

Proceedings of the Tenth 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 11 a.m. on
Monday, the 13 December, 1941

PRESENT

The Hon'ble Mr. Basanta Kumar Das, Speaker, in the Chair, the nine
Hon'ble Ministers and 58 members.

OATH OF ALLEGIANCE

The following new member was sworn in:—

Mr. R. A. Palmer.

PANEL OF CHAIRMEN

The Hon'ble the SPEAKER. I now announce the names of the hon.
members whom I have nominated to form the Panel of Chairmen for this
session.

1. Khan Bahadur Maulavi Keramat Ali.
2. Mr. G. W. Morley.
3. Mr. Naba Kumar Dutta.
4. Rev. L. Gathphoh.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(to which oral answers were given)

Defalcation case at Habiganj Munsif's Court

Maulavi ABDUR RAHMAN asked:

*1. (a) Are Government aware that there was a stamp and court-fee
defalcation case at Habiganj Munsif's Court a few months back?

(b) Are Government aware that after the detection of the said defal-
cation, a criminal case was started against one of the Civil Court Clerks?

(c) If so, what is the result of the said criminal case?

(d) Is it a fact that there had been a heavy expenditure for the pur-
pose of conducting the said criminal case?

(e) Is it a fact that Government sustained a heavy loss for the said
defalcation?

(f) If so, to what extent Government sustained the loss?

(g) Will Government be pleased to state whether there was any enqui-
ry by the Government to ascertain the actual loss?

(h) If not, do Government propose to appoint a Special Auditor to
find out the actual loss?

(i) Is it a fact that besides the person convicted, many others were a
party to the said defalcation?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:
With your permission, Sir, may I reply to the questions which have to be replied to by my Hon'ble Colleague the Finance Minister, as he has been ill and is still too weak to take part? Have I your permission?

The Hon'ble the SPEAKER: Yes.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:
I may also request that as another Colleague of mine, the Hon'ble Minister for Local Self-Government is still ill and is not able to attend the Assembly yet, questions relating to his portfolio will similarly be answered by the Hon'ble Minister for Agriculture.

The Hon'ble the SPEAKER: No objection.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:
replied:

1.(a) & (b)—Yes.

(c)—The accused was sentenced to suffer rigorous imprisonment for 21 months and in addition to pay a fine of Rs.500 and in default to suffer a further period of six months' rigorous imprisonment.

(d)—A fee of Rs.649-8-0 was paid to the public prosecutor who conducted the case on behalf of the Crown, both in the lower and appellate courts.

(e) to (g)—A thorough enquiry was made by the Sessions Judge, but it was found impossible to ascertain the exact or even an approximate estimate of the loss involved. It is, however, believed that if all the records from which old stamps were abstracted could be traced, the figure might rise to a considerable sum. It was not a case of embezzlement of money where an easy estimate of the loss could be made.

(h)—In view of what has been explained in reply to questions (c) to (g) the reply is in the negative.

(i)—There might have been other associates in the embezzlement, but the evidence against them was not sufficient to bring them to book. The Sheristadar and a clerk were punished departmentally because of their failure to do their duties properly.

Retirement of Mr. G. A. Small, Director of Public Instruction, Assam

Maulavi ABDUR RAHMAN† asked:

*2.(a) Has the attention of Government been drawn to the news published in the *Amrit Bazar Patrika*, dated Wednesday, the 20th August 1941, under the caption "Cause of his retirement, Assam D. P. I." and also the Editorial Comments—"A revealing letter" published in the said newspaper dated 21st August 1941?

(b) Will Government be pleased to state if they are aware of or ascertained the source of the publication of this letter?

*3.(a) Will Government be pleased to state if any such letter referred to in question No. 2 above was at all submitted by Mr. G. A. Small, the then Director of Public Instruction, Assam?

(b) If so, whether it is a confidential document to which the public had no access?

†The questions were put by Maulavi Muhammad Maqbul Hussain Chaudhury on authorisation in the absence of the hon. member.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

2. (a) Yes.

(b) Government are not aware of the source of publication of the letter in question.

Mr. BAIDYANATH MOOKERJEE: The question is "will Government be pleased to state if they are aware of or ascertained the source of the publication of this letter?" The reply is "Government are not aware of the source of publication of the letter in question". May I know from the Hon'ble Minister whether they intend to ascertain the source?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Yes.

Mr. BAIDYANATH MOOKERJEE: May we know whether they have come to any definite decision about the source?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: The conclusion is there that Government are not aware of the source.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

3. (a) Yes.

(b) The letter received by Government from Mr. Small was accessible only to Government and Government officials.

Mr. BAIDYANATH MOOKERJEE: Will the Hon'ble Minister kindly read out the letter in question, because many of us may not know the contents of the letter?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: The letter has already been published in the paper.

Babu RABINDRA NATH ADITYA: Is it a fact that the Director of Public Instruction was not consulted at the time of appointment of the Inspector of Schools, Surma Valley?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Does the question arise, Sir?

The Hon'ble the SPEAKER: The Hon'ble Minister has said that the letter was published in a newspaper, but he cannot presume that all the members are aware of its contents. Unless the question arises from anything contained in the main question specifically mentioning the contents of the letter published in the newspaper, I do not think the question can be allowed.

Mr. BAIDYANATH MOOKERJEE: May I ask the Hon'ble Minister whether the letter contains this portion which was published in the newspaper "since the retirement of the Congress-Coalition Ministry, I have done my best to work in harmony with the present Ministry, but I am unable to continue any longer to serve under it and retain my self-respect"?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: The letter is not with me just now.

Babu RABINDRA NATH ADITYA: The Hon'ble Minister imputes knowledge on the members of the House on the ground that it has been published in the newspaper. On that assumption I put the question whether it is a fact that the Hon'ble Minister did not consult the Director of Public Instruction in making the appointment of the Inspector of Schools, Surma Valley?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: The Director of Public Instruction was consulted.

Mr. NABA KUMAR DUTTA: Are Government prepared to accept the allegations made in the letter of Mr. Small?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI : I do not know what the hon. member is referring to by "allegation".

Mr. BAIDYANATH MOOKERJEE : May I assist the Hon'ble Minister by reading out the relevant portions of the letter which the hon. member refers to, for the information of the hon. members present here?

The Hon'ble the SPEAKER : I do not think it is relevant to read out the entire letter. Of course the hon. member who puts the question ought to have framed more questions in order to draw the attention of the Government to the various points which appeared in the letter. Now I cannot allow the whole letter to be read out. There may be a question with reference to a particular point in the letter. The question as framed by Mr. Dutt is not permissible.

Mr. BAIDYANATH MOOKERJEE : May I be permitted to put more supplementary questions?

The Hon'ble the SPEAKER : Yes.

Mr. BAIDYANATH MOOKERJEE : Was it not written in the letter that "though I have served Assam in the Education Department for thirty years and have been the Director of Public Instruction for twelve years, the present Government ignores my advice on important matters and sometimes it does not even trouble to ask for it. Appointments are being repeatedly made for reasons which are definitely not educational. The Hon'ble Minister for Education is continually interfering with me in the administration of my Department to such an extent that most of my time now-a-days is spent in writing protest on Secretariat files against orders passed by the Hon'ble Minister on matters which, in my opinion, do not properly come within the Minister's province at all. The Hon'ble Minister has set aside orders passed by me or by my subordinates with my approval in matters fully within our competence. In fairness to my subordinates I cannot accept such orders"?

The Hon'ble the SPEAKER : The hon. member is reading the whole letter!

Mr. BAIDYANATH MOOKERJEE : That is only a portion. Now does the Hon'ble Minister admit whether this portion was in the letter submitted to the Government?

The Hon'ble the SPEAKER : Why should the hon. member want that? The Hon'ble Minister said that the letter appeared in the newspaper, and as the hon. member has read out, as he says, practically the whole letter from the paper, there is the practical admission.

Babu RABINDRA NATH ADITYA : Are the allegations made by the Director of Public Instruction true or false?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI : On a point of order, Sir. As you have given the ruling that supplementary questions should not be asked with regard to the context of the letter, is the hon. member entitled to put this question?

The Hon'ble the SPEAKER : The entire letter may not be read out, but they are entitled to put questions to a particular point contained in the letter.

The Hon'ble Maulavi MUNAWWAR ALI : Provided those supplementaries are relevant.

The Hon'ble the SPEAKER : I do not think they are irrelevant.

Mr. BAIDYANATH MOOKERJEE : Is it a fact that at the time of appointment of Maulavi A. Lais as Inspector of Schools the Director of Public Instruction was not consulted?

The Hon'ble the SPEAKER : The Hon'ble Minister's reply is that he consulted the Director of Public Instruction.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Sir, I am in difficulty. If I were asked to lay a copy of the letter on the table I might have done so, and if any reference is made to any particular allegation stated to have been made therein by Mr. Small, I can answer with regard to that. But what particular allegation is the hon. member referring to?

Mr. BAIDYANATH MOOKERJEE: Another question arises in the letter that was published that the Hon'ble Minister did not consult the Director of Public Instruction. But now the Hon'ble Minister says that he consulted the Director of Public Instruction. Now my question is whether the Hon'ble Minister admits that the allegations made in the letter were all correct or not?

The Hon'ble the SPEAKER: That would be too wide a question. Now with regard to the particular point about the appointment of the Inspector of Schools, Sikkim Valley, the Hon'ble Minister has said that the Director of Public Instruction was consulted when the appointment was made. If the Director of Public Instruction says that he was not consulted then there are two contradictory statements and one must be correct. Whether the Director of Public Instruction's statement is true or the Hon'ble Minister's statement is true, that is to be inferred according to one's own judgment after a consideration of all facts.

Mr. BAIDYANATH MOOKERJEE: Sir, may I enquire whether Government has taken any action on this letter when the Hon'ble Minister is not admitting the statement in the letter?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: The officer had retired by that time.

Babu RABINDRA NATH ADITYA: Did Government publish any contradiction to any of the statements made in the letter?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: No.

Khan Bahadur Maulavi KERAMAT ALI: Sir, has the genuineness of this letter been ascertained from Mr. Small?

(A voice—yes)

Babu RABINDRA NATH ADITYA: Is it not a fact that the Director of Public Instruction was on leave preparatory to retirement at the time the letter was published?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: When this fact was brought to the notice of the Government, the officer had already retired.

Babu RABINDRA NATH ADITYA: Is it a fact that the officer did not retire on the date when the letter was published in the paper?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: He had gone on leave preparatory to retirement. But by the time the matter was brought to the notice of Government, he had retired.

Srijut PURNA CHANDRA SARMA: The letter was published in newspaper. Did it not attract the notice of the Government then?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Not immediately.

Srijut PURNA CHANDRA SARMA: How many days after that?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Well, I do not remember.

Post of the Inspector of Schools, Surma Valley and Hill Districts

Maulavi ABDUR RAHMAN† asked :

*4. Will Government be pleased to lay on the table a list of candidates who submitted applications for the post of the Inspector of Schools, Surma Valley and Hill Districts ?

*5. Will Government be pleased to state the educational qualification and experience of Mr. A. Lais who has been appointed Inspector of Schools, Surma Valley and Hill Districts ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

4.—No applications for the post were called for.

5.—The officer is a Fakhru'l Muhaddesin. He took the B. A. degree with distinction. He entered the Education Department in 1912 and has thus had about 28 years experience, holding the posts of Superintendent and Principal of the Sylhet Government Madrasa, Professor in Islamic Subjects at the Murarichand College, and Assistant Director of Public Instruction for Muslim Education. The details of his service will be found at page 306 of the Assam History of Services, 1937.

Mechanisation of Police Force in Assam

Mr. A. WHITTAKER asked :

*6. Will Government be pleased to state—

(a) Whether they have considered the question of mechanising the Police Force in Assam in the interests of economy and efficiency ?

(b) If so, will Government be pleased to state whether any progress comparable to that in other Provinces has been made in Assam ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

6. (a)—Yes. A scheme submitted by the Inspector-General of Police has been under the consideration of Government.

(b)—Not in this respect.

[Starred questions Nos. 7 and 8 standing in the name of Maulavi Mabarak Ali and No. 9 standing in the name of Mr. Kedarmal Brahmin were not put and answered as the questioners were absent].

Number of Muslim and non-Muslim Mauzadars of Darrang district

Maulavi BADARUDDIN AHMED asked :

*10. Will Government be pleased to state—

(a) The number of Muslim and non-Muslim Mauzadars in Mangaldai and Tezpur subdivisions of the Darrang district separately ?

†The questions were put by Maulavi Muhammad Maqbul Hussain Chaudhury on authorisation in the absence of the hon. member.

- (b) The number of posts of Mauzadars which are lying vacant at present in the Mangaldai subdivision ?
- (c) The number of applications received for the vacancies from among the Muslim candidates ?
- (d) Whether the post of Mauzadar is hereditary ?
- (e) Whether Government propose to fill up any future vacancies of Mauzadar by Muslim candidates in the Mangaldai and the Tezpur subdivisions of the Darrang district ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

10. (a)—

	Muslim	Non-Muslim	Total
Tezpur subdivision	Nil	25	25
Mangaldai	1	21	22

(b)—One.

(c)—Six.

(d)—The hon. member is referred to rule 116 at page 186 of the Assam Land Revenue Manual, Volume I, laying down the principles generally followed in making appointments of Mauzadars.

(e)—Subject to the main criteria of financial stability, character, capacity, local influence, etc., which are absolutely necessary for the safety of the considerable amount of Government revenue involved, communal representation is also considered at the time of making appointments. In view, however, of the number of misappropriation cases of Mauzadars in the last few years, Government attach primary consideration to the financial soundness of candidates, from whatever community they may come.

Travelling and other allowances drawn by each Hon'ble Minister during 1941

Mr. BAIDYANATH MOOKERJEE asked :

*11. Will Government be pleased to lay on the table a statement showing separately the amount of travelling and other allowances drawn by each Hon'ble Minister during the year 1941 up to the end of October showing also the places of visit, date of visit and the purpose of visit ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

11.—A statement is laid on the table.

STATEMENT SHOWING TRAVELLING AND OTHER ALLOWANCES DRAWN BY EACH HON'BLE MINISTER DURING 1941

Hon'ble Prime Minister, Assam

Dates of visit	Places visited	Amount drawn as Travelling Allowance		Amount drawn as other allowances	Purpose of journey
		Rs.	p.		
13th Dec. 1940 to 4th Jan. 1941.	Calcutta, Lucknow, Delhi.	414	12 0	...	To attend Government of India Industrial Conference and I. C. A. R. Conference.
20th Jan. 1941 to 25th Jan. 1941.	Gauhati, Mukalmua, Dampur.	101	12 0	...	To attend Mauza Conference and Inspection.
28th Jan. 1941 to 13th Feb. 1941.	Sylhet, Habiganj, Mawrenkneng, Sohryngkham, Jowai, Jarain.	100	6 0	...	Government duties at Sylhet and opening a H. E. School at Jowai.
22nd Feb. 1941 to 28th Feb. 1941.	Pandu, Sapatgram, Chaygaon.	125	4 0	...	To preside over a Ryat Conference at Sapatgram and opium prohibition at Gauhati.
30th Mar. 1941 to 2nd Apl. 1941.	Gauhati, Tezpur, Borgong.	122	4 0	...	To open the Borgong bridge.
23rd May 1941 to 27th May 1941.	Pandu, Bongai-gaon, Abhayapuri, Khagrabari.	94	2 0	...	Tour of Inspection and to open the Khagrabari Tribal League.
26th June 1941 to 30th June 1941.	Sylhet, Karimganj, Nilambazar, Patharkandi, Juri, Phultola.	105	8 0	...	Presided over a public meeting at Haripur and tour of flood affected areas.
2nd July 1941 to 13th July 1941.	Calcutta, Simla	637	2 0	...	Attended the Transport Advisory Council.
5th Aug. 1941 to 10th Aug. 1941.	Sylhet, Sunamganj and Interior.	71	12 0	...	Tour of Inspection.
Total		...	1,772 14 0		

Hon'ble Minister, Revenue

Dates of visit	Places visited	Amount drawn as Travelling Allowance		Amount drawn as other allowance	Purpose of journey	
		Rs.	a.	p.		
21st Jan. 1941 to 26th Jan. 1941.	Gauhati, Mukalmua, Dampur, Talukbari, Rampur.	110	12	0	...	To attend Mauza conference and inspection.
7th Apl. 1941 to 17th Apl. 1941.	Nowgong, Lakhowa Reserve Lalung, Loharighat, Dibrugarh, Tinsukia, Makum Junction, Barapjan, Doom-Dooma, Digboi.	292	8	0	...	Tour of inspection.
23rd May 1941 to 26th May 1941.	Pandu, Bongai-goan, Abhoyapuri, Khabarabari.	93	8	0	...	Ditto ditto.
1st May 1941 to 3rd May 1941.	Gauhati, Pukripar.	65	8	0	...	Ditto ditto.
24th June 1941 to 4th July 1941.	Sylhet, Karimganj Silchar, Hailakandi, Chandrapur, Lengti-Basti, Chiakuri villages, Katlichera, Dhaleswari, Panchgram, Kaliganj, Balaut Haor, Kulaura, Maulavibazar, Manumukh, Moglabazar, Ragabpur, Ilaspur.	236	10	0	...	Ditto ditto.
5th Aug. 1941 to 9th Aug. 1941.	Sylhet, Sunamganj and interior, Rankali.	69	12	0	...	Inspection of flood-affected areas.
30th Aug. 1941 to 4th Sep. 1941.	Gauhati, Tezpur, Marpa-lebhigaon.	97	6	0	...	Tour of inspection.
Total		...	966	0	0	

Hon'ble Minister, Education

Dates of visit	Places visited	Amount drawn as Travelling Allowance			Amount drawn as other allowance	Purpose of journey	
		Rs.	a.	p.			
9th Dec. 1940 to 4th Jan. 1941.	Gauhati, Rampur, Tezpur, Balipara, Sootea, Calcutta (to Calcutta on private business not charged).	150	8	0	...	Tour of inspection.	
22nd Jan. 1941 to 29th Jan. 1941.	Gauhati, Loharghat, Lengla, Rampur, Parakoshi.	135	8	0	...	Mass Literacy campaign.	
5th Feb. 1941 to 12th Feb. 1941.	Gauhati, Khetri, Nalbari, Morowa, Balilecha.	124	12	0	...	Tour of inspection.	
19th Feb. 1941 to 28th Feb. 1941	Gauhati, Jaleswar, Goalpara, Nowgong, Roha, Dharumtool, Choygaon.	217	8	0	...	Ditto ditto	
5th Apl. 1941 to 12th Apl. 1941	Gauhati, Sarupeta, Barpeta.	126	4	0	...	Ditto ditto.	
24th Apl. 1941 to 1st May 1941.	Pandu, Calcutta, Cherpunjee.	260	10	0	...	To attend Senate Meeting and tour of inspection.	
18th May 1941 to 21st May 1941.	Gauhati, Moriani, Jorhat, Golaghat, Forkating.	139	12	0	...	Tour of inspection.	
26th May 1941 to 28th May 1941.	Gauhati	...	55	4	0	...	Ditto ditto.
3rd July 1941 to 4th July 1941.	Gauhati	...	41	8	0	...	Ditto ditto.

