

Letter of the ...
of the ...
the ...
the ...
the ...

In the ...

...

...

...

...

...

**Proceedings of the Seventh 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
Saturday the 16th March, 1940

PRESENT

The Hon'ble Mr. Basanta Kumar Das, Speaker in the Chair, the ten
Hon'ble Ministers and 96 members.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(to which oral answers were given)

**Damage to crops, cattle and human lives by the sudden onrush of
water on the 27th September 1939 in Goalpara district**

Maulavi MUHAMMAD AMJAD ALI asked :

*175. Will Government be pleased to state—

- (a) Whether Government is aware that on the 27th September 1939, there was a sudden onrush of water from the Garo Hills which swept away men, cattle, houses and growing crops from an extensive area extending from Agia right up to Boko and the terraces of the Garo Hills ?
- (b) Whether Government received any report about it from the local authorities ?
- (c) If so, when and what are its contents ?
- (d) Whether it is a fact that many cattle died and there was also loss of human lives on account of this flood ?
- (e) If so, will Government be pleased to state the number of (i) cattle and (ii) men died and (iii) the names of villages in which these deaths took place ?
- (f) Whether it is a fact that many people are now homeless as a result of this sudden flood ?
- (g) Whether Government propose to consider the desirability of giving the stricken people relief in the shape of gratuitous distribution of seed grains and agricultural loans ?
- (h) How many of the affected villages fall within Bijni Ward's Estate and how many within the Mechpara Ward's Estate ?
- (i) Whether Government issued any instruction to the Managers concerned to arrange and give relief to the stricken tenants ?
- (j) If not, do Government propose to do it now ?
- (k) Whether Government has taken any steps to ascertain the cause of this sudden onrush of water ?
- (l) If not, do Government propose to do it now with a view to prevent its recurrence in future ?

- (m) Whether Government has received any representation from the people of the affected parts ?
- (n) If so, what steps do Government propose to take to meet their prayers ?
- (o) Is it a fact that the Hon'ble Prime Minister and the Hon'ble Finance Minister visited Boko just after this incident ?
- (p) If so, why did they not go to Habraghat ?
- (q) Will Government be pleased to state the extent of the area and the quantity of cultivated lands affected by this onrush of water ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN
replied :

175. (a)—There was a flood on the 27th September 1939, and it is reported that some damage was done.

(b)—Yes.

(c)—On 6th October 1939. A copy of the report received has been placed on the Library Table.

(d) & (e)—No loss of human life is reported from either of the Estates. As for cattle, 101 are said to be missing or dead in the Habraghat Parganah of Bijni and 10 in the Mechpara *elaka* as per details given below :—

In Bijni Raj Ward's Estate	...	(1) Athiabari (Bekali)	...	16	cattle
		(2) Sildubi (Bekali)	...	9	"
		(3) Lokmakundi (Damra)	...	34	"
		(4) Dahela (Damra)	...	14	"
		(5) Karkashi (Dalgoma)	...	28	"
				<hr/>	
				101	"
				<hr/>	
In Mechpara Ward's Estate	...	(1) Nadrikona	...	10	cattle

(f)—No.

(g)—Local officers rendered such help as was necessary in the shape of gratuitous relief and agricultural loans.

(h)—Five villages in Bijni and 14 in Mechpara.

(i) & (j)—Government sanctioned Rs.5,000 from Bijni and Rs.5,000 from Mechpara Ward's Estate Funds for Agricultural and Seed loans. Rupees 5,000 and Rs.2,500 have been distributed as agricultural loans by the Bijni Raj and Mechpara Wards' Estates respectively and these amounts are said to have served the purpose.

(k) & (l)—Heavy rainfall in the Garo Hills was the cause of this flood.

(m) & (n)—Representation was received from the Bekali Dihi Congress Committee. Relief in the shape of remission of rents, suspension and withdrawal of certificate cases have also been granted to those who deserved this. Besides this, Rs.5,000 has been sanctioned from each of Bijni and Mechpara Wards' Estates Funds for Agricultural loans.

