Government. Times without number we have been hearing very adverse criticisms regarding the extravagance of the Police Budget. We do not understand why so much sympathy should be shown by the Congress Government for the Police Department. Even the *Hindustan Standard* which I

believe is the standard bearer of the present Government in its issue of 12th March wrote like this—"But the Premier will certainly be called upon to explain the increase of 3 lacs in the Police Budget".

The Hon'ble Mr. FAKHRUDDIN ALI AHMED: Yes, he will explain.

Khan Bahadur Maulavi SAYIDUR RAHMAN: Now I beg to submit before the House that the Police expenditure, it is very distressing to find, is gradually increasing year after year. I have to quote some figures. In 1935-36 the expenditure was Rs.29,55,000 in 1936-37 Rs.30,17,000 in 1937-38 Rs.31,09,000 in 1938-39 Rs.30,84,000 and in 1939-40 the Budget figure is Rs.33,86,000. From this the hon'ble House can understand whither we are marching. On an analysis of this increase in the expenditure of the Budget, I find that this increase is due to the pay and travelling allowances of the Deputy Inspector-General; secondly there is an increase of Rs.1,73,000 under the head District Executive Force due to pay of officers. Then there is the increased provision for the Assam Rifles. The post of Deputy Inspector-General was created shortly before the inauguration of the Reforms. The duties now assigned to him were hitherto discharged by a Special Superintendent of Police. It is for the House to consider whether this item of expenditure is at all justifiable. There are, I understand, some Anglo-Indian Officers in the Police force who have very little work to do and who, I understand, are generally seen engaged in selling tickets in the Shillong races. I shall be glad if the Hon'ble Premier will make an enquiry into this matter. It is true that the Intelligent Branch, had been abolished from the 1st October, 1937. But the services of some of the officers in that branch have still been retained in some other capacity; and it is curious to find that the Inspector-General of Police thinks that a staff is still necessary to continue the work of the Intelligent Branch. In the Administration Report he says that it is probable that a very important branch of criminal work will suffer to an extent which may in future react in a definitely unpleasant manner. Sir, although the crime in the province has decreased according to the figures given in the report, the Inspector-General of Police is constantly asking for more police officers. He is complaining of shortage of officers in the Sub-Inspectors cadre. He is complaining of over-worked head constables and what not. The present Government also seems to hold the same view and in their resolution dated the 29th October, 1938 the Government say that there is, with rapid development of the province, a demand for increase at many points but finance stands in the way. Then the Government says that there is one man to every 11.48 sq. miles and for 19,18,000 of the population in this Province as against 3 sq. miles and 2,000 people in Bengal. So the Government seems to think that there is a case for increasing the expenditure on police administration.

The DEPUTY SPEAKER: The hon. member is exceeding the time limit.

Khan Bahadur Maulavi SAYIDUR RAHMAN: But the question I ask is this. Are we getting return for the money we are spending in the police force? The Inspector-General of Police complains of the lack of local knowledge and sometimes intelligence of the Inspector of Police and the Sub-Inspectors. He refers to the present low standard of detective ability in a majority of the officers and he complains that the literate constables did not get proper training. Many go from the early stages of their service acquiring knowledge in an extremely haphazard manner. Can the public expect any good return from these ill qualified and ill trained police officers? I quote some figures just to show that the public are not benefited to the full extent by the existing police force. The number of

cognizable cases reported at the close of the year 1937 was 14,519. Out of that in as many as 6,439 cases, the culprits were not detected or apprehended. The number of cognizable cases in which property was stolen was 8,139 ; and the number of cases in which property was recovered was 2,380 only, that is 29.31 per cent. only. The amount of property stolen was four lakhs odd whereas the amount of property recovered was only Rs.65,000. This is only 15.66 per cent. of the total value of the property stolen. Do these figures inspire confidence about the efficacy of the police officers ? My submission is that the present Government should follow a policy of less expenditure and efficient work for the police. We do not grudge expenditure for Police which I have no hesitation in saying is essential for maintaining peace and order in the province. But we must have an efficient police force.

The Hon'ble Mr. FAKHRUDDIN ALI AHMED : I think, Sir, we shall be given sufficient time to reply to the cut motion.

Maulavi JAHANUDDIN AHMED : Mr. Deputy Speaker, Sir, ...

The DEPUTY SPEAKER : I hope the hon. member will be brief. We will have to finish up the business at 5 p. m.

Maulavi JAHANUDDIN AHMED : I shall be brief as far as possible. I shall now speak a few words on this cut motion. Sir, just now I have said that the policy of the Government is not for the interest of the public but for the interest of the Ministers and their supporters. Sir, I will illustrate this by the question that I have asked and the Hon'ble Premier replied to regarding the appointment of Sub-Inspectors of Police from the district of Goalpara. Sir, to my question he replied that for seven years no appointment was made from the district of Goalpara as Assistant Sub-Inspector of Police and for 5 years no appointment was given as Sub-Inspector of Police. Sir, this year there were some appointments after the assumption of this Ministry and there were candidates, graduate even with Honours ; and also who were well developed in their build. But the Hon'ble Minister gave the reply that no candidate was found fit. And I also questioned, Sir, that whether it is one of the qualifications of a candidate to be a member of the Coalition Party or even a relation to the hon. members. It seems to us that really the policy that this Government is following is just to give appointment and to do everything for the relations of the members of the Coalition. Is it because, Sir, that we the Goalpara Muhammadan members did not join the Coalition Government, that not a single Muhammadan from Goalpara was appointed in any department of the Government after the assumption of office by the present Government ? Sir, whenever we ask questions about appointments, they give us a reply that the appointment was given on a provincial basis. But in our district even for the appointment of constables there is the same principle, *viz.*, that the appointments are made on a provincial basis. Even constables, Sir, are not appointed from the Muhammadan community. With these few words, Sir, I beg to support the motion of the hon. mover and beg to resume my seat.