Hon'ble Minister, Education—concl'd.

Dates of visit	Places visited	Amount drawn as Travelling Allowance		Amount drawn as other allowance		Purpose of journey
		Rs.	a.	p.		
29th July 1941 to 3rd Aug. 1941.	Gauhati, Tezpur, Kokilamukh, Jorhat.	150	14	0	...	Tour of inspection.
10th Aug. 1941 to 20th Aug. 1941.	Gauhati, Calcutta.	273	12	0	...	To attend Senate meetings and discussion with the Vice-Chancellor.
29th Aug. 1941 to 6th Sep. 1941.	Gauhati, Dhubri	129	12	0	...	Tour of inspection.
5th Oct. 1941 to 11th Oct. 1941.	Gauhati, Tinsukia, Dibrugarh, Balijan, Alimoor, Kharjan, Sibsagar, Jorhat, Moriani.	221	0	0	...	Ditto ditto.
24th Oct. 1941 to 27th Oct. 1941.	Gauhati, Dharatool.	58	12	0	...	Ditto ditto.
	Total	...	2,085	12	0	...

Hon'ble Minister, Public Works Department

15th Jan. 1941 to 3rd Feb. 1941.	Sylhet, Calcutta, Delhi, New Delhi.	589	4	0	...	To attend petrol rationing and Labour Ministers' conference.
25th Feb. 1941 to 28th Feb. 1941.	Jorhat, Titabar, Dhudarali, Golaghat, Dergaon, Charali, Mokokchung, Nowgong, Shikarighat, Kamargaon, Halmira, Bokakhat, Dansirimukhghat.	175	12	0	...	In connection with opium prohibition and inspection of new roads.

Hon'ble Minister, Public Works Department—contd.

Dates of visit	Places visited	Amount drawn as Travelling Allowance		Amount drawn as other allowance	Purpose of journey
		Rs.	a. p.		
30th Mar. 1941 to 2nd Apl. 1941.	Tezpur, Bon- gaog-Brideria, Charduar and Lokra, Vishva- nath, Sokama- ti, Dikra, Col- darghat, Ron- gapara, Bindu- khuri, Dekia- juri, Dalgaon, Rantu, Udal- guri, Bhairab- khund, Tangla, Oranjuli, Man- galdai.	163	12 0	...	Tour of inspection.
23rd May 1941 to 27th May 1941.	Nowgong, Jorhat, Sibsagar, De- sangmukh, Gorgaon, Sa- phin, Moran, Tinkhong, Biragaon.	200	12 0	...	Ditto.
2nd July 1941 to 15th July 1941.	Calcutta, Simla	676	0 0	...	Attend the Trans- port Advisory Council.
17th Aug. 1941 to 30th Aug. 1941.	Sylhet, Khowai, Sherpur, Mo- numukh, Maulvibazar, Srimangal, Satgaon, Man- surnagar, Ku- laura, Juri, Patharkandi, Nilambazar, Karimganj.	116	0 0	...	Tour of inspection.
14th Oct. 1941 to 19th Oct. 1941.	Gauhati, Tezpur, Oranga, Maj- bat, Lamabari, Colderghat, North Lakhim- pur, Pampur- ghat, Gomeri- ghat, Singli,	262	8 0	...	Ditto.

Hon'ble Minister, Public Works Department—concl'd.

Dates of visit	Places visited	Amount drawn		Purpose of journey	
		as Travelling Allowance	drawn as other allowance		
		Rs.	a.	p.	
	Badati, Harputty Road, Dulabat Road, Silonibari, Dijov, Ragajan, Baginadi, Lilabari, Sinjuli, Kama-lebari, Bali-para, Borjuli, Mangaldai, Tangla, Bhutiachang T.E., Hatikola.				
	Total	2,184	0	0	

Hon'ble Minister, Local Self-Government

31st Mar. 1941 to 1st Apl. 1941.	Gauhati	41	8	0	Tour of inspection.
25th May 1941 to 27th May 1941.	Gauhati	49	0	0	Ditto.
26th June 1941 to 12th July 1941.	Sylhet, Habiganj, Chandbanga, Bamai, Nabiganj, Baniachong.	202	3	0	Tour of flood affected areas.
16th July 1941 to 17th July 1941.	Sylhet	53	0	0	Tour of inspection.
15th Aug. 1941 to 24th Aug. 1941.	Sylhet, Karimganj, Gowainghat.	134	4	0	Ditto.
30th Aug. 1941 to 4th Sep. 1941.	Gauhati, Tezpur, Hirajuli.	125	0	0	Ditto.
18th Sep. 1941 to 2nd Oct. 1941.	Sylhet, Shaistaganj, Habiganj, Baniachong, Nabiganj, Inathganj, Pagla.	186	13	0	Ditto.
	Total	791	12	0	

Hon'ble Minister, Medical

Dates of visit	Places visited	Amount drawn as travelling allowance		Amount drawn as other allowances		Purpose of journey
		Rs.	a.	p.	...	
2nd Jan. 1941 to 6th Jan. 1941.	Dhakadakshin, Sheola.	82	4	0	...	Tour of inspection.
25th Jan. 1941 to 26th Jan. 1941.	Gauhati, Ram- pur.	51	8	0	...	Ditto.
15th Apl. 1941 to 18th Apl. 1941.	Sylhet, Maulvi- bazar, Panch- gao, Dala, Ghyaspur.	91	8	0	...	Ditto.
30th May 1941 to 31st May 1941.	Sylhet ...	53	0	0	...	Ditto.
14th June 1941 to 15th June 1941.	Gauhati, Ka- makhya.	43	0	0	...	To attend the opening of a dispensary at Kamakhya Man- dir.
24th June 1941 to 28th June 1941.	Hailakandi, Sil- char, Chan- drapur, Lengti Basti and other flood affected areas Kutlichera, Lalabazar, Daleswari- mukh, Panch- gram, Sylhet.	139	0	0	...	Tour of inspection.
10th July 1941 to 14th July 1941.	Nowgong, Fula- guri, Roha, Jorhat.	149	12	0	...	Ditto.
6th Aug. 1941 to 19th Aug. 1941.	Pandu, Dhubri, Gauripur, Golokganj, Hailakandi, Sylhet, (Go- lokganj to Calcutta and back—not charged).	157	13	0	...	Ditto.

Hon'ble Minister, Medical—concl'd.

Dates of start	Places visited	Amount drawn as travelling allowance		Amount drawn as other allowances		Purpose of journey
		Rs.	a.	p.		
3rd Sep. 1941 to 7th Sep. 1941	Sylhet, Silchar, Hailakandi.	115	12	0	...	Tour of inspection.
16th Oct. 1941 to 28th Oct. 1941.	Sylhet, Karim- ganj, Chand- khira.	98	4	0	...	Ditto.
Total ...		981	13	0		

Hon'ble Minister, Excise

12th Dec. 1940 to 2nd Jan. 1941	Nowgong, Kam- pur, Lum- ding, Naopa- ni, Golaghat, Barpetha, Jorhat.	230	2	0	...	Tour of inspection.
30th Jan. 1941 to 1st Feb. 1941.	Gauhati, Chay- gaon.	49	0	0	...	Ditto.
20th Feb. 1941 to 28th Feb. 1941.	Nowgong, Gola- ghat, Jorhat, Sibsagar, Dib- rugarh, North Lakhimpur.	243	0	0	...	Ditto.
8th Apl. 1941 to 18th Apl. 1941.	Nowgong, Sil- ghat, Tezpur, Bishmath, Mangal d a i, Bengbari.	213	10	0	...	Ditto.
22nd May 1941 to 28th May 1941.	Gauhati, Chay- gaon, Lohar- ghat, Now- gong, Silghat, Jakhlabandha.	144	0	0	...	Ditto.
3rd July 1941 to 15th July 1941.	Nowgong, Dib- rugarh, Mad- arkhat, Dig- boi, Jorhat, Mariani, Tita- bar, Golaghat, Gauhati.	288	8	0	...	Ditto.

Hon'ble Minister, Excise—concl'd.

Dates of visit	Places visited	Amount drawn as travelling allowance		Amount drawn as other allowances	Purpose of journey	
		Rs.	a.	p.		
18th Sep. 1941 to 5th Oct. 1941.	Gauhati, Mangaldai, Kalai-gaon, Tangla, Bhergaon, Balipara, Behoguri, Dekergaon, Silghat, Nowgong, Tezpur.	157	15	0	...	Tour of inspection.
Total ...		1,326	3	0		

Hon'ble Minister, Agriculture

18th Dec. 1940 to 4th Jan. 1941.	Sylhet, Akbarpur Farm, Karimganj, Bhanga, Gangarjal, Bealnibazar, Kashba, Sunamganj, Pagla.	138	4	0	...	Ditto.
28th Jan. 1941	Gauhati ...	95	4	0	...	Ditto.
9th Feb. 1941 to 12th Feb. 1941.	Sylhet, Chagli...	51	8	0	Rupees 60 charged for an ambulance car from Sylhet to Shilong.	Ditto.
24th July 1941 to 2nd Aug. 1941.	Calcutta, Delhi	517	6	0	...	Attended the meeting of the Governing Body of Imperial Council of Agricultural Research.
9th Sep. 1941 to 10th Sep. 1941.	Gauhati, Ulubari, Mangaldai, Dalgaon.	72	12	0	...	Tour of inspection.

Hon'ble Minister, Agriculture—concl'd.

Dates of visit	Places visited	Amount drawn as travelling allowance		Amount drawn as other allowances	Purpose of journey
		Rs.	a. p.		
16th Sep. 1941 to 22nd Sep. 1941.	Sylhet, Kulaura, Maulvibazar, Srimangal, Ha- biganj, Sylhet Farm, Jaintia- pur.	118	3 0	...	Tour of inspection.
Total		...	993 5 0		

The Hon'ble Minister, Forests

28th Jan. 1941 to 3rd Feb. 1941.	Gauhati, Bla- banipur, Hu- dukhata, Ayangbeali, Mathurguri, Unikuri.	129	0 0	...	Tour of inspection.
24th Feb. 1941 to 28th Feb. 1941.	Gauhati, Tez- pur, Dekar- gaon, Bali- para, Jama- guri, Chootia.	123	0 0	...	Ditto.
7th Apl. 1941 to 15th Apl. 1941.	Nowgong, Low- khwa, Loha- righat, Gau- hati.	113	0 0	...	Ditto.
22nd May 1941 to 26th May 1941.	Pandu, Sapat- gram, Bon- gaigaon.	92	14 0	...	Ditto.
12th July 1941	25th mile of the Gauhati- Shillong road and back.	12	8 0	...	Ditto.
16th Sep. 1941 to 21st Sep. 1941.	Nowgong, Di- brugarh, Padumorie Reserve, Upper Dehing Reserve <i>via</i> Digboi, Sib- sagar.	216	8 0	...	Ditto.

Hon'ble Minister, Forests—concl'd.

Dates of visit	Places visited	Amount drawn		Purpose of journey	
		as travelling allowance	as other allowances		
		Rs.	a.	p.	
7th Oct. 1941 to 12th Oct. 1941.	Gauhati, Boko, Garubaldah Reserve, Bamungaon, Kulsi, Kakrajhar, Pandu.	70	8	0	... Tour of inspection.
Total		757	6	0	

Hon'ble Minister, Industry

13th Dec. 1940 to 4th Jan. 1941.	Pandu, Sealdah, Howrah, Lucknow, Delhi.	414	12	0	... To attend the 13th Industries Conference at Lucknow.
9th Feb. 1941 to 13th Feb. 1941.	Mawryngkneng <i>via</i> Peak Sorenkhanc, Jowai, Jarain, Dawki.	47	6	0	... Opening of a High English School at Jowai.
16th July 1941 to 20th July 1941.	Sylhet, Karimganj.	86	12	0	... Tour of inspection.
5th Aug. 1941 to 10th Aug. 1941.	Sylhet, Sunamganj and Interior.	71	12	0	... Ditto.
Total		620	10	0	

Settlement of lands in Nowgong

Mr. BAIDYANATH MOOKERJEE asked :

*12. Will Government be pleased to state—

- (a) How many acres of cultivable waste lands are there in the district of Nowgong ?
- (b) How many acres out of these are available for ordinary settlement ?

- (c) How many applications were received for the settlement of these lands from the people of the Surma Valley in 1941 ?
- (d) Whether it is a fact that a large number of people of village Mangram under the Karimganj subdivision applied for lands in Nowgong district through one Maulavi Sarafat Ali Choudhury in 1941 ?
- (e) If so, what action Government has taken on this ?
- (f) What was the acreage that was prayed for in the said application for settlement and on behalf of how many families the application was made ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

12. (a) From the figures given by the then Deputy Commissioner at the time of the Line Commission's enquiries in 1938 and the annual returns showing subsequent settlement it has been calculated that there are roughly 2,00,000 acres of cultivable waste land in Nowgong, two-thirds of which lie scattered in cadastral villages and will be required in due course for extension of cultivation in those villages.

(b) All were available, though normally the extra land in cadastral villages would mostly be reserved for the people of those villages. 21,000 acres have now been included in the Development Scheme for which special rules have recently been published.

(c) —3,431 up to 31st March 1941.

(d) —Yes in August 1941.

(e) —Government directed the Deputy Commissioner, Nowgong to entertain these applications along with those already received and consider them when settling lands under the Development Scheme.

(f) —The application was sent in original to the Deputy Commissioner and it has not been thought advisable to recall it for the purpose of eliciting this information and so possibly interfere with the process of settlement which may have already begun.

Srijut SIDDHI NATH SARMA: May I enquire whether Mr. Marar in his report on the Line Committee estimated that only 62,000 acres of land was available in Nowgong ? I am reading Sir, from page 17, Volume II of the Report.

The Hon'ble the SPEAKER: Then that appeared in a Government publication.

Srijut SIDDHI NATH SARMA: But the Hon'ble Minister is stating that it is 2 lakhs acres. Which is correct, Sir ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: May I point out, Sir, that it was probably because the figure referred to by Mr. Marar was in bigger blocks ?

Srijut SIDDHI NATH SARMA: No, Sir, he has calculated all the available land there and has come to this conclusion. He said "The net area available comes to only 62,000 acres ; even out of this a large area in Hojai and Namati is completely allotted." If that area is deducted, the figure will be less than 62,000 acres and this was accepted by the Committee as a whole.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: As a member of the Line System Enquiry Committee, my impression is, so far as I remember.....

Srijut SIDDHI NATH SARMA: This is the report, Sir, I am reading:—

“The Deputy Commissioner had gone carefully into the question before our arrival and after excluding the area in Mikir Hills and small patches of waste land still available in fully settled cadastral villages in the rest of the district and the area occupied by reserves, swamps, roads, etc., he calculated that not more than 62,000 acres was available for extension of cultivation in large blocks in the rest of the district. Some 83 per cent. of the available cultivable land has been taken up and the majority of the Committee endorse his opinion that there is not much room for extension of immigrant settlement in the district”.

Now the Hon'ble Minister said that land available in Nowgong is two lakhs acres but from the Report it appears that only 62,000 acres are available and even out of that some portion in Hojai and Namati is completely allotted, and so this area of two lakhs acres is not available. The question is, Sir, whether this figure is correct or that is correct?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I will reply to this simple question. Both the statements are correct. The figure 62,000 acres is in large blocks, but I am giving the entire area available. As I have detailed in my reply, Sir, that land in cadastral villages is mostly reserved for people of those villages and therefore Mr. Marar probably only gave the area of the bigger blocks.

Srijut SIDDHI NATH SARMA: If I read from the beginning, it will be clear. He has calculated all lands. It seems I shall have to read the whole paragraph—

“The total area of the district is 3,699 sq. miles, the plains portion consists of 1,590 sq. miles.....”

The Hon'ble the SPEAKER: I think there are some other questions on this subject, which raised specific points. I think it will be better for the hon. member to put his supplementaries when those questions come up. It seems that he is starting a discussion about the whole matter: I cannot allow that.

Srijut SIDDHI NATH SARMA: If those questions do not come up?

The Hon'ble the SPEAKER: I think they are all coming up.

Srijut GAURI KANTA TALUKDAR: May I know whether this two lakhs acres of waste land includes forest reserves, game reserves, and grazing reserves?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: No, Sir.

Srijut PURNA CHANDRA SARMA: Does it include village grazing reserves?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: No, Sir.

Srijut PURNA CHANDRA SARMA: Are not the village grazing reserves included in the village cadastral area?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: It is included in the cadastral area and shown as reserved for village grazing purposes.

Condition of people of Koliabor

Srijut PURNA CHANDRA SARMA asked :

*13. (a) Are Government aware about the starving condition of the majority of people of Koliabor in the district of Nowgong ?

(b) Will Government be pleased to state whether any reports have been received from the Deputy Commissioner in this regard ?

(c) If so, will Government be pleased to state when the said reports were received and what steps have been taken since ?

(d) Will Government be pleased to state if it is a fact that the local officials sent their reports about the condition of the people of Koliabor long ago ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

13. (a) Government received copies on 11th October 1941 of resolutions passed in a meeting of the Koliabor Pyot Sabha which had been forwarded by the Sabha to the Deputy Commissioner, alleging distress in the locality.

(b) No

(c) Does not arise.

(d) No

Srijut PURNA CHANDRA SARMA: Did Government enquire whether the Deputy Commissioner took any steps after those resolutions were passed ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: As I have already replied, Sir, the Sabha approached the Deputy Commissioner direct, and he is expected to take all necessary action. If he thought that the statements in the petition were correct, he would have forwarded his recommendations to the Government.

Srijut PURNA CHANDRA SARMA: Was not the attention of Government drawn to those resolutions, and copies of the same sent to them ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Government is awaiting the report of the Deputy Commissioner. We received a copy of those resolutions on the 11th October 1941 ; only 19 days have elapsed since then.

Srijut PURNA CHANDRA SARMA: Is 11th October only 19 days from to-day ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I am sorry I made a slip ; one month nineteen days.

[Starred questions Nos. 14-17 standing in the name of Babu Bipin Behari Das, No. 18 standing in the name of Mr. Arun Kumar Chanda and No. 19 standing in the name of Maulavi Abdul Bari Chaudhury were not put and answered as the questioners were absent.]