(o) & (p)—The then Hon'ble Prime Minister and the then Hon'ble Finance Minister visited some of these flood-affected areas but Government have no information why they did not visit Habraghat.

(q)—Forty square miles in Bijni and 25 square miles in Mechpara were affected. The quantity of cultivated lands affected was 9,232 *bighas* in Bijni and 1,143 *bighas* in Mechpara.

Srijut PARAMANANDA DAS: Will the Hon'ble Minister please say whether the amounts of Rs. 5,000 from Bijni and Rs. 2,500 from Mechpara Estates have been actually lent?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: I have already replied that Rs. 5,000 and Rs. 2,500 respectively have been spent.

Srijut PARAMANANDA DAS: Whether that amount has been actually lent?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: Yes.

Professional Grazing Reserves of the Barpeta Subdivision

†**Srijut KAMESWAR DAS** asked :

*176. Is it a fact that numerous meetings are being held in the Barpeta Subdivision in the immigrant areas and rumours spread that the reserves are being opened up for settlements of the lands therein by the Government?

*177.(a) Is it a fact that the professional grazing reserves of the Subdivision are being occupied by hordes of immigrants since about October last?

(b) If so, have Government taken any steps to prevent further encroachment?

(c) What steps have Government taken to drive out also those who are there since, say, October last?

*178. Is it a fact that the said encroachers already possess adequate quantities of lands elsewhere in the Subdivision some possessing more than several hundred *bighas*?

*179.(a) Do Government propose to allow encroachments to continue during any enquiry that they may set up on the matter?

(b) If so, why?

(c) If not, what steps do Government propose to take to stop encroachments and trespass?

*180. Is it a fact that immigrants are being allowed to take up lands without any restrictions, in many of the tribal villages of the Gabardhana, Kharija Bijni and Howli Mouzas of the Barpeta Subdivision and that the tribal people of many of these villages are about to leave their villages owing thereto?

*181. Is it a fact that the tribal people of the Gabardhana Mouza are petitioning the Government from time to time not to allow the immigrants to settle in and near their villages and that Government are taking no steps in that direction?

*182. Is it a fact that numerous Kachari people of Gabardhana Mouza have been compelled to leave the mouza and go towards the Mangaldai side?

*183. Will Government be pleased to state the steps they propose to take with respect to protection of the interests of these tribal people of the Gabardhana, Kharija Bijni and Howli Mouzas?

†Questions were put by Srijut Ghanashyam Das during the temporary absence of the questioner on authorization.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

176.—Government have no information.

Srijut GHANASHYAM DAS : Is it a fact that the Government deputed a Criminal Investigation Department Stenographer to attend those meetings ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : Government have no information.

Srijut GHANASHYAM DAS : If the Government evade answer like this, there is no help. I personally know that Government deputed some Criminal Investigation Department Stenographer to attend those League meetings ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

177.(a) to (c).—Government have received some telegrams to that effect and the Local Officers have been asked to enquire into the matter and take immediate action.

Srijut PURNA CHANDRA SARMA : When the first of these telegrams was received ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : I am not aware of that.

Srijut PURNA CHANDRA SARMA : When Government started taking action in this matter ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : I have been receiving these telegrams since about a month.

Srijut PURNA CHANDRA SARMA : What action has been taken by the Government ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : I have already replied that the telegrams have been sent to the Deputy Commissioner for immediate action.

Srijut PURNA CHANDRA SARMA : Has any action been reported by the Deputy Commissioner ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : Yes, action is being taken.

Srijut PURNA CHANDRA SARMA : What is the action which is being taken by the Deputy Commissioner ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : Action to prevent all these encroachments.

Srijut PURNA CHANDRA SARMA : Has anybody been evicted so far ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : Yes, Sir.

Srijut PURNA CHANDRA SARMA : Where is it, Sir ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : I cannot give that information off-hand, Sir. I require notice of that question.

Srijut PURNA CHANDRA SARMA : Then how Government knows that action has been taken so far ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : We have received information from the Deputy Commissioner that he has taken action.