The DEPUTY SPEAKER : One thing I would like to tell hon. members is, if they at all feel inclined to hear what the Government has to say, it is high time to allow Government to go on undisturbed.

The Hon'ble Srijut GOPINATH BARDOLOI : Sir, the charges brought against this Government in this motion are many and it will not be possible within the short time at my disposal to reply to all the points. But there are, however, many pertinent and useful points raised by my hon. friend Khan Bahadur Sayidur Rahman, and I shall be failing in my duty if I do not reply to some of the very important points.

The first charge that he has brought against us is that this Government has increased the police expenditure by about 3 lakhs. If he had only been pleased to read the memorandum to the Budget, he would have seen that this expenditure is not at all anything in excess of the usual expenditure or anything for which this Government could at all be made liable. There are two items and those are the two items which cover practically the amount of 3 lakhs to which reference has been made. They are in reference to the District Executive Force under which Rs.1,73,000 has been shown and the other is Miscellaneous under which Rs.1,23,000 has been shown for expenditure under the Cattle Trespass Act. Now, in so far as this item of Rs.1,73,000 is concerned, it will be seen that Rs.1,22,000 has got to be paid on account of deferred pay. Now, what is this deferred pay the hon. members may like to know. In 1929 the Government, on the insistant demand from the Police Forces for increment of their pay, which they could not overlook, came to the conclusion that some increase in their pay was necessary. But in order to secure better efficiency and in order that some impetus for good service may be continued all the while, an arrangement was made by which every five years a particular constable who had worked with merit and credit should be given Rs.2-8-0 per month during the course of all these five years. That was an arrangement which was made by a Government which functioned long ago. In pursuance of that arrangement, a similar payment was made in 1934. In 1939 that commitment falls due and therefore we have got to provide that money.

Thus regarding the expenditure it will be seen that this amount of Rs.1,22,000 will not be there definitely next year

Now, with regard to the provision of Rs.1,23,000, this is only a Budget figure. According to the present audit rules all receipts have got to be shown as provincial revenue. As a matter of fact even revenue which belongs to the local bodies have also now got to be shown as provincial revenue. Of course as the revenue is shown on one side, the expenditure is also shown on the other side. So, this increase does not mean anything. Both revenue and expenditure cut each other, and therefore this has only got a budgetary significance and no significance in actual payment. So it will be seen that the whole of this 3 lakhs has been explained.

Some other payment is also necessary to be made in respect of Railway Police where also the question of deferred pay comes so that all this amount is also more or less on account of an arrangement which the previous Government had adopted and out of which there is no way out.

We are also providing some money for the training of mechanics. As will be seen, some of the Sub-Inspectors of Police have to be trained in motor mechanics in order to enable them to do their motor vehicles inspection work more satisfactorily. What I want to submit before the House is that we are not incurring any unnecessary expenditure.

My hon. friend raised the question of certain officers at the top. He was probably referring to the Deputy Inspector-General and Assistant Inspector-General of Police particularly. It may be known to the hon. members that there are certain recommendations on the subject in the report of the Retrenchment Committee; and the matter will be taken into consideration by us. We are also trying to see if there can be any economy in the police administration. There is also another recommendation of the Retrenchment Committee that the cadre of the Deputy Superintendents of Police is not necessary. It is not for me just now to anticipate what the Government is going to do or to bring before the House the various view-points from which this question can be tackled. All that I propose to say is that the matter is receiving our consideration. In other

matters also, that is to say regarding the staff of the Criminal Investigation Department, we are giving our consideration as to what economy may be possible in that line also. We also decided to recommend to Secretary of States for keeping the post of Superintendent of Railway Police in abeyance for two years.

As regards the staff of Criminal Investigation Department, we are going to see as to what economy can be effected in that line also, so that we may not be accused of spending more than we should have done as has been proposed over the censure motion. Then, Sir, regarding the communal riot, I do not propose to say anything beyond this that the object of this Government is nothing more than to further the cause of communal unity and if the hon. members of this House co-operate with us then I think it is not a difficult task at all. But if on the other hand, instead of trying to see things eye to eye with many matters, we try to look at things from communal point of view then we must admit that this communal riot is bound to be widen. Therefore, my earnest request to all the hon. members is that they should help this Government in solving this communal problem. I am glad that this question has been brought forward in this cut motion and that we have been given the opportunity of speaking on this subject. As regards the grievances of Goalpara, I have already submitted my views before the House in reply to questions.

The DEPUTY SPEAKER: The question is:

"That the total provision of Rs.25,40,100 under Grant No.12, Major head—29.—Police, at page 90 of the Budget be reduced by Rs.101, *i.e.*, the amount of the whole grant of Rs.25,40,100 do stand reduced by Rs.101."

The motion was negatived.

The DEPUTY SPEAKER: Now I proceed to the original motion under grant No.12 The question is:

"That a sum not exceeding Rs.25,40,100 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1940, for the administration of the head '29.—Police'."

The motion was adopted.

Adjournment

The Assembly was then adjourned till 11 a.m., on Saturday the 25th March 1939.

SHILLONG :

The 24th May, 1939. }

A. K. BARUA,

Secretary, Assam Legislative Assembly.