Flood in the Barpeta subdivision

Srijut GHANASHYAM DAS asked :

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

(a) Whether he got any information from the local members of the Assam Legislative Assembly of the Barpeta subdivision regarding the last flood in the Barpeta subdivision and the distress of the people caused by it ?

(b) If so, will he be pleased to state what steps have been taken to redress the grievances and distress of the people of that place ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

20. (a)—Yes.

(b)—Enquiry is being made by the local officers but no final report has yet been received.

Srijut GHANASHYAM DAS : Have Government given any direction to the local officers there to enquire into the conditions of *raiya*t in the Government land only, and not of those in the *nisf-khiraj* land ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : We have made no such distinction. We have asked the Subdivisional Officer to enquire and report about the conditions of the *raiya*t in general.

Srijut GHANASHYAM DAS : I asked local officers to enquire into the condition of the *raiya*t in the *nisf-khiraj* land, but they told me frankly that they would do so only when instructed by Government.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Government has not instructed the Subdivisional Officer, Barpeta, to make any distinction between the Government tenants and the tenants of the landlords. We want a report about the conditions of tenants in general.

Srijut GHANASHYAM DAS : Will Government give direction to enquire about the conditions of *raiya*t in the *nisf-khiraj* land ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : We will await the report of the Subdivisional Officer. If we find that he has not enquired into the condition of the *nisf-khiraj* tenants, the occasion will probably then arise to instruct him.

Srijut GHANASHYAM DAS : Cannot Government believe me when I say that they are not enquiring into the condition of *raiya*t in the *nisf-khiraj* land ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : No question of belief or disbelief arises. The report is imminent, and we will take action, if necessary, after receipt of the same.

Srijut GHANASHYAM DAS : Are Government aware that in certain localities of the Barpeta subdivision famine is imminent, and this will be felt from the month of January next ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : We have not got any such information as yet ; we are awaiting the report of the Subdivisional Officer.

Srijut GHANASHYAM DAS : I am putting this question for the information of Government. Moreover, Sir, the mauzadars are pressing the *raiya*t for land revenue. Some sale warrants are going to be issued for arrears of revenue.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : It seems that the hon. member is not seeking information, but is supplying the same.

The Hon'ble the SPEAKER : But he wants to know whether Government is making any enquiry.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Yes, Sir, we have asked the Subdivisional Officer to enquire and we are awaiting his report.

[Starred questions Nos. 21-22 standing respectively in the names of Maulavi Abdul Bari Chaudhury and Mr. Arun Kumar Chanda were not put and answered as the questioners were absent.]

UNSTARRED QUESTIONS

Gauhati-Shillong and Shillong-Sylhet Bus Services

Maulana ABDUL HAMID KHAN asked :

1. (a) Are Government aware that there is no separate arrangement for female passengers in Gauhati-Shillong and Shillong-Sylhet Bus Services ?

(b) If so, do Government propose to ask the companies concerned to make separate arrangement for the accommodation of female passengers in their bus services.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

1. (a) Yes.

(b) Government have no evidence of a demand for separate accommodation for ladies in passenger vehicles ; if they receive such demand they will examine in consultation with the Companies what can be done, but it is to be observed that ordinarily ladies are not likely to wish separation from their male companions.

Special officer for Jute restriction

Maulana ABDUL HAMID KHAN asked :

2. Will Government be pleased to state—

(a) Whether they have got a special officer for Jute restriction ?

(b) If so, will Government be pleased to state—

(i) What are the functions of this officer ?

(ii) What are the chief jute growing areas in Assam ?

(iii) Whether they are aware that Dhubri South Bank is one of the principal jute growing areas ?

(iv) If so, what has the officer done so far in that areas ?

(v) How many times the said officer visited that area ?

The Hon'ble Maulavi MUNAWWAR ALI replied :

2. (a)—No.

(b) (i) to (v)—Do not arise.

Revenue Sheristadar of Nowgong

Maulavi MUHAMMAD AMIRUDDIN asked :

3. (a) Is it a fact that the Revenue Sheristadar of the Nowgong district is soon going on leave preparatory to retirement ?

(b) If so, will Government be pleased to state—

(i) Whether the vacancy, so arising will be locally filled up by promotion of any other competent and experienced clerk ?

(ii) If not, why not ?

(iii) Whether Government propose to make it a point or principle to make local appointment in such vacancies in future all over the province, *as far as practicable* ?

(c) Will Government be pleased to state whether they propose to issue immediate instructions to the district authority of Nowgong to make local appointment with respect to the proposed vacancy in place of the said Revenue Sheristadar from amongst the competent and experienced clerks of the Deputy Commissioner's Office ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

3. (a)—Government have no information.

(b) (i) and (ii) and (c)—The power of appointing the Revenue Sheristadar and the Head Clerk in the offices of Deputy Commissioners lies with and is exercised by the Commissioner who is in a position to know the comparative merits of clerks in district offices and in his own office. Government do not propose to fetter his discretion by giving him any specific direction in this case, if a vacancy should arise but will forward to him a copy of the questions and replies for his information and guidance.

(b) (iii)—It is the policy of Government that where an experienced and competent clerk is available in the district office fit for promotion to one of the two selected posts mentioned above, he should be chosen to fill the vacancy : this policy has been followed in the past and will be followed in future.

Sylhet Government Aliya Madrasa

Maulana ABDUL HAMID KHAN asked :

4. Will Government be pleased to state—

(a) The total number of teachers in the Sylhet Government Aliya Madrasa ?

(b) How many of them belong to Assam Valley and how many belong to Surma Valley ?

(c) Whether Government is aware that the Sylhet Madrasa is the only institution of its kind in Assam and many boys from Assam Valley read in that institution ?

(d) If so, do Government propose to consider the desirability of appointing a Maulavi from Assam Valley when the next vacancy occurs in that Madrasa ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

4. (a) Twenty-two.
 (b) None from the Assam Valley; nineteen from the Surma Valley; three are persons not born in or domiciled in the Province.
 (c) The Sylhet Madrasa is the only Madrasa in the Province with a Title class section.
 Out of 407 students on the roll, ten come from the Assam Valley.
 (d) When the next vacancy occurs, the cases of all qualified candidates, including those from the Assam Valley, will be considered and the suggestion made in the question will be remembered.

Training of the Bhogdoi river

Srijut DEBESWAR SARMAH asked :

5. Will Government be pleased to state in detail what progress has been made in the matter of training of the Bhogdoi by the Embankment and Drainage Department?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI replied :

5. The survey has been completed and six gauges erected which are read daily.
 The estimate cannot be prepared until the gauge readings, upto the end of the current rainy season, have been tabulated and their implications taken into consideration.

Sylhet Municipal election

Babu KARUNA SINDHU ROY asked :

6. Will Government be pleased to enquire and state—
 (a) Why the Deputy Commissioner, Sylhet, refused permission to hold meetings in connection with the Sylhet Municipal election held on the 25th June 1941 when sought for by Babu Harendra Narayan Chaudhuri, M.L.A., the Congress dictator, Sylhet?
 (b) Whether the Deputy Commissioner did so in his own initiative or under instructions from Government?
 (c) Why Government held the said Municipal election at the time when meetings were not permissible?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

6. (a)—Because the application in this instance was not explicit, permission being asked for meetings and demonstrations to be held daily for a period of three weeks.
 (b)—In his own discretion and in exercise of his powers. There were no instructions from Government.

(c)—There was and is no general bar against meetings, but conveners must obtain permission. Permission was in fact accorded to applications which were more precise.

**Republication of the Government of India Notification
No.819-O.R./141**

Mr. A. WHITTAKER asked :

7. Will Government be pleased to state—

(a) Why the Government of India Notification No. 819-O.R./141, dated the 24th May, 1941 under section 9 of the Defence of India Rules, regarding special precautions in relation to the Chittagong, Lakhimpur and Cachar Districts, was not republished in Assam for general information until the 4th August 1941, under Notification No. 7812-H. ?

(b) Why the Provincial Government Notification No. 7812-H., dated the 4th August 1941, did not appear in the Gazettes of either the 6th August or the 13th August but was delayed until the 20th August ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

7. (a)—The Notification republishing the order was passed for issue, but accidentally omitted in sending a number of such notifications to the Press.

(b)—Some doubts were felt by the Press about certain draft notifications sent in one batch, and unfortunately the assistant responsible fell ill before they could be satisfied.

Buro and Aman Crops of Sunamganj Subdivision

Babu KARUNA SINDHU ROY asked :

8. Will Government be pleased to enquire and state—

(a) The names of villages of Sunamganj Subdivision affected by recent floods ?

(b) Extent of damages done to Buro crops and Aman crops of the said Subdivision ?

(c) Whether Government have made arrangements for giving relief to affected people—

(i) by distributing seeds where necessary,

(ii) by giving loan to the needy agriculturists for buying cattle and agricultural implements,

(iii) by giving doles to actual sufferers a few months before Buro and Aman crops harvesting ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

8. (a) Almost the whole subdivision has been affected more or less and hence it is very difficult to give a complete list of affected villages.

(b) A main crop has been damaged to the extent of 12 annas and Buro taking the subdivision as a whole has been damaged at least to the extent of 4 annas.

(c) Yes.

(d) Yes for buying seeds and seedlings. No loans are being issued now for the purchase of cattle or agricultural implements.

(e) Yes.

Loss by Bhogdoi flood

Srijut DEBESWAR SARMAH asked :

9. (a) Are Government aware of the great distress and loss caused to the people of Sarucharai Mauza and the neighbouring tracts in the Jorhat Subdivision, by the flood of the Bhogdoi lately ?

(b) If so, will Government be pleased to state in detail what relief measures have been taken in aid of the flood-stricken people of the said area ?

(c) Do Government propose to arrange adequate medical aid for the people of this place suffering in consequence of the flood without delay ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

9. (a) Government are aware that there was a breach in the right bund of the Bhogdoi river at a distance of 2 miles west of the Bhogdoi bridge on the Jagannath Barua Road in the Sarucharai Mauza on or about 16th June 1944. The water inundated the courtyards and some houses of the neighbouring villages including the paddy fields. Fortunately, as the water subsided soon, there is no cause for anxiety at present and the people have taken to cultivation. This year's distress and loss have been less than in the previous years.

(b) A thorough enquiry was made by the Sub-Deputy Collector, Jorhat Circle, and after consultation with him and the Chairman, Local Board, Jorhat, gratuitous relief to the extent of Rs. 100 (one hundred only) was granted from the standing fund of the Jorhat Flood Relief Committee. Further Agricultural loan of Rs. 500 (five hundred only) has been issued through the Sub-Deputy Collector for purchase of seeds and seedlings.

(c) As soon as the information of fever in some villages was received the Chairman and the Civil Surgeon were directed by the Deputy Commissioner to depute a doctor at once, and accordingly the Epidemic Doctor of Jorhat Local Board visited the villages and rendered medical help to the needy persons during the months of July and August. A copy of the statement showing the prevalence and treatment of diseases supplied by the Civil Surgeon is placed on the Library table.

It will appear from the above that adequate medical aid has already been rendered to the people suffering in consequence of the flood.

Appointment in Assam School Service, Class III

Maulana ABDUL HAMID KHAN asked :

10. (a) Is it a fact that one Maulavi Safiur Rahman, B. A. (Hons.), of Dhubri South Bank officiated in the Assam School Service, Class III, on several occasions ?

(b) Is it a fact that many people have since been appointed in permanent capacity in the Assam School Service in preference to him ?

(c) Are Government aware that Dhubri South Bank has very poor representation in Government services and the attention of Government has been drawn to this on many occasions ?

(d) If so, do Government propose to consider the case of Maulavi Safiur Rahman when the next vacancy in the Assam School Service occurs ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

10. (a)—Yes. Maulavi Safiur Rahman, B. A., was allowed to act in class III of the Assam School Service against leave vacancies on four occasions of which three were for a few days only.

(b)—Yes.

(c)—It may be a fact, but appointments are not made on a district or subdivisional basis.

(d)—Yes. The case of Maulavi Safiur Rahman will receive consideration along with other deserving cases.

Senior Extra Assistant Commissioner, Shillong

Maulavi MUHAMMAD AMIRUDDIN asked :

11. (a) Is it a fact that the present Senior Extra Assistant Commissioner at Shillong has already completed the usual period of his 3 years' service in the district of Khasi and Jaintia Hills ?

(b) If so, under what special circumstances has he been so retained in Shillong up till now ?

(c) Do Government propose to transfer him elsewhere immediately ?

12. (a) Is it a fact that there was a defalcation of public money while he was in charge of the Shillong Treasury ?

(b) If so, what sum of money was defalcated ?

(c) Will Government be pleased to state whether the culprit was detected in that defalcation ?

(d) If not, whether the money so defalcated was recovered from the said Treasury Officer ?

(e) If not, why not ?

(f) What measures, if any, were taken against the said Extra Assistant Commissioner ?

13. (a) Is it a fact that there are some remarks on his character roll ?

(b) If so, do Government propose to enquire into the causes of such remarks and take disciplinary actions against him if materials so justify ?

14. (a) Is it a fact that Extra Assistant Commissioners try civil cases of unlimited pecuniary jurisdiction at Shillong ?

It will be a matter for the Government to consider the desirability of limiting the period of the retention of such Extra Assistant Commissioners and also on appointing Magistrates or Sub-Judges whichever is suitable for this Hills district.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

11. (a) He has been at Shillong more than 3 years, but there is no prescribed limit on the duration of such postings.

Maulavi MUHAMMAD MAQBUL HUSSIAN CHAUDHURY: With regard to question No. 11 (a), what is the practice with regard to the transfer of officers?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: There is no practice, Sir. An officer is transferred according to the exigencies of public interest.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: May I know the reasons why this particular officer is not transferred even when the people have represented their grievances against him to the Government?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: This is the first time we have heard something against this particular officer. We will consider, Sir, how far the allegations made against him are true and whether there is any necessity for his transfer.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

12. (a) The reply is in the negative.

(b) & (c) The fact is that a bill for Rs. 420 was drawn on the treasury by a gazetted Government servant and was endorsed by him, though the endorsement was not signed, with the words "Please credit to my account with the Imperial Bank of India, Shillong". Notwithstanding this endorsement on the bill the payment was made in cash by the Imperial Bank to a person who was not authorised by the drawer to receive the payment on his behalf. The person to whom the payment was made by the Bank was alleged to have made over the sum to a ministerial Government servant of the Treasury, but the latter denied that he had received the amount. Owing to his alleged complicity in the matter the clerk was criminally prosecuted and convicted by the lower Court but was acquitted on appeal by the Court of Sessions.

(d) to (f)—Half the amount was made good by the Imperial Bank of India: as regards the other half the matter is under consideration of Government as to the extent to which the Treasury staff can be made liable.

13. (a) & (b)—Naturally there are remarks, but Government are not prepared to disclose the remarks made on a confidential character roll and it should not be assumed that any such remarks are unfavourable.

14. (a)—Yes.

(b)—Government have these rules under consideration and have called for opinions on receipt of which they will consider what changes are desirable.

Assamese Language in Schools of Dhubri North Bank

Maulana ABDUL HAMID KHAN asked:

15. (a) Are Government aware that certain officers of the Education Department are trying to impose Assamese language on the Schools of Dhubri North Bank?

(b) Are Government aware that there is great resentment among the people of Dhubri North Bank against the action of these officers and protests have been made to Government about such activities of these officers ?

(c) If so, what steps have been taken by Government to stop these anti-Bengali activities of those Government servants ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

15.(a)—No.

(b)—No.

(c)—Does not arise.

Release of prisoners

Babu KARUNA SINDHU ROY asked :

16. Will Government be pleased to state—

(a) How many prisoners have been released from Assam Jails according to the Good Conduct Prisoners, Probationary Release Act, 1938 since the passing of the Act and what are their names ?

(b) How many applications have been made for the release according to the said Act ?

(c) How many applications are still pending ?

(d) The names of the prisoners whose applications are still pending ?

17. (a) Is it a fact that a very insignificant number of the prisoners have been released up till now ?

(b) If so, why ?

18. Will Government be pleased to state whether Government have taken steps to have the provisions of the Act widely circulated for attracting notice of the relatives of the prisoners ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

16. (a)—Three, Roneshon Ali, Dhan Mia and Golam Zillani Chaudhury.

(b)—Nine.

(c)—One.

(d)—Minaram Datta.

17. (a)—The number has been given.

(b)—When the Act was passed it was hoped that Reclamation Colonies and similar methods might be adopted for the purpose of giving the Act full operation and that societies would be found fit and willing to take charge of such prisoners. Financial difficulties have stood in the way, though the project of a Reclamation Colony is still being actively investigated. No societies have yet come forward.

18.—No: but rules are in course of preparation and these will be given publicity.

Compilation of Assembly Electoral Roll

Babu KARUNA SINDHU ROY asked :

19. Will Government be pleased to state—

- (a) Whether the compilation of Assembly Electoral Roll for General Muhammadan, and Scheduled Castes Constituencies of Azamgarh has been completed ?
- (b) Whether all the voters of the above-mentioned Constituencies having the right of franchise, have been enlisted in the said Electoral Roll ?
- (c) If not, why not ?
- (d) Why the names of many persons entitled to vote have been omitted from being included in the said Electoral Roll ?
- (e) Whether Government is aware that the existing procedure and machinery for compilation of the Electoral Roll are not sufficient to guarantee the inclusion of the names of all qualified voters ?
- (f) Whether Government proposed to take special steps so as to ensure that the name of any person entitled to vote is not omitted from Electoral Roll ?
- (g) If so, do Government propose to constitute special local Committees for purpose of proper compilation of the said Roll ?

The Hon'ble Khan Bahadur Maulavi **SAYIDUR RAHMAN** replied :

19. (a) The preliminary publication of the electoral rolls has already been made. The rolls for some districts are not yet finally published.

(b) Since Government has not as yet received any complaint to the contrary, the Government take it that the names of all the persons having the right of franchise have been enlisted in the said electoral rolls.

(c) & (d) — Do not arise.

(e) — No.

(f) — Government do not think it necessary.

(g) — Does not arise.

Grants-in-aid to the High Madrassa and High English School at Ghagmari

Maulana ABDUL HAMID KHAN asked :

20. Will Government be pleased to state—

- (a) Whether they have received any representation signed by some hon. members of this House drawing Government's attention to the desirability of sanctioning grants-in-aid to the High Madrassa and High English School at Ghagmari ?

(b) If so, what grant if any has since been sanctioned by Government to these institutions ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

20. (a)—Yes.

(b)—The matter is still under the consideration of Government.