Srijut PURNA CHANDRA SARMA : In what particular area action has been taken by the Deputy Commissioner ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: In the Barpeta area,

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

178.—Government have no information.

Srijut GHANASHYAM DAS: How long Government will have no information? (*Laughter*).

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: The question is "Is it a fact that the said encroachers already possess adequate quantities of lands elsewhere in the subdivision some possessing more than several hundred *bighas*?" This is a matter for enquiry and enquiry is being made in the matter.

Srijut GHANASHYAM DAS: How long Government will take to enquire into this matter?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: I cannot say.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

179.(a), (b) and (c).—Government have issued orders to stop the encroachments.

180.—No. As regards the later portion of the question Government have no information.

Srijut GHANASHYAM DAS: Have not the tribal people applied to Government on this matter?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: Yes, some representations have since been made to me.

Srijut GHANASHYAM DAS: What action Government has taken on those applications?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: Necessary action is being taken.

Srijut GHANASHYAM DAS: Has any action been taken by Government in any case of eviction?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: Yes Sir.

Srijut GHANASHYAM DAS: Where, Sir, and in what particular area of the Barpeta subdivision?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: The action has been taken in one area called Fengua. Eviction is taking place there.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

181.—Yes, certain petitions have been received. As the present Government policy has not yet been decided, no action could be taken.

182.—Government have no information.

183.—At present Government have asked the Deputy Commissioner to stop encroachment. The general question however will be determined by the decision on the Line System policy.

Srijut GHANASHYAM DAS: Sir, there is no question here on the Line System policy but this is a question with regard to closed village and Government should answer in that light.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: Certainly this question is connected with the Line System because some of the tribal people have sold their lands to the immigrants and they are now in occupation of these lands.

Srijut GHANASHYAM DAS: This is a question of closed villages and here the question of Line System should not come in. Is it not the policy of the Government to protect these villages?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: I am not prepared to argue with the hon. member.

The Hon'ble the SPEAKER: Yes.

Tours of the Hon'ble Ministers of the last Congress Coalition Ministry

Maulavi ABDUR RAHMAN asked :

*184. Will Government be pleased to state—

- (a) The different occasions on which the Hon'ble Premier and the Hon'ble Finance Minister travelled outside this province from March 1939 to October 1939?
- (b) The amount they drew on each occasion as their travelling allowance?
- (c) The nature of work, each of the said Hon'ble Ministers performed on each occasion?

*185.(a) Is it a fact that the Hon'ble Minister in charge of Agriculture, etc., and the Hon'ble Minister in charge of Industries, etc., made extensive tours in their respective subdivisions during the said period?

(b) If so, what works did they perform in their own subdivisions?

*186. Will Government be pleased to state on how many times, the Hon'ble Agriculture Minister visited his home subdivision within the last six months?

*187.(a) Is it a fact that the Hon'ble Minister in charge of Local Self-Government, etc., and the Hon'ble Minister in charge of Public Works Department did not make any tour from March to October 1939?

(b) Is it a fact that whenever they left Shillong during the said period, they did so on private affairs?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

184.(a), (b) and (c)—A statement is laid on the table.

Statement referred to in reply to starred question No.184(a), (b) & (c)

1	2	3	4
Journey outside the Province		Amount drawn as travelling allowance	Purpose of the journey
Hon'ble Prime Minister ...	Calcutta	Rs. a. p. 169 10 0	Attended the Jute Conference at Calcutta.
	Ditto	155 14 0	} Journey to Calcutta in connection with the labour trouble at Digboi.
	Ditto	167 2 0	
	Poona	472 10 0	} To attend the Prime Ministers' Conference at Poona.
Hon'ble Minister, Finance ...	Calcutta	182 12 0	Journey to Calcutta in connection with the labour trouble at Digboi and Assam Agricultural Income-tax Bill.

185.(a)—No.

(b)—Does not arise.

186.—So far the former Minister of Agriculture was concerned once only.

187.(a)—The late Hon'ble Minister, Local Self-Government, made a tour of inspection in the Assam Valley from the 1st to 8th September 1939 and the late Hon'ble Minister, Public Works Department, attended the Madrasa Conference at Sylhet from the 14th to 19th August 1939.