Free Medical aid to hon. members residing in Members' Hostels at Shillong

Mr. NABA KUMAR DUTTA asked :

21. Do Government propose to consider the desirability of providing free medical aid to any inmate of the New Hostel and Inglesby Hostel who happens to fall ill, while coming to attend a meeting of the Legislature or of a committee of the same ?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY replied :

21.—Government will examine the question of free medical advice to the members of the Legislature while on duty at Shillong.

Dibrugarh Medical School

Mr. NABA KUMAR DUTTA asked :

22. Will Government be pleased to state if they propose to take necessary steps to convert the Dibrugarh Medical School into a College and if so, when ?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY replied :

22.—The question of a Medical College for the province is still under examination by Government.

Srijut GAURI KANTA TALUKDAR : May I know whether Government are aware that the All-India Medical Licenciate Association, Assam Branch, has been urging on the Government to convert the Berry-White Medical School into a college since 1937 ?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY : Yes, Sir, the Association is urging like that.

Srijut GAURI KANTA TALUKDAR : Is it a fact that the Assam Medical Council passed a resolution on 12th May 1941, supporting this demand ?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY : The resolution is not with me, but it might be so.

Srijut GAURI KANTA TALUKDAR : Is it not a fact that the Assam Medical School Education Committee also urged for the conversion in September 1939 ?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY : That was one of the recommendations of the Committee.

Srijut GAURI KANTA TALUKDAR : Are Government aware that the All-India Medical Council has adopted a resolution in October 1940 that after 1947 they will not recognise the Licenciate qualification any more ?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY : That matter was brought to our notice when some members of the Association wanted us to go on a deputation. We asked them to give a copy of that resolution, but nothing has been sent to us as yet.

Srijut GAURI KANTA TALUKDAR : Is it not a fact that the leader of the deputations, Dr. A. D. Mukherji supplied the Hon'ble Premier with a copy of the resolution ?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY : No copy has come to me. So I do not know whether the Hon'ble Premier has got it.

Srijut GAURI KANTA TALUKDAR : May I know why the matter has not been decided so long ?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY : There are lots of things to be considered and it is not easy to decide a big matter like this so soon.

Srijut GAURI KANTA TALUKDAR : It has already taken four years and has not yet been decided during the course of this long period. How long should it take ?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY : It may take some years more.

Srijut GAURI KANTA TALUKDAR : Are not the Government keen about this proposal to convert the Dibrugarh Medical School into a College ?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY : Government are always keen in their work.

Srijut GAURI KANTA TALUKDAR : May I know when the Government expect to arrive at a decision ?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY : That depends on the circumstances.

Charges at the Berry-White Medical School Laboratory

Mr. Naba KUMAR DUTTA asked :

23. Are Government aware—

(a) That the charges for the examination of blood and urine as well as for X-ray examination at the Berry-White Medical School Laboratory are exorbitantly high ?

(b) That the vast majority of people are deprived of medical aid on account of these high charges ?

(c) If the replies to question Nos. 23 (a) and 23 (b) are in the affirmative, do Government propose to take immediate step to reduce these charges for public interest ?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY replied :

23. (a)—No. The charges were recently compared with those made in some other provinces, and found similar.

(b)—No.

(c)—Does not arise, but Government are prepared to re-examine the matter.

Special Sub-Registrar at Nowgong

Maulavi MUHAMMAD AMIRUDDIN asked :

24. Will Government be pleased to state—

- (a) When the Special Sub-Registrar sanctioned already by the Government for the district of Nowgong will be posted ?
- (b) Why the said Special Sub-Registrar has not yet been posted there ?
- (c) Why the office of the said Special Sub-Registrar has not yet been started ?
- (d) Whether Government propose to depute the said officer as early as possible ?

The Hon'ble Miss MAVIS DUNN replied :

24. (a) to (d)—The Special Sub-Registrar joined at Nowgong on the 6th October 1941 ; and his office has been started.

Charges for electric current

Mr. NABA KUMAR DUTTA asked :

25. (a) Are Government aware that the charges for the use of electric current are exorbitantly high at Dibrugarh and Gauhati ?
- (b) If so, do Government propose to take immediate steps to have these charges reduced to a reasonable rate ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI replied :

25. (a)—In present circumstances, which are exceptional on account of the War, Government are not prepared to express an opinion that the rates can be reduced, though no opportunity of urging an economical and efficient system is missed.

(b)—Does not arise.

Srijut GAURI KANTA TALUKDAR : As regards the exorbitantly high charges for the use of electric current at Dibrugarh and Gauhati Government has replied—"in the present circumstances, which are exceptional on account of the War, Government are not prepared to express an opinion that the rates can be reduced" May I know whether Government are aware that even during this exceptional time on account of the War rates of charges for use of electric current are much lower in other places, than at Gauhati and Dibrugarh ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI : In view of the fact that during the War when the prices of fuel, lubricating oil and other stores have gone high, Government do not think that it is the opportune time to consider the reduction of rates of electric current.

Srijut GAURI KANTA TALUKDAR : Have Government asked each of the Electric Supply Companies Gauhati and Dibrugarh whether they can reduce their charges ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI : They have not asked, but they think that the time is not opportune.

Srijut GAURI KANTA TALUKDAR: Do I understand that Government do not even feel the necessity of making an enquiry?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: Government think that they cannot reasonably ask the Companies to reduce the charges because of the exceptional circumstances when the prices of fuel and other things have gone up.

Srijut GAURI KANTA TALUKDAR: Cannot Government ask the Companies to reduce their charges?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: Is that the suggestion of the hon. member?

Srijut GAURI KANTA TALUKDAR: What I want to know is whether Government would be pleased to endeavour by all possible means to get the rates reduced? An enquiry should be made and the result should be placed before the House.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: Government cannot compel the Companies to reduce the rates but they can ask them whether there is any possibility for reduction.

Under-trial Prisoners in the Sylhet Jail

Babu KARUNA SINDHU ROY asked:

26. Will Government be pleased to state—

(a) The name of the youngest of the under-trial prisoners confined in the Sylhet Jail between the 15th May and 15th June 1941 stating his age and sections under which he was arrested?

(b) Whether the aforesaid boy has since been convicted?

(c) If so, what are his punishments?

The Hon'ble Maulavi MUNAWWAR ALI replied:

26. (a)—Basir, son of Mobosir: Age 10 years. Section 381, Indian Penal Code.

(b)—Yes.

(c)—Sentenced to ten stripes on the palm by way of school discipline.

Resolutions of the Shillong Bar Association

Maulavi ABDUR RAHMAN asked:

27. (a) Have the attention of Government been drawn to the resolutions passed by the Shillong Bar Association against the present Senior Extra Assistant Commissioner of Shillong Court and published in the *Hindusthan Standard* on Saturday, the 21st June 1941, recording its dissatisfaction at his attitude towards its members and at his opinion that no Junior lawyer can instruct his senior in his presence or within his hearing?

(b) If so, what action was taken by Government in the matter?

28. (a) Is it a fact that the present Senior Extra Assistant Commissioner at Shillong has completed the usual period of his three years' service in Shillong?

(b) If so, will Government be pleased to state under what special circumstances he has been retained in Shillong for more than three years?

(c) Do Government propose to transfer him elsewhere immediately?

29. (a) Is it a fact that while the said Senior Extra Assistant Commissioner was in charge of Shillong Treasury, there was a defalcation of some pensioners' money from the treasury?

(b) If so, what was the total amount defalcated and whether any attempt was made to recover the amount from him?

30. Will Government be pleased to state if any action has been taken against the Treasury Officer for the said defalcation, if it is a fact?

31. Do Government propose to state the number of offences committed by the said Senior Extra Assistant Commissioner during his service period for which entries were made in his Character Roll?

32. Will Government be pleased to lay on the table a list showing the number of Civil and Criminal cases tried by the said Senior Extra Assistant Commissioner since his posting in Shillong and the number of undisposed cases now in his hands mentioning the name of parties?

33. (a) Will Government be pleased to state whether the Assistants of the Deputy Commissioner, Khasi & Jaintia Hills, try Civil Cases of unlimited pecuniary jurisdiction at Shillong?

(b) If so, do Government propose to consider the desirability of limiting the pecuniary jurisdiction of the Extra Assistant Commissioners and appoint Munsifs and Sub-Judges for Shillong?

34. Will Government be pleased to state:—

(a) Whether there is any provision for appeals for Civil Cases tried in the Court of the Deputy Commissioner, Shillong, and his Assistants?

(b) If so, what are they?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA
replied :

27. (a)—Government have seen the report.

(b)—No action was taken by Government and no request for action was received.

28. (a), (b), (c), 29 (a), (b), 30 and 31—The hon. member is referred to the replies to similar questions (unstarred questions Nos. 11-13) asked in this Session by Maulavi Muhammad Amiruddin.

32. The information is given below :

Number of cases criminal tried by Mr. Mukherji since his posting to Shillong, i.e., 2nd May 1938, and number of pending cases after the 15th October 1941

No. of cases disposed of	No. of cases pending trial, i.e., partly heard	
1,663	5	<ol style="list-style-type: none"> 1. G. R. Case No. 35/S of 1941, K. E. <i>versus</i> Ramsing Chettri under section 448, Indian Penal Code. 2. G. R. Case No. 36/S of 1941, K. E. <i>versus</i> U Samu & U Phidro under section 380, Indian Penal Code. 3. G. R. Case No. 72/B.H. of 1941, K. E. <i>versus</i> Gurkhe Sarki under section 325, Indian Penal Code. 4. U. R. Case No. 35/B.H. of 1941, K. E. <i>versus</i> (1) U Suren (2) B. Jain, under section 124, Indian Motor Vehicles Act. 5. U. R. Case No. 44/S.H. of 1941, K. E. <i>versus</i> Chandra Bahadur, under section 10, Shillong Municipality bye-laws.

No. of cases under issue of summons or warrants of arrest, i.e., accused not yet appeared in Court.

18	<ol style="list-style-type: none"> 8 under the Indian Motor Vehicles Act. 1 „ Shillong Municipality bye-laws. 1 „ Cantonment Act. 2 „ The Indian Companies Act. 1 „ Indian Trade Unions Act. 3 „ section 188, Indian Penal Code. (Forest cases—illegal cutting of trees). 1 „ section 379, Indian Penal Code. 1 „ section 427, Indian Penal Code.
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Number of Civil Cases tried by the said Senior Extra Assistant Commissioner, Shillong, from 2nd May 1938 up to date, i.e., 1st November 1941, s—1,570.

Number of pending cases with parties' names are given below:—

Pending S. C. C. cases

1. 22 S.C. (B) 41 A. K. Pal *versus* Charita Mohan Ghosh.
2. 23 S.C. (S) 41 Sherison Roy *versus* Naimuddin Ahmed.
3. 51 S.C. (B) 41 Lachmichand *versus* Rasid Ahmed.
4. 70 S.C. (B) 41 Lachmi Narayan Singhania *versus* Maulavi Mashadhar Rahman.
5. 67 S.C. (B) 41 Assam Industrial Bank *versus* Brajoram Talukdar.
6. 65 S.C. (B) 41 Friends' Union Bank Limited *versus* Umanath Barkataki.
7. 21 S.C. (S) 41 Sherison Roy *versus* Prafulla Kumar Dey.
8. 71 S.C. (B) 41 K. L. Gconka *versus* Md. Yousuf.
9. 72 S.C. (B) 41 K. L. Bajoria *versus* Rabichand Kachari.
10. 69 S.C. (B) 41 Md. Hanif *versus* S. C. Engti.
11. 73 S.C. (B) 41 Aswini Kumar Purkayastha *versus* Sewnatain Angarmal.

Suits

1. 70 (S) 41 Habibul Haque Mullick *versus* Hon'ble Miss Mavis Dunn.
 2. 69 (S) 41 Shillong Banking Corporation Limited *versus* A. M. Ashraf Ali.
 3. 71 (S) 41 Ka Larimai Siem *versus* U Swi jaid Thabah.
 4. 54 (S) 41 Dwarikanath Das *versus* P. N. Sarma.
 5. 26 (S) 41 Ka Aney *versus* U Raisinghman.
 6. 58 (S) 41 Musa Mia *versus* W. C. Staines.
 7. 59 (S) 41 Kuti Mia *versus* „
 8. 60 (S) 41 Rahaman Khan *versus* „
 9. 61 (S) 41 Dilu Mia *versus* „
 10. 62 (S) 41 Fazku Mia *versus* „
 11. 63 (S) 41 Ka Beli *versus* „
 12. 63 (S) 41 Jangiram Kanoo *versus* Bhagawat Tiwari.
1. 95/B 41 Tilokchand Upadhya *versus* B. B. Chettri.
 2. 86/B 41 Lachminarain Singhania *versus* Bhawarilal Agarwalla.
 3. 98/B 41 Maula Baksh *versus* M. Abdul Rashid.
 4. 104/B 41 Janak Rai *versus* Jageswar Rai.
 5. 105/B 41 Gool Md. Khan *versus* Nathu Singh Bhandari.
 6. 87/B 41 Md. Elias *versus* Rajekhan Kabuli.
 7. 84/B 41 B. K. Das *versus* B. K. Dhar.
 8. 91/B 41 Shillong Engineering Works *versus* K. C. De.
 9. 103/B 41 Messrs. N. K. Bhattacharjya *versus* S. B. Sen-Gupta.
 10. 100/B 41 G. M. Morello *versus* Suruchi Devi.

11. 101 B 41 K. L. Bagaria *versus* Abul Lais Saaduddin Md.

12. 102 B 41 K. L. Geonka *versus* Azizur Rahman.

13. 21 B 41 I. Janchan *versus* R. B. Jibauram Geonka.

14. 4 B 41 Per. Md. Khan *versus* A. H. Collins.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:
Will Government please state whether it is a fact that the senior Extra Assistant Comptroller, when while trying cases becomes Special Pleader for rich Parties?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:
I am not aware of that. Government have heard no complaint whatsoever so far.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:
Will Government please enquire?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:
If any specific instance is given by the hon. member, It will enquire.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:
replied:

33. (a) and (b) The hon. member is referred to the replies to similar question (unstarred question No.14) asked in this Session by Maulavi Muhammad Amiruddin.

34. (a) Yes

(b) A copy of the relevant rule is laid on the library table.

Lunatics in Sylhet Jail

Babu KARUNA SINDHU ROY asked:

35. Will Government be pleased to enquire and state—

(a) The number and names of lunatics admitted in Sylhet Jail from the 1st January 1941, up till now?

(b) Whether they have been receiving special medical treatment?

(c) Whether they have been kept in cells situated close to the Jail Hospital, "A" Division Barrack, Female Barrack, and other prisoners' Barracks?

(d) Whether loud vociferations made by the aforesaid lunatics disturb the peace, sleep and study of the prisoners accommodated in the Hospital and Barracks referred to above?

(e) How many of the aforesaid lunatics have been transferred to the Mental Hospital at Tezpur?

(f) How many of them have since been discharged?

(g) Whether Government propose to construct a separate Jail at Sylhet immediately for the accommodation and special treatment of lunatics?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied:

35. (a)—The information is given below:—

Non-criminal lunatics	...	...	22
Criminal lunatics	...	...	7
Total	...	...	<hr/>29

Non-criminal Lunatics

1. Arjumond Ali Chaudhuri.
2. Arjumond Ali Chaudhuri (second admission).
3. Barkat Ulla.
4. Mostafa.
5. Sahbuddin.
6. Asad Ali.
7. Mustt. Chand Bibi.
8. Banka Das.
9. Lakhi Das.
10. Rajendra Bhuya.
11. Rois Ali.
12. Giasuddin.
13. Satyendra Datta.
14. Pijus Kanti Roy.
15. Mafazzal Ali.
16. Satyendra Kumar Deb.
17. Radhika Goswami.
18. Habibulla.
19. Md. Hanif.
20. Sourendra De.
21. Rafikul Haqu.
22. Prahlad Patni.

Criminal Lunatics

1. Ambor Ali.
2. Wasid Ali.
3. Sanichar.
4. Ashon Mea.
5. Majamil Ali.
6. Abdul Bari.
7. Abdul Rashid.

(b)—Symtoms are treated, as become necessary.

(c)—Yes, except that it is not close to the Female Barrack.

(d)—This may sometimes occur.

(e)—Five.

(f)—Sixteen.

(g)—Government are unable on financial grounds to take up any such project.

Enforcement of Civil Procedure Code in Shillong

Maulavi ABDUR RAHMAN asked :

36. Will Government be pleased to state—

(a) Whether the Civil Procedure Code is enforced in Shillong ?

(b) If not, will Government be pleased to state whether the amendments to the Civil Procedure Code and other laws since 1937, are enforced in Shillong *proprio vigore* ?

The Hon'ble Maulavi MUNAWWAR ALI replied :

36. (a) & (b)—The answers to both parts are in the negative. The spirit of the Code is however followed.

Tezpur Debt Conciliation Board

Maulavi BADARUDDIN AHMED asked :

37. Will Government be pleased to state—

- (a) The name of the gentleman who has been nominated from the Muslim Community to the Tezpur Debt Conciliation Board ?
- (b) What is his main occupation of life ?
- (c) Whether it is a fact that the gentleman is an honorary Magistrate also ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied .

37. (a)—Maulavi Mujibur Rahman.

(b)—Tea Planter.

(c)—Yes.

Maulavi BADARUDDIN AHMED : With regard to (a) may I know from Government whether the gentleman nominated from the Muslim community to the Tezpur Debt Conciliation Board is an indigenous Assamese or he comes from Bengal ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : The gentleman concerned hails from Bengal, but he has been living in Assam for more than ten years as a tea planter in the district of Darrang.

Maulavi BADARUDDIN AHMED : May I know from Government what special qualification the gentleman possesses for which the Government have bestowed on him heaps of honours ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : There is no honour ; but on the other hand, there are responsibilities. The gentleman concerned is educated and a businessman and has leisure to employ for public good.

Maulavi BADARUDDIN AHMED : Do Government think that there are no other local people fit to do the work ?

Mr. BAIDYANATH MOOKERJEE : Will the Hon'ble Premier be pleased to say whether he means by ' Tea Planter ' a Garden Manager or proprietor ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : A proprietor.

Co-operative Elephant Catching Company and the New Koonkidars' Association

Maulavi MUHAMMAD AMIRUDDIN asked :

38. (a) Is it a fact that the Co-operative Elephant Catching Company and the New Koonkidars' Association came into being last year in the district of Nowgong ?

(b) Is it a fact that the New Koonkidars' Association only got Elephant mahals last year in Sibsagar as well as in Nowgong to the exclusion of the other Company ?

(c) If so, why ?

(d) Is it a fact that the Koonkidars' Association was managed by one Abiram Das and fined Rs.500 last year ?

(e) If so, why the said Association was fined and whether it was black-listed ?

(f) Is it a fact that some individual members of the said Association were also fined Rs 100 each for breach of rules meant for the upkeep of captured wild elephants ?

(g) If so, who are they and whether they will be debarred from holding any permit this year for any kind of elephant capture.

(h) Do Government propose to consider the case of the Co-operative Elephant Catching Company this time and issue instructions accordingly to the district authorities ?

The Hon'ble Srijut RUPNATH BRAHMA replied :

38. (a), (b) & (c)—The hon. member is referred to answers to unstarred questions Nos. 251 (a), 252 and 253 asked by him in the Budget Session of the Assam Legislative Assembly, 1941.

(d)—Government have no such information.

(e)—Does not arise.

(f)—One member was found guilty of misconduct and was fined Rs.200 and not Rs 100 by the Deputy Commissioner, Nowgong.

(g)—Government have no information about any other member who was fined and the question of debarring them from holding any permit does not arise because no settlement of elephant mahal has been made with this Company this year.

(h)—No. Applications for settlement were received by the Deputy Commissioners by the 1st September last and the settlement of mahals has been completed.

Srijut PURNA CHANDRA SARMA: Are not Government aware that the whole matter is pending in an appeal case before the Conservator of Forests ?

The Hon'ble Srijut RUPNATH BRAHMA: It is clear from the reply given that applications for settlement were received by the Deputy Commissioners by the 1st September last and the settlement of the mahals has already been completed.

Srijut PURNA CHANDRA SARMA: Are Government aware that the case regarding sentence and other punishments is pending before the Conservator of Forests ?

The Hon'ble Srijut RUPNATH BRAHMA: I am not aware of that, Sir, I want notice of this, as it is a new question.

Free distribution of Government publications

Babu KARUNA SINDHU ROY asked :

39. Will Government be pleased to state whether any economy has been achieved by restricting free distribution of Government publications to the members of the Legislatures ?

The Hon'ble Srijut **ROHINI KUMAR CHAUDHURI** replied :

39. The matter is under consideration of Government.

Names of Treasuries kept open on October 1st, 1941

Mr. **BAIDYANATH MOOKERJEE** asked :

40. Will Government be pleased to state the names of the Treasuries that were kept open on October 1, 1941, which was a Gazetted holiday ?

The Hon'ble Khan Bahadur Maulavi **SAYIDUR RAHMAN** replied :

40. The 1st of October 1941 was a non-Negotiable Instruments Act holiday. Government directed that treasuries should be kept open on that day for the payment of pay bills of Gazetted Government servants and pensioners drawing pensions of over Rs.100 per mensem ; otherwise they would have been put to inconvenience as the Puja holidays continued up to the 31st of that month. Non-gazetted Government servants and pensioners drawing less than Rs.100 per mensem had been allowed to draw their dues by September before the offices closed for the Pujas. Government have no reason to suppose that any of the treasuries was not opened on that day in accordance with these orders.

Mr. **BAIDYANATH MOOKERJEE** : Was it as a special case that all the treasuries were kept open on 1st October 1941 ?

The Hon'ble Maulavi Saiyid Sir **MUHAMMAD SAADULLA** : Yes, it was as a special case the treasuries were kept open on that day in order to help the Gazetted Government servants and pensioners.

Rate of electric charges at Gauhati

Srijut **BELIRAM DAS** asked :

41. Are Government aware of the high rate of electric charges at Gauhati ?

42. (a) Has the attention of Government been drawn to the resolutions passed by the Gauhati Electricity Consumers Association on the 23rd September 1941, and on the 17th October 1941 complaining against the excessive rates levied by Gauhati Electric Supply Corporation ?

(b) If so, do Government propose to take any steps in this matter immediately under the provisions of Clause XI of the Schedule to the Indian Electricity Act to reduce these high rates ?

The Hon'ble Maulavi **ABDUL MATIN CHAUDHURI** replied :

41, 42. (a) & (b)—Government have seen the resolutions. The hon. member is referred to the replies given to unstarred question No. 25 asked by Mr. Naba Kumar Dutta in this session of the Legislative Assembly.

Postal arrangements between Shillong and Sylhet

Mr. **C. W. MORLEY** asked :

43. Will Government be pleased to state what steps Government have taken to implement their promise made last session regarding the speeding up of the present postal arrangements between Shillong and Sylhet ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI replied :

43.—Government have been in correspondence with the Posts and Telegraphs Department, and have used every possible means to secure a satisfactory settlement. The matter is however pending.

Mr. A. WHITTAKER : Is the Hon'ble Minister aware that the use of such expression as "every possible means" is one way of giving the very minimum amount of information to this Assembly ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI : What I want to impress upon the House is that Government are not sparing in effort for the settlement of this question.

Mr. A. WHITTAKER : When the matter is described as being pending, may I know from the Hon'ble Minister at what stage it is pending ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI : I shall be very glad to inform the House. Government are as keen and anxious, as any hon. member of the House is, to make a settlement of the case. From the very beginning we are making efforts ; but as the Government of India in the Postal Department are insisting on their own terms, it has not been possible to come to any decision. During the regime of Sir Gurunath Bewoor we tried for the settlement, but he insisted on certain specific amount which was not acceptable to the Carrying Company. After he had left, we again re-opened the question and there were discussions between the Post Master General, the Secretary of the Provincial Transport Authority and the Carrying Company. Here also they came to a deadlock. Ultimately, this Government has again addressed the Government of India making a specific suggestion to them, and we are awaiting their reply.

Publication of the Calcutta University examination results

Babu KARUNA SINDHU ROY asked :

44. (a) Will Government be pleased to state whether Government has decided to discontinue publication of Calcutta University examination results in the *Assam Gazette* ?

(b) Will Government be pleased to enquire and state whether it is the general public opinion, in the province, that the aforesaid results are to be published in the *Assam Gazette* ?

(c) Do Government propose to reconsider the matter of publication of the aforesaid results in the *Assam Gazette* ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

44. (a)—No ; the results of all examinations except the B. A. and B.Sc. examinations are published, as before.

(b)—Does not arise.

(c)—Does not arise.

Alleged ceremonious reception to the Director of Public Instruction

Srijut RABI CHANDRA KACHARI asked :

45. Has the attention of Government been drawn to an article under the caption *Barpetat Abhutapurba Lila* বৰপেটাত অভূতপূৰ্ব লীলা published in the bi-weekly *Assamiya* of the 19th August 1941, detailing the manner and ways of receptions given to Mr. S. C. Roy, Director of Public Instruction, Assam, at Barpeta when he visited the place after assumption of office ?

46. Is it a fact that the present Director of Public Instruction, Assam, has been encouraging ceremonies to receive him wherever he goes ?

47. Do Government propose to ask the Director of Public Instruction to refrain from accepting such ovations ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

45. Yes.

46. No.

47.—No. It does not appear that there are any grounds for such action.

Cane Mahals in Lakhimpur district

Mr. NABA KUMAR DUTTA asked :

48. Will Government be pleased to state—

(a) The names of the persons who submitted tenders for the various cane mahals in the Lakhimpur district this year, mentioning the amounts of money offered in each case by the tenderers ?

(b) The names of persons with whom the cane mahals were settled ?

(c) Whether the mahals were settled in each case with the person who offered the highest sum ?

(d) If the reply to question No.48(c) is in the negative will Government be pleased to state the names of the persons with whom the mahals were settled in preference to the persons offering the highest sums and the reasons for which such preference was shown ?

The Hon'ble Srijut RUPNATH BRAHMA replied :

48. (a)—Government are not prepared to publish the names of unsuccessful tenderers.

(b)—1. Rai Bahadur Nepatrai Kedia—Mahals Nos.1A(ii), 1A(iii) and 1C.

2. Srijut D. C. Baruah—Mahal No.1A (iv).

3. Maulavi Jalaluddin Ahmed—Mahal Nos.III and 7.

4. Srijut Tonkeswar Deori—Mahal No.1B.

5. Srijut Khageswer Sarma—Mahal Nos.II and 8.

(c)—Not in two instances.

(d)—In the case of mahal 1B Government decided in favour of an indigenous tenderer whose bid was very close to the maximum. In the other, mahals II and 8 sold together, the highest tenderer was not considered suitable and the mahals were therefore re-advertised and settled with the then highest tenderer.

Mr. NABA KUMAR DUTTA: With regard to (a), Sir, may I enquire why the Government is not prepared to publish the names of the unsuccessful tenderers?

The Hon'ble Srijut RUPNATH BRAHMA: It will not serve any purpose. There is no necessity of giving the names of the unsuccessful tenderers.

Mr. NABA KUMAR DUTTA: May I just inform the Hon'ble Minister in-charge of Forests that it would certainly serve the purpose, as I want to know whether there were indigenous persons who tendered for these Cane Mahals?

The Hon'ble Srijut RUPNATH BRAHMA: I have not got the list just now. If the hon. member wants to know the names, I may let him know the names of those tenderers.

Mr. NABA KUMAR DUTTA: With regard to (d), may I know what the Hon'ble Minister in charge of Forests means by saying that 'in favour of an indigenous tenderer'?

The Hon'ble Srijut RUPNATH BRAHMA: I mean local indigenous people.

Mr. NABA KUMAR DUTTA: May I enquire whether in the advertisement it was put that the preference would be given to indigenous persons in respect of the settlement of these mahals?

The Hon'ble Srijut RUPNATH BRAHMA: It has been the policy of the Government to give preference to local indigenous people.

Mr. NABA KUMAR DUTTA: May I know whether there was only one indigenous person or more than one indigenous person who tendered for these cane mahals?

The Hon'ble Srijut RUPNATH BRAHMA: From the reply it is very clear, Sir, the highest tenderer was an indigenous tenderer whose bid was very close to the maximum.

Mr. NABA KUMAR DUTTA: What was the maximum figure?

The Hon'ble Srijut RUPNATH BRAHMA: I have not got the exact figure with me.

Khan Bahadur Maulavi KERAMAT ALI: May I know whether amongst all the indigenous tenderers his tender was the highest?

The Hon'ble Srijut RUPNATH BRAHMA: I can say that among all the indigenous tenderers this man's was the highest.

Mr. NABA KUMAR DUTTA: May I know if there were Assamese tenderers?

The Hon'ble Srijut RUPNATH BRAHMA: Does the hon. member mean indigenous Assamese or non-Assamese?

Mr. NABA KUMAR DUTTA: I mean Assamese. May I also know whether the successful tenderer was the only Assamese who tendered the highest amount?

The Hon'ble Srijut RUPNATH BRAHMA: I have already replied that he was the highest tenderer among the local indigenous Assamese tenderers.

Mr. NABA KUMAR DUTTA: May I know whether Government enquired into the financial condition of this man before settling up the cane mahal with him, who happens to be the brother of the son-in-law of the Hon'ble Forest Minister?

The Hon'ble Srijut RUPNATH BRAHMA: It is altogether a new question. I want notice of it.

Mr. NABA KUMAR DUTTA: It has been stated by the Hon'ble Minister in reply to Question 48(d) that the highest tenderer was not considered suitable. What does he mean by 'suitable'?

The Hon'ble Srijut RUPNATH BRAHMA: There might be some confidential report against that particular tenderer and I am not prepared to discuss it.

Mr. NABA KUMAR DUTTA: Why then Government accepted that tender if there is any confidential report against that tenderer?

The Hon'ble Srijut RUPNATH BRAHMA: It is clearly stated in sale notice that there is no obligation to accept the highest tender or assign any reason for that.

Status of Jailers

Srijut DEBESWAR SARMAH asked:

49. Will the Hon'ble Minister-in-charge of Jails be pleased to state—
- Whether it is a fact that the Jailers of this province drawing a scale of pay of Rs.175—25/2—250 are not given the status of a gazetted officer?
 - Whether it is a fact that their case was strongly represented by the Inspector General of Prisons, Assam, for raising their status to the rank of gazetted officers in the Jail administration reports for the years 1939 and 1940?
 - Whether the Indian Jails Committee of 1919-20 also recommended that the status of the Jailers should be raised to that of the gazetted officers?
 - If the replies to questions Nos.49(b) and 49(c) above are in the affirmative, will Government be pleased to state whether they propose to raise the status of Jailers to that of gazetted officers?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied:

49. (a) No.
 (b) Yes.
 (c) Yes.
 (d) Jailers have already been granted the status of gazetted officers.

Famine in Nowgong

Srijut PURNA CHANDRA SARMA asked:

50. Will Government be pleased to state—
- Whether they are aware of the famine condition of the people in the district of Nowgong this year?
 - Whether they have received any representation from the public directly or through the Press about the same?

(c) Whether they have received any reports about it from the local officials of Government ?

51. (a) Will Government be pleased to lay on the table reports, if any, sent by the Deputy Commissioner about the present condition of the villagers of the Nowgong district ?

(b) Will Government be pleased to state whether Government have made any grants so far for the relief of those people and if so what is the amount, how it is to be distributed and when ?

(c) Will Government be pleased to state when they were first informed about the famine condition of the raiyots of the Nowgong district and what steps have been taken since ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

50. (a)—Government are aware that there has been distress in portions of the Nowgong district in this as in previous years.

(b)—Yes.

(c)—Yes.

51. (a)—Government have received several reports from the different Deputy Commissioners who have been in charge of the district but they do not see the necessity of laying these all on the table.

(b)—Government sanctioned Rs.9,000 on the 4th June 1941 at the request of the Deputy Commissioner for gratuitous relief in the affected areas of Bokoni, Lahorighat and Dhing Mauzas. A further sum of Rs.7,000 was allotted on 5th November 1941 for similar relief among the people of several mauzas in Sadar and Samaguri Circles who were likely to be in want until the next harvest was reaped. The distribution of these sums was left to the discretion of the local officers.

(c)—The first intimation of distress in Lahorighat, Bokoni, and Dhing mauzas was received on 19th March 1941 ; the Deputy Commissioner's report on this and other petitions received by him subsequently reached Government on 3rd June 1941.

Srijut PURNA CHANDRA SARMA: Do Government consider that Rs.7,000 is at all sufficient to combat famine in the arrears of two Sub-Deputy Collectors' Circles ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: We have gone by the recommendations of the local officers.

Srijut PURNA CHANDRA SARMA: May I take it that the local officers recommended only Rs.7,000 ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Yes, Sir.

Non-Assamese population of Nowgong

Maulavi MUHAMMAD AMIRUDDIN asked :

52. Will Government be pleased to state—

(a) The approximate number of the non-Assamese population of the Nowgong district including the East Bengal immigrants, those from the districts of Sylhet and Cachar and those hailing from other provinces of India ?

4. Whether services in the district have so long been distributed on the communal basis only to the total disregard of the non-Assamese sections of the population ?
5. Whether in future, appointments in the offices of the Deputy Commissioner, Divisional Forest Officer, Sub-Registrar, Excise Superintendent, Police Superintendent, Income-tax Officer and the Local Bodies will be filled up by domiciled immigrants also ?
6. Whether a certain percentage of posts will be set apart for the immigrants in all such offices ?
7. Whether some future vacancies will be reserved for the immigrants until their proper quota is filled up and whether some special considerations will be given to their claims ?
8. Whether Government propose to issue instructions to the district officers accordingly ?

The Hon'ble Maulavi Saiyid Sir **MUHAMMAD SAADULLA** replied :

52. (a) Government are unable to make an estimate, as the Census figures have not been tabulated on this basis.

(b) The rules do not provide for representation on a basis of origin, but it is not a fact that "non-Assamese" have been disregarded.

(c) Government are not prepared to put domiciled persons in a position more privileged than those who are natives, but some immigrants have obtained appointments in Government Departments.

(d) & (e) Government are considering the relevant rules and instructions. For the reason given in reply to question (a) however it is not possible to fix an arithmetical proportion.

(f) Government will issue instructions when the policy has been settled and there be means to determine the different categories of immigrant population as enumerated in question (a) above.

Deaf and dumb population

Mr. BAIDYANATH MOOKERJEE asked :

53. Will Government be pleased to state the number of deaf and dumb in the Province, district by district, according to the last census ?

The Hon'ble Maulavi Saiyid Sir **MUHAMMAD SAADULLA** replied :

53.—The information is not available.

Mr. BAIDYANATH MOOKERJEE : The reply given here is that 'information is not available'. May I know if there is any such figure in the Census Report ?

The Hon'ble Maulavi Saiyid Sir **MUHAMMAD SAADULLA** : At present, there is no such figure.

Population of the North Sylhet subdivision

Maulavi Md. ABDUS SALAM asked :

54. Will Government be pleased to lay on the table a statement showing the total population, according to 1931 and 1941 Census—of the North Sylhet subdivision in the district of Sylhet ; the figures being shown separately (i) thana by thana, (ii) Hindus and Muslims of each thana, and (iii) Sylhet sadr thana excluding the population of the municipal town of Sylhet ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

54.—For the 1931 figures, the hon. member is referred to pages 10, 11, 294 and 295 of the Assam Census Report, 1931, Volume III Part II Tables, a copy of which is laid on the Library table.

For the 1941 figures, a statement is given below :

		1941		
.....		Population	Hindus	Muslims
North Sylhet subdivision	...	6,64,172	1,59,017	4,90,434
Gowainghat Thana	...	59,027	10,412	44,890
Jaintiapur	...	18,902	4,605	12,942
Kanaighat	...	74,504	11,041	62,164
Sylhet sadr	...	1,87,885	47,519	1,33,588
Biswanath	...	83,726	17,958	65,768
Balaganj	...	1,13,476	37,186	76,289
Golapganj	...	97,003	22,248	74,740
Fenchuganj	...	29,374	7,807	20,019
Sylhet sadr thana (excluding town).		1,59,757	31,309	122,020

Establishment of a Subdivision at Nalbari

Srijut RABI CHANDRA KACHARI asked :

55. Is it a fact that Barkshetri Mauza Sanmilan held at Mukalmua under the presidency of the Hon'ble the Prime Minister passed a resolution urging the early establishment of a Subdivision at Nalbari ?

56. Are Government aware that the people of Nalbari side are keen for a separate Local Board for development of the interior rural areas ?

57. Is it a fact that the Hon'ble Prime Minister in reply to addresses presented in the public meetings held at Nalbari, Kamarkuchi and Chamata in 1938 stated that Government would gradually raise Nalbari into a Subdivision ?

58. Is it a fact that other Hon'ble Ministers also expressed similar wishes in their visits to Nalbari side from time to time ?

59. Do Government propose to establish a separate Local Board at Nalbari as a step towards creating a Subdivision there ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

55.—Yes.

56.—Government are aware that this may be so.