(b)—Does not arise.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Detailed reports of the flood that occurred in the South Bank of the Goalpara Subdivision on the 27th September 1939 of the

Srijut JOGENDRA CHANDRA NATH asked :

175. Will Government be pleased to state—

(a) Whether they called for detailed reports of the flood that occurred in the south bank of the Goalpara Subdivision on the 27th September last ?

- (b) The number of persons that died as a result of this flood ?
- (c) How and where they died ?
- (d) The number of cattle that died or are missing, by giving exact figures for each village, in the different Dihis of the Habraghat and the Mechpara Parganas ?
- (e) The approximate quantity of paddy in maunds lying in the granaries of the villagers that were washed away or destroyed in the affected areas by the said flood ?
- (f) How many bighas of 'Farma', 'Ashu' and 'Jute' crops were lost in this flood in the affected areas ?
- (g) How many bighas of 'Sali' crops in each Dihi of the affected areas have been totally destroyed ?
- (h) Whether Government was appealed to, for relief of any kind for the purpose ?
- (i) If so, the nature of the relief the Government gave ?
- (j) Whether Government is aware of the fact that there is discontent prevailing in the whole area for neglecting to take any relief measure by the Government ?
- (k) Whether it is a fact that the people of Athiabari, Sildubi, Jira, Dilma (Garo Hills), Tarangthop, Daglapara, Chandamari, Garkuta, Baikunthapur and many other villages are on the verge of starvation ?
- (l) Whether this fact was brought to the notice of the Government ?
- (m) If so, by whom ?
- (n) What steps Government have taken since then to relieve the distressed people ?
- (o) Whether it is a fact that the authorities were petitioned for immediately suspending institution of certificate cases for realising arrears of rents by the Bijni and the Mechpara Court of Wards' Estates ?
- (p) If so, do Government propose to take early steps in this direction ?

176. Will the Hon'ble Minister in charge of Court of Wards be pleased to state—

- (a) Whether he received any petition to ascertain the exact nature of the damage done to 'Sali' crops in the different dihis of the Habraghat Pargana of the Bijni Estate and the other dihis of the Mechpara Estate by the said flood ?
- (b) Whether any survey has been made by the estate officers to collect figures of the damage and loss done by the flood ?
- (c) If not, why ?
- (d) Whether Government is aware that the raiyats whose crops have been totally destroyed, will be devoid of any means of paying their rent ?
- (e) If so, do Government propose to give remission of rent to them for the current year ?
- (f) If not, why not ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

175. (a)—Government received a report from the Commissioner, a copy of which has been placed on the Library table. A report was also received from the hon. member as President of the District Congress Committee and

it was forwarded to the Deputy Commissioner for verification and rendering such assistance as was considered necessary.

(b)—No human life was reported to be lost.

(c)—Does not arise.

(d)—

	Village	Dihl	No. of cattle died or missing
Bijni Estate	Athiabari	Bekali	16
	Sildubi	"	9
	Lokmakhundi	Damra	34
	Dahela	"	14
	Karkashi	Dalgoma	28
Mechpara	Nadrikona	Nibari	10

(e)—In Bijni 357 maunds. In Mechpara nil.

(f)—

In Bijni	Farma	180 Bighas.
	Ashu	50 "
	Jute	20 "
In Mechpara	Nil.	.

(g)—In Bijni the Sali crop was partially affected in the following dihis—

Krishnai Dihl	2,192 Bighas.
Damra "	29 "
Rangjuli "	548 "
Bekali "	334 "
Dalgoma "	224 "

Total destruction of crop does not appear to have taken place in any dihi or in any village of Bijni.

In Mechpara the Sali crop covering the following area was totally destroyed, viz., 566 bighas in Garkuta village and 284 in Gendra village.

(h) and (i)—The hon. member's attention is drawn to reply given to starred question No. 175(m) and (n) asked by Maulavi Md. Amjad Ali in the current session.

(j)—Government have no information.

(k)—No.

(l), (m) and (n)—Do not arise.