57 & 58.—The need for a new Subdivision at Nalbari has long been recognised by Government. The proposal stands in abeyance for the present owing to financial stringency.

59.—No. In view of Section 3 of the Assam Local Self-Government Act, the creation of a Subdivision comes first.

Land Settlement in the district of Nowgong

Maulavi MUHAMMAD AMIRUDDIN asked :

60. Will Government be pleased to state—
- (a) Whether an area of about 200 bighas of lands in the Mowamari village of the Khatwal Mouza in the district of Nowgong was included in the annual *pattas* in favour of one Srijut Mohendra Nath Hazarika, Khatwal Mouzadar and another Srijut Surendra Nath Hazarika—Pleader of the Nowgong Bar and own brother of the said Mouzadar and another Babu Labannya Ch. Kundu—an immigrant living in the Nowgong Town ?
 - (b) Whether the said Mowamari village is closed to immigrants ?
 - (c) How could the immigrant Babu Labannya Ch. Kundu living 15 or 16 miles away from that village get a *patta* in that closed village without cultivating the land for even a single day ?
 - (d) What areas of lands does each of the said persons hold in the Khatwal, Lawkhoa, Kasomari and Nij-shahar Mouzas either in their own names or in the names of their closest family members (father, brother or son) ?
 - (e) Whether the said area of 200 bighas was cleared and cultivated by the immigrants and whether they dug a ditch in the eastern side of the lands so as to demarcate the grazing Reserve ?
 - (f) Whether the petitions of the said three gentlemen were filed before or after the enforcement of Settlement Rule 16 in this district ?
 - (g) Whether the cultivation of the area and its possession by the immigrants had been suppressed by the Land Records Staff under the official pressure of the Sub-Deputy Collector ?
 - (h) Whether Government propose to ask the Deputy Commissioner to make a thorough enquiry personally into the matter and recognise the claims of the actual occupants in the light of the Government instructions on the Line System ?
 - (i) Whether the annual *patta* of Srijut Surendra Nath Hazarika is now under report for conversion into periodic by the Sub-Deputy Collector ?
 - (j) Whether immediate instructions to the Deputy Commissioner will be issued for immediate enquiry into the matters and for disallowing conversion till these questions are decided upon ?
 - (k) Whether the Sub-Deputy Collector of the Samaguri Circle who has long ago completed the usual duration of his three years' service in the said circle will be immediately transferred therefrom ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

60. (a)—These three gentlemen hold a total area of 121 Bighas 1 Katha 9 Lessas and not 200 bighas in annual *patta* in this Mowamari village of which an area of 16 Bighas 1 Katha 15 Lessas only has been converted into periodic in this year as described below :—

Srijut Mohendra Nath Hazarika 49 Bighas 8 lessas in annual *patta* No. 27 and 44 Bighas 3 Kathas 2 Lessas in annual *patta* No. 41.

Srijut Surendra Nath Hazarika, Pleader, 16 Bighas 1 Katha 15 Lessas in *dag* No. 2 which has been recently converted into periodic.
Babu Labannya Chandra Kundu, 11 Bighas 1 Katha 4 Lessas in *dag* No. 31 in annual *patta*.

(b)—Yes.

(c)—The area 11 Bighas 1 Katha 4 Lessas owned by Babu Labannya Chandra Kundu was not settled with him out of any Government waste land. It originally belonged to one Abu Hussain who defaulted payment of land revenue. This land was given to him by the Deputy Commissioner as far back as 1937 on payment of arrears as he holds a domicile certificate.

(d)—The areas of lands held by each of these persons are shown in the list below (A & B).

A

SAMAGURI CIRCLE

Names	Mauza		Area			Remarks.
			B.	K.	L.	
1. Srijut Mohendra Nath Hazarika.	Khatowal	...	395	0	10	} Both are brothers
2. Srijut Surendra Nath Hazarika.	Ditto	...	16	1	15	
3. Rai Sahib Jogendra Nath Hazarika	Ditto	...	181	1	1	Father of Nos. 1 and 2
4. Babu Labannya Chandra Kundu.	Ditto	...	97	1	13	} Son of No. 4.
		Laokhowa	...	145	0		8
5. Babu Profulla Chandra Kundu.	Laokhowa	...	14	2	17	} Son of No. 4.
	Khatowal	...	0	2	8	

(Most of these lands are periodic and acquired by purchase and transfer).

B

SADAR CIRCLE

Names	Mauza		Area			Remarks
			B.	K.	L.	
1. Rai Saheb Jogendra Nath Hazarika.	Town		2	2	8	
2. Srijut Surendra Nath Hazarika.	Kachomari		199	4	13	
3. Srijuts Surendra Nath, Mohendra Nath, Amrit Nath, Bhobendra, Bapukan and Babua Hazarika.	Ditto		18	0	8	Sons of Rai Saheb Jogendra Nath Hazarika.
4. Babu Labannya Kundu		Town		10	0		9

(e)—The said area 121 Bighas 1 Katha 9 Lessas (not 200 bighas) has not been cleared and cultivated by the immigrants and they have not dug a ditch in the eastern side of the lands. It is Srijut Mohendra Nath Hazarika, who has dug a ditch in the eastern side of the lands so as to demarcate the grazing reserve on this side.

(f) — Of the total area 121 Bighas 1 Katha 9 Lessas noted in reply to (c) above, Srijut Mohendra Nath Hazarika and Surendra Nath Hazarika together have got an area of 65 Bighas 2 Kathas 3 Lessas by transfer from the original owner Gunadakanta Bhuyan for a big sum. Babu Labanaya Chandra Kundu has got the area 11 Bighas 1 Katha 4 Lessas from the original owner Abu Hussain in the manner stated in reply to (c) above. No filing of waste land petition for these areas was out of the question as these were not Government waste lands. As regards the remaining area 44 Bighas 3 Kathas 2 Lessas now held by Srijut Mohendra Nath Hazarika in annual *zita* No 41 it has been settled on waste land petition filed by him after the enlargement of Settlement Rule 16 in the district. This area was long waste and available for settlement since 1933-34. It has been held in undisputed and exclusive possession of Srijut Mohendra Nath Hazarika at a considerable cost since a few months before the enforcement of the said Settlement Rule 16 and no other waste land petition was received for this area and none else possessed it. So this area was settled with Srijut Mohendra Nath Hazarika according to Settlement Rules 9 and 15.

(g) — It is a false allegation. The immigrants have not cultivated and possessed this area.

(h) — On enquiry the Deputy Commissioner is satisfied that Srijut Mohendra Nath Hazarika is best entitled to the settlement of this area of 44 Bighas 3 Kathas 2 Lessas on the basis of actual possession and for priority of his application. No further personal enquiry by the Deputy Commissioner is necessary.

(i) — The area 16 Bighas 1 Katha 15 Lessas in dag No. 2 standing in the name of Srijut Surendra Nath Hazarika which was obtained by transfer as noted in reply to (a) above has been already converted into periodic as it complied with all the conditions of Rule 105 of Land Records Manual for such conversion.

(j) — This area of 16 Bighas 1 Katha 15 Lessas has already been converted into periodic in the settlement dowl for 1941-42 and Government do not see any reason to revise the dowl when the settlement was made according to the rules. The circumstances revealed do not call for any personal enquiry by the Deputy Commissioner.

(k) — There is no rigid rule for the tenure of the post. At present there is shortage of officers, which often makes it undesirable to carry out changes merely on account of the period an officer has been posted in one station.

Hydro-electric Scheme in Assam

Mr. BAIDYANATHI MOOKERJEE asked :

61. Will Government be pleased to state whether they propose to prepare a Hydro-electric Scheme for the Province of Assam in the near future ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

61.— The subject has been before Government since the Report of Mr. Blenkinsop in 1923 but no definite proposal has emerged. The question will be taken up as soon as funds allow. Present Electrical Adviser to Government has also interested himself and submitted notes about Hydro-electric Schemes for the Province.

Mr. BAIDYANATH MOOKERJEE : In the reply I find that the question will be taken up as soon as funds allow. May I enquire from the Hon'ble Minister whether they have made any estimate and if so, how much fund will be required for this purpose ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : There is only one scheme about which a mere rough estimate was made and that scheme was made in collaboration with the Government of Bengal in order to utilise the water power from the Garo Hills flowing towards Mymensingh. Our Electrical Adviser discussed this matter with the Bengal Electrical Adviser. They tentatively came to the conclusion that the scheme could be proceeded with and the expenditure was in the neighbourhood of a crore of rupees. Ultimately Bengal refused to collaborate.

Mr. F. W. BLENNERHASSETT : May I enquire, Sir, what Government has meant by the words 'taken up' ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : That is to utilise the water power of the hills in the Province.

Mr. F. W. BLENNERHASSETT : Have the schemes they propose to take up been properly surveyed ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Mr. Blenkinsop was put on special duty and as I have already mentioned, he has put up certain schemes ?

Mr. F. W. BLENNERHASSETT : Is it not a fact that the figures, which Mr. Blenkinsop gave, no longer apply and that a re-survey is required for the purpose ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : That is to a certain extent correct, Sir. Our present Electrical Adviser has considered some of those ; some cannot be utilised at all and some have already been made nugatory by the establishment of private electrical concerns in the towns concerned.

Mr. F. W. BLENNERHASSETT : Is it a fact that since these schemes were submitted by Mr. Blenkinsop three at least have become obsolete and that one by itself could almost electrify the whole province ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : This is correct, Sir.

Mr. F. W. BLENNERHASSETT : In view of that fact, is it not possible for Government to institute steps to have a survey and estimate made of the project which appears to me a very very imperative duty ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : At present it is useless to spend money in re-surveying when we know that there is no possibility of financing the scheme.

Mr. A. WHITTAKER : In so far as this is likely to be a productive expenditure, would it not be one of those very few cases for borrowing which would be justified for this class of work ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Yes, Sir. But at the present moment we are indebted to the tune of half a crore of rupees.

Babu RABINDRA NATH ADITYA : Do Government think it is a losing proposition to borrow money ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I said that we were already indebted to the tune of half a crore of rupees.

Babu RABINDRA NATH ADITYA : If this stands as a business proposition, is there any harm to borrow money ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : We are not prepared to borrow money and it is doubtful whether the financier will advance money on the security of provincial revenues when we are already indebted to the extent of half a crore of rupees.

Mr. F. W. BLENNERHASSETT: Will Government be prepared to institute an enquiry into the matter with a view to surveying the possibilities of the scheme so as to be ready to avail ourselves of post-war industrial depression and things of that sort, when we may expect materials to become cheaper than at present?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The suggestion will be considered. At the present moment we are handicapped by the fact that our only Electrical Adviser is also the Chairman of the Board of Technical Recruitment for the war and his time is fully taken up by this work, but as soon as he finds a little leisure I will ask him to look into the scheme.

Babu RABINDRA NATH ADITYA: Would not the pressure that is now put on the Government exchequer by the flood be much relieved if the Hydro Electric project is taken up?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: That is a hypothetical question, Sir.

Methods of Census classification

Srijut RAJENDRA NATH BARUA asked:

62. Will Government be pleased to enquire and state—

(a) The number of Hindus amongst the population shown as "Tribes" in the last Census?

(b) Whether the method adopted in Assam for Census operations changing religion to community was made imperative by the form of the franchise?

(c) If so, why some of the important heads of franchise such as Indian Christians, European Planting, etc. were not taken into consideration at the recent Census?

(d) Whether this Assam method was adopted in other provinces of India?

(e) Whether they have since received public representations challenging the method of census operations and correctness of the Census figures?

(f) If so, has Government taken any steps to reclassify the population on the basis of religion?

(g) Whether Government is aware that many tribal people are not satisfied with the method of classification and resent the fact of their being not included as Hindus?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

62. (a)—Figures are not available at present.

(b)—The original intention was to classify the population by religions as well as by communities. But funds were found to be inadequate for the double classification by the Government of India who ordered only the classification by communities, which was the more important for franchise purposes.

(c)—The census returns were never intended to be equivalent to electoral rolls, and it was not thought necessary to extract separate figures for Indian Christians or European Planters.

(d)—Government has no information.

(e)—Yes.

(f)—No. The methods of classification are prescribed by the Government of India, not by the Provincial Government.

(g)—Government are not aware of any resentment of the Tribal people over the census classification and they have not received any complaint from the tribal people so far.

Srijut RAJENDRA NATH BARUA: In reply to question No.62(a) the Government says, 'figures are not available'. May I ask Government whether they are going to make any attempt to find out the figure of the Hindus under the head 'Tribes'?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: There has been a very large number of questions on the census and I have tried to reply as fully as possible. My replies would come during this session and if my hon. friend waits till then, he will find my replies. I may inform the House that re-classification is a matter for the Central Government and not for the Provincial Government.

Srijut GAURI KANTA TALUKDAR: May I know, Sir, whether any attempt is being made by the Provincial Government independent of the Central Government?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: No, Sir, we cannot go beyond what the Central Government direct us to do.

Srijut GAURI KANTA TALUKDAR: In answer to Question No. 62(a) it has been stated that the figures are not available at present. Now what is the implication of the phrase 'at present'?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: As the figures stand from the census there might be some complaints to the Central Government. If the Central Government orders then we will start re-classification.

Srijut GAURI KANTA TALUKDAR: Will the Government of Assam be pleased to approach the Central authorities for instructions to re-classify this population according to religions as well as communities as demanded by the public?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The representation of the Hindu community is already before the Central Government.....

Srijut RAJENDRA NATH BARUA: Whether any attempt is being made by the Provincial Government in this connection?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: No, Sir.

(Here the clock struck 12 noon).

The Hon'ble the SPEAKER: We shall continue up to 12.5.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The Government of India may say to us, 'you may start this enumeration at your own expense'. The provincial finances do not admit of taking any more liability in the present juncture when we are faced with heavy deficit. Therefore we are awaiting the orders of the Central Government. If they order, the expense will be borne by them.

Srijut RAJENDRA NATH BARUA: Do not Government consider the expenditure justified?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: It may be justified but we are unable to bear any further burden.

Srijut SIDDHI NATH SARMA: In the reply, 'Sir, it is stated that the original intention was to classify the population by religions as well as by communities. May we know, Sir, what is meant by 'community'?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: So far as the Hindus and Muslims are concerned they are a community in themselves, but as regards the Tribals they are a community irrespective of whether they are Hindus, Animists or Christians.

Srijut SIDDHI NATH SARMA: In the case of the Hindus, is that a religion?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Yes, Sir, it is a religion.

Srijut SIDDHI NATH SARMA: Is it not a fact that all the Hindus returned as Hindus in the census were not classified as Hindus under the community head?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Yes, Sir, my friend is quite correct; those tribes who returned themselves as Hindus have been included as such (*i.e.* tribals).

The Hon'ble the SPEAKER: Order, order. Further supplementary questions will be taken up to-morrow.

We shall now take up adjournment motion.

Adjournment motion on the death of several persons in the flood-affected areas in the district of Sylhet

Mr. A. WHITTAKER: On a point of information, Sir, is it possible for us to receive copies of adjournment motions before they are actually moved?

The Hon'ble the SPEAKER: The hon. members know that the notices of adjournment motions are received even up to the last minute of 11 a.m., and it sometimes becomes impossible to prepare copies for all the members. Of course, notices of these motions were received to-day from 9-10 a.m., up to 10-36 a.m., but it was not possible to have as many copies as there are hon. members in this House, before the sitting commenced.

Mr. A. WHITTAKER: In view of the fact that typed copies are circulated, would it not be just as easy to type on stencil as to type on a type-writer?

The Hon'ble the SPEAKER: It takes more time. We generally supply copies only to the Hon'ble Ministers and the movers of the motions. I shall consider how far copies can be supplied to hon. members.

Mr. A. WHITTAKER: Thank you, Sir.

The Hon'ble the SPEAKER: Mr. Mookerjee may now ask for leave to make the adjournment motion he has tabled.

Srijut GOPINATH BARDOLOI: Before this motion of adjournment is moved we would like to take up another important matter which we have discussed this morning with the Leader of the House, namely, certain condolence resolutions.

The Hon'ble the SPEAKER: I was only conforming to the rules. Just after question time leave for adjournment motions should be asked. So I was asking Mr. Mookerjee to proceed and then I shall see what I can do

with regard to the other motions. We have got as many as 11 adjournment motions. I am afraid, it will not be possible for me to complete all these motions to-day. I just asked Mr. Mookerjee to ask for the leave of the House with regard to his motion and then I shall consider whether other motions should be taken up.

Mr. BAIDYANATH MOOKERJEE: Mr. Speaker, Sir, I beg leave of the House to move—

“That this Assembly do now adjourn to discuss a definite matter of urgent public importance, namely, the situation arising in the district of Sylhet due to the callous and negligent conduct of the Government culminating in the death of several persons, e.g., Bharat Chandra Das of Sukhar, Yasin Ulla of Jatrapasha in the subdivision of Habiganj and Abdul Hakim of Patepur, Bidur Dhooly of Balirkuna in the subdivision of Maulvi Bazar—all these being flood affected areas in the district of Sylhet”

Sir, it is well known to all members of this House that the districts of Sylhet and Cachar are suffering a great deal due to flood. This point was discussed on the floor of this House during the last session and we were given to understand that our Government would take all possible care so that the people of the flood-affected areas can save their lives. But Sir.....

The Hon'ble the SPEAKER: The hon. member has at this stage only to show how his motion is in order.

Mr. BAIDYANATH MOOKERJEE: Sir, this motion is in order because it is a matter of recent occurrence, because the deaths have taken place after the last session of the Assembly and I have taken the first possible opportunity and it is a matter of urgent public importance in this that people are dying of starvation. So, Sir, I think that I shall obtain the leave of the House to move my motion.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Sir, I oppose this motion on various grounds. In the first place, although we now find from the speech of my hon. friend that he wants to connect these deaths with the question of starvation due to flood damages, he has not put his motion in the form in which his idea could be conveyed. He simply says that he wants to discuss the situation arising in the district of Sylhet due to the callous and negligent conduct of the Government culminating in these deaths he has referred to now. He does not say that these unfortunate men died on account of the callousness or negligence of the Government. Again, Sir, far from being remiss, as soon as we learnt of the first two cases, that of Bharat Chandra Das and Yasin Mulla, by telegram, we immediately asked the Deputy Commissioner, Sylhet to enquire into these cases and the reports of the local officers were that both these two men were very old men (I am referring to the two men from Habiganj), and that they died of diseases like cholera and dysentery. We did not remain satisfied, as we got another telegram from some other member of the public on this point and I sent my Hon. Colleague, the Minister for Local Self-Government who himself hails from Habiganj for a personal enquiry. He made a personal investigation into one of these allegations and reported that the allegations were false.

I am sorry, Sir, that so far as I remember or so far as my Hon. Colleague, the Revenue Minister, could remember, no telegram or other information was received or reported to Government from the subdivision of Maulvi Bazar. The two cases from that subdivision that have now been reported by my hon. friend, the Mover, could therefore not be looked into by Government before now. Now that it has been brought to our notice, we will immediately ask the Subdivisional Officer of Maulvi Bazar for a report on this.

So, Sir, there has been no negligence or callousness on the part of the Government in dealing with the matter. With regard to Habiganj, we immediately obtained a report from the Sylhet Deputy Commissioner and also the Minister for Local Self-Government, who hails from Habiganj, has himself enquired into the allegations and found them false.

At the same time I have assured the hon. Mover that with regard to the cases from Maulvi Bazar, they will be enquired into immediately.

Sir, Sir, I oppose the motion.

Mr. BAIDYANATH MOOKERJEE: Sir, I have mentioned only four cases.

The Hon'ble the SPEAKER: The hon. member has put down his motion in a rather wide way saying "culminating in the death of several persons."

Mr. BAIDYANATH MOOKERJEE: I have just mentioned only four names. I shall presently show that these are not all.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: On a point of order, Sir. Is the hon. member in order to move for adjournment on a question which forms the subject-matter of a resolution before the House of which notice has been given? The subject-matter relates to a consideration arising out of the flood stricken areas.

The Hon'ble the SPEAKER: No adjournment motion should be made in order to anticipate discussion on a certain matter which is put down for discussion before the House. But there is also the exception. It is also provided in the rule that the probability of the matter coming up should be considered also. If there is a probability of the matter previously fixed for discussion being discussed on the floor of the House, then the adjournment motion is out of order. It will be seen that the motion as moved really raises the large question of floods in the district of Sylhet. That is the point which we will have to take into consideration.

As I was telling the House, I find there are too many adjournment motions and it will not be possible to discuss all of them to-day. Let all these motions stand over for to-morrow.

With regard to this motion I shall give my ruling to-morrow as to whether this motion should be allowed or not.

Mr. BAIDYANATH MOOKERJEE: Then I will get my opportunity to show the urgency to-morrow, Sir.

The Hon'ble the SPEAKER: Yes.

Governor's message communicating allotment of days for presentation of and voting on demands for supplementary grants, etc.

The Hon'ble the SPEAKER: I am now announcing the following message from His Excellency regarding the allotment of days during the present session:—

"For the purposes of section 81 read with sections 78, 79 and 80 of the Government of India Act, 1935, and in pursuance of rules 18(1), 18(2)(a) and 19 of the Assam Legislative Assembly Governor's Rules, I, Robert Niel Reid, hereby appoint the following days for the presentation to the Legislative Assembly of the Supplementary Statement of Expenditure for the year 1941-42 and for the subsequent stages thereof in the Legislative Assembly during its December Session, 1941, namely:—
Monday, the 1st December ... Presentation of the Supplementary Statement of Expenditure.

Monday, the 8th December	...	Voting on the Demands for Supplementary Grants.
Saturday, the 13th December	...	Placing of the authenticated schedule of authorised expenditure in relation to the Supplementary Demands for Grants for 1941-42.

This order shall be subject to my revision, if necessary, from time to time.

Shillong,

The 20th November 1941.

R. N. REID.

Governor."

Allotment of days for private members' business by the Hon'ble Speaker

The Hon'ble the SPEAKER : In pursuance of Rule 17 of the Assam Legislative Assembly Rules, I hereby allot in consultation with the Hon'ble Prime Minister the following days for Private Members' Business during the present session of the Assam Legislative Assembly, 1941 :

Tuesday, the 2nd December	...	} 1. Private Members' Bills. 2. Private Members' Resolutions.
Tuesday, the 9th December	...	
Saturday, the 6th December	...	Private Members' Resolutions.

Private Members' Resolutions will also be taken up on the following days, if time permits, after disposal of Government Business :

Monday, the 1st December.
Monday, the 8th December.
Thursday, the 11th December.
Friday, the 12th December.

This order shall be subject to my revision, if necessary, from time to time.

Statement *Re*: Course of Government business

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : With your permission, Sir, I desire to make a statement about the course of Government business during this Session..

2. The Government business which is to be taken up to-day is already shown in the day's agenda, a copy of which has been placed on each member's table. I need not detail it again. If the motions for taking into consideration of the Assam Revenue Tribunal Bill, 1941 and the Assam Land and Revenue Regulation (Amendment) Bill, 1941, are accepted by the House to-day, we propose that these Bills be considered clause by clause on the 8th December and then to move that they be passed.

3. On the 4th and 5th December, we propose to introduce the Assam Agricultural Income-tax (Amendment) Bill, 1941 and the Assam Debt Conciliation (Amendment) Bill, 1941 and then to move for reference to their respective Select Committees. On the same dates, we propose to take up the motions for introduction and consideration of the Assam Court of War do (Amendment) Bill, 1941.

4. If the motion for taking into consideration of the Assam Court of Wards (Amendment) Bill, 1941 is accepted by the House on the 4th or 5th December, we propose that the Bill be considered clause by clause on the 11th and 12th December and then to move that it be passed.

5. On the 8th December, we also propose to move the motion for consideration of the Report of the Public Accounts Committee on the Appropriation Accounts for 1939-40 and for approval of the excess expenditure recommended by the Committee.

6. On the 11th and 12th December, we also propose to move a motion for exemption from payment of fees for the Middle English Standard by the children of Board's Middle and Lower Primary School teachers and to present the report of the Select Committee on the Assam University Bill, 1941.

7. We also propose to take up any other Government business on the 13th December.

Committee on Petitions

The Hon'ble the SPEAKER: Under rule 112(1) of the Assembly Rules, I nominate the following members to constitute a Committee on Petitions relating to Bills for the current session of the Assembly:—

- (1) Mr. Baidyanath Mookerjee,
- (2) Maulavi Abdul Bari Chaudhury,
- (3) Dr. C. G. Terrell, and
- (4) Rev. L. Gatpoh.

Under the rules, the Deputy Speaker will be the Chairman of the Committee.

House Committee

The Hon'ble the SPEAKER: Under rule 126 of the Assembly Rules, I nominate the following members to constitute a House Committee for the current session of the Assembly:—

- (1) Mr. Naba Kumar Dutta,
- (2) Babu Bipin Behari Das,
- (3) Maulavi Abdul Bari Chaudhury,
- (4) Mr. A. Whittaker,
- (5) Rev. J. J. M. Nichols-Roy and
- (6) Khan Bahadur Maulavi Keramat Ali.

Governor's assent to Bills

The Hon'ble the SPEAKER: Information has been received from the Secretary to His Excellency the Governor of Assam that, under provisions of section 75 of the Government of India Act, 1935, His Excellency the Governor has assented to the Assam Finance Bill, 1941, which was passed by both Chambers of the Assam Legislature during the March session, 1941 of the Assembly and the June session, 1941 of the Council.

Presentation of Report of the Public Accounts Committee on the Appropriation Accounts for 1939-40

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, I beg to present the Report of the Public Accounts Committee on the Appropriation Accounts for 1939-40.

Each member has been supplied with a copy of this report. As I have already stated just now that Government are proposing to move for consideration of this report on the 8th December, I need not make any statement just now.

**Presentation of Supplementary Statement of Expenditure for
1941-42**

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:
Mr. Speaker, Sir, I beg to present a Supplementary Statement of Expenditure for the year 1941-42.

It is customary for the mover to make a detailed explanation of the various items which the Government has found necessary to take up and to obtain the vote of the House. Almost all these expenditures were unforeseen at the time when the budget was framed, and some represent formal transfer from one head to another. As we have taken great pains to explain each of these items in the memorandum which is in the hands of each member, I need not go into the details thereof. I hope the explanatory note will give sufficient indication to the hon. members why a particular supply is being demanded of this House. If any hon. members even after these explanatory notes, face any difficulty, both my self and Mr. Jones of the Finance Department will be only too glad to help them in any further elucidation.

The Hon'ble the SPEAKER: These supplementary demands are coming up for discussion on the 8th December next. Now the hon. members will see that on the 8th of December we shall have also other important items of business. So I have decided to allot only one hour for the discussion of these demands on the 8th December next. There are only 6 supplementary demands and for each of the demands, I shall allot only ten minutes for discussion. I would ask the hon. members to consider whether that time will be sufficient. If hon. members think that more time should be allotted, then the Leaders of various parties may inform me and I shall see whether more time should be given or not.

**Presentation of a Note on the present financial situation of the
Province with reference to actuals for 1940-41**

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:
Mr. Speaker, Sir, I beg to present a Note§ on the present financial situation of the Province with reference to actuals for 1940-41. The Note has been placed on the table of each hon. member.

Mr. A WHITTAKER: On a point of information. Is there going to be any opportunity for us to discuss the Note that is now presented to the House on the present financial situation of the province? There are certain very important events which are discussed in this Note; for example, the apprehension that the revenue deficit of Rs. 11,39,000 is now increased to 21 lakhs. Is there going to be any opportunity for discussing the contents of this financial statement?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:
This is no statutory statement which has to be laid before the House. But by way of courtesy to the hon. members and also in order to keep them informed of the financial outlook of the province during the year under review this statement is placed in their hands.

The Hon'ble the **SPEAKER**: I believe there will be an opportunity in the next session when the supplementary demands will be coming up.

The Hon'ble Maulavi Saiyid Sir **MUHAMMAD SAADULLA**: Yes. Now we are only passing the statement.

Presentation of Notification, under section 296 of the Assam Municipal Act, 1923

The Hon'ble Maulavi **MUNAWWAR ALI**: I beg, Sir, to present the following Notifications under section 296 of the Assam Municipal Act, 1923.

(a) No. 1244 (L. S. G.) (B), * dated the 7th May 1941.

(b) No. 1048 (L. S. G.) (B), † dated the 8th October 1941.

The Assam Revenue Tribunal Bill, 1941

The Hon'ble Maulavi Saiyid Sir **MUHAMMAD SAADULLA**: The Hon'ble Education Minister will be in-charge of the next Bills.

The Hon'ble Srijat **ROHINI KUMAR CHAUDHURI**: I beg, Sir, to present the Report of the Select Committee on the Assam Revenue Tribunal Bill, 1941.

The Assam Land and Revenue Regulation (Amendment) Bill, 1941

The Hon'ble Srijat **ROHINI KUMAR CHAUDHURI**: I beg, Sir, to introduce the Assam Land and Revenue Regulation (Amendment) Bill, 1941.

The Hon'ble the **SPEAKER**: Now hon. members will notice that the motion to take the Bill, i.e., the Assam Revenue Tribunal Bill as reported by the Select Committee into consideration is going to be postponed for the 8th and I would draw the attention of the hon. members to the fact that all the three stages of the Bill will have to be gone through on that day. Therefore, I would ask the hon. members to table their amendments, if there be any, with regard to this motion by the 4th at the latest.

Then with regard to the Assam Land and Revenue Regulation (Amendment) Bill also the motion for consideration will be taken up on that date and so amendments to this Bill also, if there be any, will have to be submitted on the 4th at the latest.

Condolence motions

The Hon'ble Maulavi Saiyid Sir **MUHAMMAD SAADULLA**: Mr. Speaker, Sir, before we pass on to the other items on the agenda to-day, I have got a melancholy duty of referring in this House of Legislature on the death of six persons who in their respective spheres were an ornament to the country.

In the first place, it pains my heart to refer to the death of the great sage, the great poet Rabindra Nath Tagore, although belated, as this melancholy event took place some six months ago. We still fall in line with the great Republic of China in mourning the loss of this great sage, poet and philosopher of India as the Chinese Republic, as reported in the press,

* Appendix K.

† Appendix L.

have condoled only a couple of days ago. I need not detain the House in giving the accounts of one whose name is a household word throughout India, nay in greater parts of the civilized world. In him, we had a poet of great lyrical beauty, a masterly prose writer, whose song drew the praise of all civilized world and a translation of one of his book was responsible in drawing the first Nobel Prize on him in India. In politics, he did not dabble much : but his clear insight on human psychology made him to get the title of 'Gurudeva' even from that saint apostle of politics, Mahatma Gandhi. He was no less a humanitarian and educationist and his Viswavarati is a standing monument of his past activities. In his loss, not merely India has lost a masterly mind but the world is poorer by the demise of a great man.

Next, I refer to the recent death of His Highness the Maharaja of Manipur, the only Ruling Chief in the Province of Assam. As a Ruling Chief, this Legislature has no connection with him but the genial and amiable nature of the Maharaja and his sportsman-like spirit, who continued to play cricket till about 10 years only whose love for his motherland, meaning the province of Assam, was so great that he in his public speech said that he may be the ruling prince of Manipur but after all he is a citizen of Assam, had endeared him to the people of the Province. He breathed his last, as everyone knows, at Navadwip, the place of pilgrimage for him, because that is the sacred place of Baishnavites. We mourn his loss on account of his various qualities of head and heart that I have already enumerated. My relation with him was personal and I remember with great pleasure the various occasions when I opposed him in the cricket field at Shillong.

I have, Sir, to place before the House the sad death of Lord Willingdon, who everyone knows was a very popular Governor in two provinces of India—a unique occurrence in India and who later on became the Viceroy and the Governor-General of India. It was in his time that the Simon Commission came up to India to draw up the scheme of the present constitution, and, therefore it is meet and proper that this Legislature should mourn his loss.

Next Sir, I have to place on record our sense of grief and sorrow at the untimely death of the late Babu Suresh Chandra Das, a member of the Upper House. Those who have come in contact with him knew that he was a perfect gentleman in the true sense of the term. After the full term of administrative work, he thought it fit to give the rest of his life to the cause of the public and was one of the very experienced, sound and sane councillors of the Upper House.

Next, Sir, I am to condole the death of one of the brilliant products of Sylhet, I refer to late Mr. Gurusaday Dutta with whom I had the opportunity of coming into contact. Although he was a native of the province of Assam hailing from the district of Sylhet, his official life was mainly run in the neighbouring province of Bengal. His name will go down to posterity on account of his being the founder and leader of the Bratachari movement—a movement which sought to bring and brought a ray of sun shine on the labourers of our countryside. This achievement of giving joy to the labourers of the countryside will keep his memory alive and fresh.

The last one, Sir, that I have got to mention is the sudden death of the late Raja of Sidli who was one of the premier Zaminders of the district of Goalpara. Although he retired from Assam and settled in Calcutta, he took a lively interest for the betterment of the province as a whole, the district in particular and especially his own tenantry. But in this case let me "ring out the old and ring in the new." We congratulate our worthy

colleague here the new Raja of Siddli—Raja Ajit Narayan Dev.

I hope, Sir, that this house will accept a motion from me that we do condole on the deaths of the personages I have enumerated and that this Legislature's expression of condolence be conveyed to the bereaved families.

Srijut GOPINATH BARDOLOI: Mr. Speaker, Sir, on behalf of the hon. members on this side of the House, I desire to associate myself wholeheartedly with the resolution of condolence which has been moved by the Hon'ble Leader of the House.

The sense of irreparable loss at the death of the revered Gurudev, a personality who had inspired the whole of India with the high ideals which he had preached, which he had lived and which he had worked upon, will be shared, I am sure, by all sections of the House. Poet Rabindranath, to my mind, was one of the greatest creative geniuses that lived in any time. In the field of literature, he was an artist of a kind and an order which has seldom been attained by any of the living writers of the day. Whatever he touched he rendered divine, whatever he wrote was elevating and inspiring. His art was not confined to the catering of the ordinary mind, he always elevated things to a level which drew out the Divine in man. It is for this reason that he was universally acclaimed as the Gurudev. He was verily a teacher of mankind. In the field of art—I mean painting—the same expression of the Divine was also there, and the artists who could appreciate his paintings laid stress on the fact that there also he had tried to draw humanity to an elevation which was not to be found in the common run of artists. But his greater contribution was, I think, in the domain of work for humanity. It was he who by his writings, by his speeches and by his actions had converted the service of the poor into the service of God in man. In his writings one would read that very great principle, viz., that the service of God is service of the poor. It is he who enunciated what we call the service of the *Daridra Narayan*; and what is more, he had actually tried to work out this ideal in his *Asram* at Santiniketan. I would not take up the time of the House by describing the manifold activities that are going on there, but I can tell the House that the whole object of that institution has been, on the one hand, to raise humanity to the level of the Divine, and on the other hand, to serve the poor in the manner in which it is practicable. The loss of such a personality can seldom be exaggerated. We feel that not merely India nay the world is poorer to-day on account of this great loss. I should consider it a privilege for this House to be able to associate with the condolence on the death of such a mighty and great soul.

I also associate myself with the condolence in regard to the Maharaja of Manipur. It may not be unknown to many hon. members of this House that the relationship of Assam with Manipur is a historical fact. The Maharaja by his contact with the people of Assam had sustained and maintained that spirit. We are really sorry to have to condole his death.

Then, Sir, reference has been made to the death of Mr. Guru Saday Dutt, who was an inhabitant of Sylhet. He was also an idealist of a kind; he had tried to organise certain movement by which he wanted to bring joy to the life of villagers. He had himself done enough to raise the condition of the poor sisters in India. In all these matters, as I said, Sir, he had tried to follow an ideal. Although a man of Service he has done enough for the community to deserve approbation and our good-will. We are really sorry to lose him.

Then, Sir, I associate myself with the condolence on the deaths of Babu Suresh Chandra Das and Raja of Sidli. We have members in this House

who are related to these deceased persons. The amiability of Babu Suresh Chandra Das was well-known to the members of this House. Any one who had come in his contact could not but like him.

So far as Raja of Sidli is concerned, I am proud to be able to tell this House that he was a self-made man, so to say. Descending, as he did, from a great family he had in him something of the maker of a kingdom, the maker of a race; although at the time when he had come to his inheritance, his inheritance was not quite as worthy as it should have been, he raised it to such a prominent position as to be able to secure an abiding place among the ranks of the Rajas in this part of the country, I mean Bengal and Assam. We sympathise with the present Raja who is with us here. We are glad to be able to share his grief and sympathise with his sorrow.

Then, Sir, regarding Lord Willingdon, he was undoubtedly a great administrator. We had surely differed in outlook with him over many things but that does not mean that we should not pay homage to his memory at his death.

We associate with this condolence resolution whole-heartedly and desire that as a mark of respect for these great men, the House should adjourn, as the Hon'ble Leader of the House has already announced, as soon as we finish with this resolution.

Mr. A. WHITTAKER : On behalf of the members of the European Group I should like to associate all our members with the condolence motion now before the House.

Mr. BAIDYA NATH MOOKERJEE : On behalf of the Independent Party I whole heartedly associate myself with the resolution.