(o) and (p)—The report submitted by the hon. member contained a resolution asking for suspension of institution of certificate cases. No action was taken on it by the then Government as it was probably held that local officers will take steps where necessary: in a subsequent report that local Deputy Commissioner, it has been stated that relief in the shape of remission of rent, suspension and withdrawal of certificate cases have been granted to those who really deserved it.

176. (a)—It does not appear that any such petition was received.
(b) and (c)—Local enquiry was made by the Manager who reports that field to field enquiry for remission of rent will be made later.

(d)—No.

(e)—Does not arise.

(f)—Tenants may have other means of paying their rent.

Assam Ayurvedic Vidyapith at Gauhati

Srijut GAURI KANTA TALUKDAR asked :

177. Is the Hon'ble Minister-in-charge of the Medical Department aware that an Ayurvedic College called Assam Ayurvedic Vidyapith has been started at Gauhati by the public and that the Institution is imparting knowledge of Ayurvedic system of treatment and science to the youths who cannot afford to go to Calcutta and other distant places for the purpose ?

178. Will Government be pleased to state—

- (a) Whether on receipt of a copy of the resolution of the public meeting proposing to start an Ayurvedic College at Gauhati the Government by their letter No. 7028-L.S.-G., Medical Branch, dated the 25th September 1939, enquired of Srijut Taranath Chakravarty, Secretary of the Assam Ayurvedic College, as to whether the College had been started and about the details of expenditure, etc. ?
- (b) Whether the Secretary by his letter dated the 3rd October 1939 furnished Government with all the necessary information sought for and requested the Government to keep the Institution with recurring and non-recurring grants ?
- (c) Whether it is a fact that thereupon the Government by their letter No. 7805-L.S.-G., Medical Branch, informed the Secretary of the Vidyapith that the Government regretted their inability to make a grant to the Assam Ayurvedic Vidyapith until it shows more signs of life ?

179. Will Government be pleased to state—

- (a) Whether Government have received a fresh application dated the 26th January 1940 for grants from the Secretary of the said Institution addressed to the Hon'ble Minister-in-charge of Local Self-Government Department together with a copy of the Inspector's Remarks of the Hon'ble Premier of the last Government and also a copy of the Resolution No. 8 of the Assam Ayurvedic Mahasabha urging upon the Government to grant some aid to the said Vidyapith ?
- (b) Whether Government give any aid to any public Institution in the Province that teaches the knowledge of Ayurvedic treatment and science ?
- (c) If so, what are the names of these Institutions and how much each get ?

180. Will Government be pleased to state —

- (a) Whether there are any public Schools or Colleges in the Assam Valley that impart knowledge in Ayurvedic system of treatment except the said Vidyapith ?
- (b) If the answer to question No. 180(a) is in the affirmative, where are they ?

181. Do Government propose to start a Government School or College to remove this want ?

182. Do Government propose to grant aid to the Assam Ayurvedic Vidyapith started by the public ?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY replied :

177.—Yes.

178. (a)—Yes.

(b)—Yes.

(c)—Yes.

179. (a)—Yes.

(b)—No, except a sum of Rs. 75 by the late Hon'ble Prime Minister from his discretionary allotment to this Vidyapith.

(c)—Does not arise.

180. (a)—The reply is in the negative.

(b)—Does not arise.

181.—Not so far.

182.—No. Until it shows more signs of life.

Srijut GAURI KANTA TALUKDAR: In connection with a cut motion, the Hon'ble Premier gave assurance the other day that he will give some grants to the Ayurvedic Vidyapith. In view of the assurance, may we know whether Government propose to consider this question?

The Hon'ble the SPEAKER: Why is this question again? The Hon'ble Premier has given his assurance and it should be presumed that his colleague will be instructed accordingly.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Sir, I will reply to his question. I shall take up the opportunity to visit this institution when I visit Gauhati next time and then I will decide about grant-in-aid.

Srijut GAURI KANTA TALUKDAR: Did not the Hon'ble Premier give an assurance about this the other day?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I said about the subsidised dispensaries where treatment will be under Ayurvedic and Unani systems. The present Ayurvedic Vidyapith will be given no aid until we see how it functions.

Supply of C. I. pipe Culverts for village roads in the South Sylhet Subdivision

Babu DAKSHINARANJAN GUPTA CHAUDHURI asked :

183. Will Government be pleased to state—

(a) Whether Government has received any proposal for loan from the South Sylhet Local Board for supplying C. I. pipe Culverts for village roads in the South Sylhet subdivision of the Sylhet district?

(b) If so, what action, if any, has Government taken on that proposal?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI replied :

183. (a)—No.

(b)—Does not arise.

Grants to all unaided Middle English Schools of the Sylhet district

Babu DAKSHINARANJAN GUPTA CHAUDHURI asked :

184. (a) Are Government aware that grants to Middle English Schools by Local Boards, have been withdrawn under the direction of the Government ?

(b) If so, will Government be pleased to state the number of Middle English Schools aided and unaided respectively in the various subdivisions of the Sylhet district ?

(c) Do Government propose to give grants to all unaided Middle English Schools of the Sylhet district ?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI replied :

184. (a)—Government have not directed withdrawal of grants-in-aid to Middle English Schools by Local Boards. The question of continuing a grant or its withdrawal rests primarily with the Board concerned. In case the latter should decide to discontinue a grant, the Government have advised that one full year's notice should be given to the school authorities concerned.

(b)—Does not arise.

(c)—The cases of these schools will be considered along with those of other deserving institutions if and when the provision in next year's budget for aiding Secondary Schools is passed.

Throwing open of two new blocks to Mymensingia Immigrants in the Naobaisa Mauza in North Lakhimpur

Srijut SARVESWAR BARUA asked :

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

(a) Whether two new blocks have been thrown open for settlement to Mymensingia Immigrants in the Naobaisa Mauza in North Lakhimpur ?

(b) If so, what is the area in each block and for how many families it is intended ?

(c) Whether the said blocks have been demarcated on the spots ?

(d) If so, when ?

(e) The boundaries of each block and its distance from the neighbouring Miri villages—with the names of the latter ?

(f) Whether any Miri hamlets have fallen within those blocks ?

(g) If so, whether the Miri settlers of those hamlets have been asked to go away selling the lands to the immigrants ?

(h) Whether some Assamese settlers occupying lands (in some cases holding *pattas* and in others having their houses and homesteads) within the block now being demarcated for the Namasudra Immigrants, are being asked to vacate those lands ?

(i) If so, why ?

Dec 1 - 1951 Block

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

185. (a)—Yes.

(b)—The area of one block is 9,340 *bighas* and the other 4,000 *bighas* for settlement with Mymensingh Muhammadan and Namasudra immigrants respectively. Generally the allotment for each family is 30 *bighas*. If we take this as the standard it comes to 444 families.

(c) and (d)—Demarcation is apparently being carried out now but a report has been called for.

(e)—The information is not available in the Secretariat but if the hon. member will approach the Deputy Commissioner, Government is sure that the latter will be glad to show him the boundaries on the map in the Deputy Commissioner's Office.

(f)—At the time the proposal was made for throwing open these blocks, over three years ago, it was particularly seen that no Assamese occupation was affected. There was one Miri house with some cultivated area around it within the Muhammadan block, but during 1938 another two Miri houses have been built there.

(g)—The Miri settlers have been allowed to remain.

(h) and (i)—There were a report to that effect. The Deputy Commissioner, Lakhimpur, has however been asked to demarcate the line so as to leave the Assamese settlers undisturbed.

Presentation of Notification No. 849-L.S.-G., dated the 16th February 1940, under Section 296 of the Assam Municipal Act, 1923

Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI: I present, Sir, the Notification No. 849-L.S.-G., * dated the 16th February 1940, under section 296 of the Assam Municipal Act, 1923.

THE ASSAM FINANCE BILL, 1940

Clause 2

The Hon'ble the SPEAKER: Consideration of the Assam Finance Bill, 1940, clause by clause will now be taken up. I have received notices of four amendments to clause 2 of the Bill. I think, of all the motions, No. 4 should come first. Will Mr. Mookerjee move his amendment? The motion Nos. 3† and 4‡ are same.