The Hon'ble the SPEAKER : I also associate myself with what has been said on this condolence motion by the Hon'ble Leader of the House and the Hon'ble Leader of the Opposition.

Dr. Rabindranath Tagore was no doubt a great patriot, a saint and a sage. Nearly more than half a century he was the great source from which the intellectual, æsthetic, social and political life of India received ceaseless inspiration and nourishment in every direction. His was such a creative imagination that what he touched he embellished. Never was found to be such versatility an active gift, in anyone within living memory, as in Dr. Rabindranath Tagore. In poetry, in literature, in music and in art he has left such treasures which will be of immense value not only to the people of this generation, but also to generations to come and not only to the people of this country, but also to the people of the whole world. Indeed, he can be claimed as the pride of humanity and as a gem, who shone and radiated brilliance in diverse directions. By what he wrote and spoke he really tried to instil in us the manly spirit of courage and justice; and we all know how on occasions when discordant notes were struck in the social and political life of India, his was the trumpet voice which rang with fine and soul stirring tones. Certainly we are poorer to-day by the death of such a man. He not only strove unceasingly all his life to uplift the condition of the people of India, but he strove all his life to place such ideals before the whole world to follow as would usher in a better and a happier world to live in. By his death we feel desolate to-day; but we hope that his spirit will be working in us and lead us to such activities as are necessary to bring in days of happiness and prosperity to our country.

By the death of the late Maharaja of Manipur, this Province has indeed lost a great wellwisher and a friend. Although I was not personally acquainted with him, I had occasion to know of many of his noble deeds. He was really the ruler of that part of Indian India in the neighbourhood of this province which is inhabited by people of a very ancient race of whom we read even in the Mahabharata. As the Hon'ble Premier has said, the late

Maharaja was a greatly religious man and from what I learnt about him from time to time I got the conviction that he was really a ruler who always thought of the good of his people and of the good of this province also. In mourning his death, we really mourn the loss of a scion of an ancient line of ruling princes in India.

Lord Willingdon, whose death has been mentioned in this condolence motion, was no doubt considered to be a strong ruler, but all the same, he served India in several capacities. He was twice Governor of two Provinces and he retired from India as Viceroy and Governor-General of India. Although we had differences of opinion in respect of the manner of his administration, as the Leader of the Opposition has said, we do feel that he was one who also thought of the good of India and it is said that he also differed with many of the Britishers with regard to the manner in which India's independence should be helped. He had his own ideas and those ideas were certainly to elevate the lot of the Indian people.

Then, coming to speak of the death of late Babu Suresh Chandra Das, I really feel that by his death I have sustained a great personal loss. I had such intimate and personal relations with him that I had opportunities to know of the qualities of head and heart that he possessed. Although he was a member of the Provincial Executive Service for the best part of his life, yet, I may say that in discharging his duties as a member of that Service he was one who never compromised with his conscience. I know of several occasions when he acted according to his own conscience, although necessities of the administration pulled him in a different direction. By his death the Province has certainly lost a devoted public man and an earnest worker for the cause of the country.

The late Mr. Gurusaday Dutta, was indeed a great man in the sense that he was a real patriot who always thought of the good of his own country. He was a member of the Indian Civil Service and of him it can be said that he was a man of great independence of character. The Bratachari Movement and the Soraj Nalini Association which he started are the real monuments which he raised to his own memory and we all know what time, money and energy he spent for the growth of these two institutions. These two movements really show what a real patriot he was. Certainly, India is poorer to-day by the death of such a man.

Then, about the late Raja Abhoy Narayan Deb. Although I was not acquainted with him, I know that he was really a true scion of an old family and by his death, certainly this Province has lost one, who was one of the premier noble men of the Province. I share the grief of his heir, the hon. Raja Ajit Narayan Deb our colleague in this House and on behalf of the House I offer sincere condolences to him.

I would like that, to show our respect to the memory of those personalities, hon. members should rise in their seats and remain silent for two minutes.

(All the hon. members present then stood in silence for two minutes).

As it is the desire of the House that we should have no further business to-day, the House would stand adjourned till 11 A.M. tomorrow the 2nd December 1941. I should inform the House that copies of this condolence motion will be sent to the members of bereaved families.

Adjournment.

The Assembly was then adjourned till 11 A.M. on Tuesday, the 2nd December 1941.

Shillong :

The 23rd December 1941.

A. K. BARUA,

Secretary, Legislative Assembly, Assam.

Appendix J

NOTE ON THE PRESENT FINANCIAL SITUATION OF THE PROVINCE WITH REFERENCE TO THE ACTUAL RECEIPTS AND EXPENDITURE OF THE YEAR 1940-41 AS COMPARED WITH THE REVISED FOR THE YEAR

I.—SUMMARY

	Revised	Actuals	Results + or -
	Trs.	Trs.	Trs.
Revenue Receipts	3,15,27	3,29,26	+ 13,99
Capital, Debt and Deposit head receipts ...	5,33,93	5,93,00	+ 59,07
Total receipts	8,49,20	9,22,26	+ 73,06
Opening balance	46,39	46,39	...
Grand total	8,95,59	9,68,65	+ 73,06
Revenue Expenditure	3,18,23	3,11,82	- 6,41
Capital, Debt and deposit head expenditure	5,25,89	5,85,73	+ 59,84
Total expenditure	8,44,12	8,97,55	+ 53,43
Closing balance	51,47	71,10	19,63

1. The revised estimates for the year 1940-41 which were prepared in January last, placed the receipts for the year at Trs. 8,49,20 and the expenditure at Trs. 8,44,12, thus anticipating a closing balance of Trs. 5,08. The final accounts of the year, however, show that receipts amounted to Trs. 9,22,26 and charges to Trs. 8,97,55, thus resulting in a surplus closing balance of Trs. 24,71. This difference in the closing balance was due to better results under two of the principal revenue heads namely "Taxes on Income other than Corporation Tax" (Trs. 22,65) and "Forests" (Trs. 3,20), partly counterbalanced by decreases under "Land Revenue", "Provincial Excise" and "Civil Works". On the whole, the excess of expenditure charged to revenue over revenue which was estimated at Trs. 2,96 in the revised turned into an excess of revenue over expenditure amounting to Trs. 17,44.

II.—REVENUE

2. The revised estimates and the final actuals for the year 1940-41 are compared in the following table:—

	Revised	Actuals	Results	
			+	—
	Trs.	Trs.	Trs.	Trs.
I.—Customs	11,50	10,59	...	91
IV.—Taxes on Income other than Corporation Tax.	24,82	47,47	22,65	...
V.—Salt	...	...	...	...
VII.—Land Revenue	1,26,35	1,23,35	...	3,00
VIII.—Provincial Excise	33,33	32,75	...	56
IX.—Stamps	15,93	15,79	...	14
X.—Forest	21,18	24,38	3,20	...
XI.—Registration	2,38	2,13	...	25
XII.—Receipts under Motor Vehicles Taxation Act.	4,62	4,55	...	7
XIII.—Other taxes and duties	3,76	3,69	...	7
XVIII.—Navigation, etc.	...	...	...	...
XX.—Interest	52	49	...	3
XXI.—Administration of Justice	1,92	2,00	8	...
XXII.—Jails and Convict Settlements	47	40	...	7
XXIII.—Police	42	44	2	...
XXIV.—Ports and Pilotage...	...	...	...	...
XXVI.—Education	3,93	3,98	5	...
XXVII.—Medical	1,94	1,92	...	2
XXVIII.—Public Health	2,17	1,96	...	21
XXIX.—Agriculture	1,18	92	...	26
XXX.—Veterinary	45	41	...	4

	Revised	Actuals	Results	
			+	-
	Trs.	Trs.	Trs.	Trs.
XXXI.—Co-operation	12	10	...	2
XXXII.—Industries	38	47	9	...
XXXIV.—Miscellaneous Departments ...	50	53	3	...
XXXIX.—Civil Works	22,76	16,19	...	6,57
XLIV.—Receipts in aid of Superannua- tion.	22	22	...	...
XLV.—Stationery and Printing ...	49	50	1	...
XLVI.—Miscellaneous	3,88	3,98	10	...
Charges in England	1	...	...	1
XLIX.—Grant-in-aid from Central Go- vernment.	30,00	30,00	...	...
L.—Miscellaneous adjustment between Central and Provincial Govern- ments.	4	3	...	1
Total Revenue heads ...	3,15,27	3,29,26	26,23	12,24
			+13,99	
N.—Public Debt	1,00,00	1,00,00	...	...
O.—Unfunded Debt—				56
State Provident Fund	17,54	16,98	...	4,61
Deposits not bearing interest ...	19,82	15,21	...	...
Depreciation Reserve Fund—				3
Government Press	12	14	2	...
General Police Fund	11	8	...	...
Deposits of Local Funds—				10
District Funds	38,00	38,66	66	...
Other Funds	10,35	10,25	...	...
Departmental and Judicial deposits ...	38,19	33,81	...	4,38
Advances	10,44	10,49	5	...
Suspense	75,15	79,02	3,87	...
Loans and advances by the Provincial Government.	5,63	5,12	...	51
Remittances within India	2,13,58	2,83,24	64,66	...
Total Capital, debt and deposit heads	5,33,93	5,93,00	69,26	10,19
			+59,07	
Grand Total	8,49,20	9,22,26	95,50	22,44
			+73,06	

The more important variations are explained below:—

I. *Customs* (—Trs.91).—Owing to the decrease in this Government's share of the export duty on jute.

IV. *Taxes on Income* (+Trs.22,65).—Due to larger receipts from the Assam Agricultural Income-tax than was anticipated in the revised as a result of tea gardens making advance payments on account of 1940-41 before assessments were completed, in addition to payments for 1939-40,

VII. *Land Revenue* (—Trs.3,00).—The decrease is mainly due to fall in collections under 'Temporarily-Settled Estates'. The amount of arrear collections due had also fallen.

VIII. *Provincial Excise* (—Trs.56).—Due to fall in the consumption of country spirit.

X. *Forests* (+Trs.3,20).—Owing to increased demand for timber for war supply and also due to increased prices for the sale of timber as a result of the war.

XXXIX. *Civil Works* (—Trs.6,57).—Due to smaller subvention from the Central Road Development account as a result of restrictions imposed by the Central Government owing to the war.

Capital and Debt heads (+Trs.59,07).—Receipts and expenditure under these heads are of a fluctuating nature and accurate estimates are not possible. An increase or decrease in receipt is followed by a similar increase or decrease in expenditure.

III. — EXPENDITURE

3. Revised estimates and the final actuals for the year 1940-41 are compared below in the following table:—

	Revised	Actuals	Results	
			+	—
	Trs.	Trs.	Trs.	Trs.
4. Taxes on Income other than Corporation Tax.	33	31	...	2
7. Land Revenue	16,20	15,81	...	39
8. Provincial Excise...	3,70	3,80	10	...
9. Stamps	43	51	8	...
10. Forests	12,52	12,48	...	4

	Revised	Actuals	Results	
			+	-
	Trs.	Trs.	Trs.	Trs.
11. Registration	1,55	1,53	...	2
12. Charges on account of Motor Vehicles Taxation Act.	2,78	2,58	...	20
13. Other Taxes and duties	2	1	...	1
18B. Navigation, Embankment and Drainage Works.	113	71	...	42
22. Interest on debt and other obligations	7,60	7,37	...	23
23. Appropriation, etc.	2,46	2,46	...	...
25. General Administration	34,22	34,22	...	...
27. Administration of Justice	9,35	9,55	20	...
28. Jails and Convict Settlements	5,02	5,30	28	...
29. Police	31,94	32,44	50	...
30. Ports and Pilotage	2	2	...	...
36. Scientific Departments	7	7	...	...
37. Education (European)	80	} 41,09	...	1
37. Education (other than European)	40,30			
38. Medical... ..	14,65	14,66	1	...
39. Public Health	8,70	9,00	+30	...
40. Agriculture	6,34	6,49	15	...
41. Veterinary	1,87	1,92	5	...
42. Co-operation	95	98	3	...
43. Industries	2,83	2,80	...	3
47. Miscellaneous Departments	95	92	...	3
50. Civil Works	61,73	56,03	...	5,70
54A. Famine Relief	15	8	...	7

	Revised	Actuals	Results	
			+	-
55. Superannuation allowances and pensions	23,62	22,74	...	88
56. Stationery and Printing	3,30	3,12	...	18
57. Miscellaneous	21,68	21,82	14	...
63. Extraordinary charges	1,00	1,00	...	...
Total Revenue heads	3,18,23	3,11,82	1,84	8,25
			-6,41	
83. Payment of commuted value of pensions	2,01	2,03	...	58
85. Payments to retrenched personnel	...	...	...	...
N.—Public Debt	1,00,00	1,00,00	...	...
Unfunded Debt				
State Provident Fund	11,38	11,71	33	...
Deposits not bearing interest	19,78	14,60	...	5,18
Depreciation Reserve Fund—Government Press.	12	25	13	...
General Police Fund	11	13	2	..
Deposits of local funds—				
District funds	38,00	38,12	12	...
Other funds	10,35	10,41	6	...
Departmental and Judicial deposits	38,62	34,06	...	4,56
Advances	10,48	10,43	...	5
Suspense	75,15	83,66	8,51	...
Loans and advances by the Provincial Government.	3,47	1,91	...	1,56
Remittances within India	2,15,82	2,78,42	62,60	...
Total Capital, Debt and Deposit heads	5,25,89	5,85,73	71,71	11,93
			+ 59,84	
Grand Total	8,44,12	8,97,55	73,61	20,18
			+ 53,43	

The more important variations are explained below :

7.—*Land Revenue* (+ Trs.39).—Mainly due to lesser charges on account of Land Revenue Collections and other petty reasons.

18B.—*Navigation, etc.* (- Trs.42).—Decrease due to lesser expenditure on works taken up by the new Embankment and Drainage Division for activities in the matter of flood control and irrigation channels.

28.—*Jails and Convict settlements* (- Trs.28).—Due to increased expenditure owing to the rise in prices of food-stuffs.

29. *Police* (+ Trs.50).—The increase is mainly due to restoration of a part of the staff in the Criminal Investigation Department which had been retrenched in 1937 and increase under other heads due to various reasons.

39. *Public Health* (+ Trs.30).—The increase is due to larger expenditure on epidemic diseases.

50. *Civil Works* (- Trs.5.70).—Due to smaller expenditure on works financed from the petrol tax and other Central Government grants as a result of restrictions placed by India on such expenditure owing to the War.

55. *Superannuation allowances and pensions* (+ Trs.88).—Due to smaller charges drawn in England owing to the death of certain pensioners.

IV—1941-42

4. *Prospects for 1941-42.*—The total provincial revenue receipts for the first half year amounted Trs.1,34,03 as compared with Trs.1,38,76 during the corresponding period of 1940-41. The decrease of Trs.4,73 during the current year is due to less collection of Agricultural Income-tax (Trs.5,56), owing to late assessment of tax during the first part of the year, Land Revenue (Trs.1,57) owing to floods, Provincial Excise (Trs.1,57) due to fall in the consumption of country spirit and Stamps (Trs.1,05) due to establishment of more Debt Conciliation Boards, counterbalanced by an increase of Trs.5,13 under "Forests" as a result of War demands. It is not impossible at this stage to say accurately what the actual position at the end of the year will be, but the total revenue is likely to be lower than estimated in the original budget by about 3 lakhs.

The expenditure under revenue heads during the first half of the year amounted to Trs.1,51,82 against Trs.1,41,82 during the corresponding period of last year. The variation between the two years' actuals is the result of variations under different heads and due to the drawal of two months' pay in the month of September 1941 owing to the Puja vacation continuing till the 6th October 1941.

In the Budget for the current year a sum of Trs.50 was provided for gratuitous relief and Trs.50 for agricultural loans. To meet the demands in the flood-affected parts of Sylhet and Cachar and some parts of the Assam Valley a sum of Trs.1,73 has already been sanctioned for gratuitous relief and Trs.5,70 for agricultural loans. Another 2 lakhs are likely to be needed for each of these purposes to meet the requirements of the rest of the year. Owing to rise in prices of food-stuff as a result of War, Government have sanctioned grain compensation allowance of one anna per rupee to all Government servants drawing a pay of less than Rs.30 a month and a sum of about Trs.2,00 will be required for this purpose during the current year. A sum of Trs.2,00 will also be required to carry out flood damage repairs to Public Works Department roads. There is likely to be some increased expenditure under certain other heads due to various reasons, but it is difficult to estimate accurately what the increase will amount to.

It is thus apprehended that the revenue deficit of Trs.11,89 estimated in the original budget will be increased to about Rs. 1 lakhs.

Dated Shillong :

A. G. PATTON,

The 22nd November, 1941.

*Secretary to the Government
of Assam, Finance Department.*

APPENDIX K.

The 7th May 1941.

No 1244-L.S-G.(B).—In exercise to the powers conferred by section 296 of the Assam Municipal Act, 1923 (Assam Act I of 1923), as subsequently amended, the Governor of Assam is pleased to make the following amendments in the Municipal Form No.1.—Budget estimate—in Part I of the Municipal Account Rules published with Notification No. 1041-E., dated the 3th March 1924:

Delete the heading “6. Fees on musical processions” under item “(B)” and *add* a new heading “9. Licence fees under the Act” under item “(A)” renumbering the present heading “9” as “9a”.

C. B. G. PAINE,

Secretary to the Govt. of Assam in the Edn. & L. S.-G. Depts.

The 8th October 1941.

No.3048-L.S.-G.(B). In exercise of the power conferred by section 296 of the Assam Municipal Act, 1923 (Assam Act I of 1923), as subsequently amended, the Governor of Assam is pleased to make the following amendments in Part VII of the rules published with the Notification No 1041-E., dated the 8th March 1924:—

Rule 3 (a).—Delete the words "or a member of the Subordinate Engineering Service, who has crossed the efficiency bar."

Rule 4.—For "Sub-Engineer" in the second line paragraph 11 substitute "Assistant Engineer".

For the full stop at the end of the first paragraph put a comma and add the following:—

"or a certificate showing that he has passed the B.E. degree or any other engineering degree which in the opinion of the Chief Engineer is at least equivalent to a B. E. Degree".

C. B. C. PAINE,

Secretary to the Govt. of Assam in the Edu. & L.S.-G. Deptt.

ASSAM LEGISLATIVE ASSEMBLY
GOVERNMENT OF ASSAM
GOVERNOR OF ASSAM

His Excellency Sir ROBERT NIEL REID, K.C.S.I., K.C.I.E., I.C.S.

MEMBERS OF THE COUNCIL OF MINISTERS

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10. The Hon'ble Srijut RUPNATH BRAHMA, B.L., in charge of Forest Department.