Mr. BAIDYANATH MOOKERJEE: I am not going to move my motion.

The Hon'ble the SPEAKER: Is Mr. Harendra Narayan Chaudhuri going to move his motion No. 3?

Babu HARENDRA NARAYAN CHAUDHURI: No Sir, I will move my first motion.

The Hon'ble the SPEAKER: Very well.

*Appendix F.

†3. Babu Harendra Narayan Chaudhuri to move:—
That in proviso (ii) to Division C of clause 2, for the word "half" occurring in the second line, the word "one-sixth" shall be substituted.

‡4. Mr. Baidyanath Mookerjee to move.—
That in proviso (ii) to Division C of clause 2, for the word "half" occurring in the second line, the word "one-sixth" shall be substituted.

Babu HARENERA NARAYAN CHAUDHURI: I beg, Sir, to move that in proviso (ii) to Division C of clause 2, for the word "half" occurring in the second line, the word "one-fourth" shall be substituted.

Sir, this is the first time that I find an opportunity of being grateful to the Hon'ble Sir Muhammad Saadulla for showing this bit of concession to the small Indian Tea Companies. It is very unfortunate, Sir, that the Congress-Coalition Ministry, when it was piloting the Assam Agricultural Income-tax Bill, either through haste or through oversight did not look into this side of the matter with the result that no distinction was made between the small companies and big companies and both were tagged together. Now, Sir, those who are in the know of the things and those who have closely studied the working of the tea industry, must be aware of the fact that before the coming of the first Tea Control Act a heavy depression set in on the tea market. The price of tea became so low that it could hardly meet the cost of production. The big European concerns with huge reserve funds at their back could manage somehow. But the condition of the small Indian companies with no reserve fund to fall back upon became almost precarious, and their very existence was threatened. Consequently they had no other alternative but to incur debts.

In this matter, Sir, there was also another difficulty. The European Banks and European Brokers who were so long very sympathetic towards the small Indian companies, once they found that these companies were in a bad way, most ungenerously shut their doors against those previous clients. The Indian companies found it very difficult to secure loans from European Banks and Brokers. At last they went to the Indian Banks which though advanced money, I am ashamed to say, charged a very high rate of interest. With gardens mortgaged, crops hypothecated and prices lowered, the condition of the small Indian companies went almost beyond redemption.

Such was the condition when the first Tea Control Act came into operation. After the passing of that Act, things brightened up to a certain extent. But the huge debts that were incurred before could not be effaced during these years. The small Indian companies are now only able to pay their interest regularly. After that came the war. It may be argued, Sir, 'why not take advantage of the war and profit by it?' But, Sir, those who are in the know must be aware that the Government of the United Kingdom last year contracted with India for the supply of tea for their troops. Though the contract was voluntary, almost all the tea companies, for fear that the out market would be closed, joined it. And with what result? The prices offered by the Government of India were much less than those that were received by other gardens which sold their tea in out markets. In some cases the prices were Rs. 15 to 20 less in a maund than those received by gardens selling their tea in out market. Then there is another thing with the secession of Finno-Russian hostilities, there is bound to be greater activity on the Western Front in spring and who knows whether the Government of India under the Defence of India Act or Ordinances whatever they like may commandeer all teas and give us a price at their sweet will which may be very much lower than what the Tea Industry can reasonably expect.

Now, Sir, by this amendment, I am not asking the Hon'ble Finance Minister to give very much. If this amendment is accepted, then the gardens with a taxable income of up to Rs. 8,000 will be benefited. According to the original clause for Rs. 4,000, the tax will be Rs. 625, and if this amendment is accepted, the tax will be Rs. 250. If it is Rs. 5,000, the tax according

to the provisions of the Bill will be Rs. 781 and according to the amendment it will be Rs. 500. For Rs. 6,000, it will be Rs. 937-8-0 and Rs. 750 according to the amendment. For Rs. 7,000, it will be Rs. 1,093-12-0 according to the Bill and Rs. 1,000 according to the amendment. And this goes up to Rs. 8,000 where there will be no difference. According to both calculation the tax will be Rs. 1,250.

So, Sir, it is only for the companies with an income up to Rs. 8,000 that my amendment will give relief.

Lastly, I appeal to the Hon'ble Finance Minister, not in his personal capacity, but in his capacity as a small tea-planter—I am quoting his own words, Sir—to accept my amendment and thereby give some concession to small Indian Companies.

The Hon'ble the SPEAKER: Amendment moved:

“That in proviso (ii) to Division C of clause 2, for the word “half” occurring in the second line, the word “one-fourth” shall be substituted”.

Mr. BAIDYANATH MOOKERJEE: Sir, my friend the mover of this amendment has given a short history of the tea industry for several years past. Regarding the scale of tax, I should like to add a few words to what he has said. It will be found in the Bill itself that in cases of individuals or associations of individuals, that is to all others than the companies, on the first Rs. 1,500 nothing will be charged, and I believe that this proviso is meant to give some relief to the small concerns. If that be the idea, Sir, in that case I think the Hon'ble Finance Minister should look to the point that was raised in the discussion by the hon. mover of this motion. If, as it has been stated in the proviso, “half” is kept there, in that case, only those who will pay income-tax on Rs. 4,300 will get some benefit and this also is nominal. Sir, the tax is payable in case the net income exceeds Rs. 3,000, and, by this proviso, a little is being given only to those who will pay tax on Rs. 4,300. Those who will pay tax on Rs. 4,400 will derive no benefit out of it. So, Sir, practically no body will derive any benefit. The tax begins if the income is over Rs. 3,000, and this relief will extend only to those who will pay tax below Rs. 4,400, and if the motion moved by Mr. Chaudhuri is accepted, in that case, as he has said, it will not extend beyond Rs. 8,000. I think those who will pay income-tax on an income of Rs. 8,000 will derive no benefit. In case of Rs. 8,000, according to the flat rate of two annas and six pies in the rupee, income-tax payable will be Rs. 1,250 and if the amendment of my friend Mr. Chaudhuri is accepted, in that case also the tax payable will be Rs. 1,250. So those who will pay tax on an income which is below Rs. 8,000 will derive some benefit. Those who will be at the bottom will get greater benefit and as the amount will go up, the benefit will be lesser and lesser.

So I think, Sir, I have made myself quite clear to the Hon'ble the Finance Minister. As he has always expressed sympathy on the floor of the House for these small concerns, I hope he will accept this amendment which will give benefit to small companies. By small concerns, I mean those who will pay income-tax on a figure below Rs. 8,000 only which is quite just and reasonable.

Mr. FAKHRUDDIN ALI AHMED: Mr. Speaker, Sir, the amendment moved by my friend, Mr. Chaudhuri, is based on the same principle which was incorporated by me in the proviso (ii) under clause 2C of the Assam Finance Bill, 1939 which I had the honour of placing before this House last year. Under that proviso some relief was provided to small companies deriving an income of Rs. 4,450 per year. But by this amendment, the hon. mover wants that the benefit of such relief should be extended to

companies deriving an income of above Rs 8,000 per year. The principle embodied in the proviso was that companies having a very small income should not be over-taxed and should be given some relief as against companies having a big income. For that very reason, I support the amendment moved by my friend, because I feel that benefit of this relief should be extended to companies having an income only of Rs. 8,000. Moreover, the Hon'ble Prime Minister will realise that relief in the case of those companies which are deriving an income just over Rs. 3,000 will be substantial, but as the income of a company increases, the company is bound to have an income approaching Rs.8,000, the relief granted in such cases under this amendment will proportionately decrease. Therefore, Sir, the Government will find on calculation that they do not stand to lose much by giving this relief. On the other hand, if this amendment is accepted by the Government it will mean a great help to small companies which are only deriving an income of just over Rs.3,000. These figures have been worked on the basis of whole income, but as only 60 per cent. of such an income is taxable for the benefit of the province, the companies having an income of little over Rs.8,000 will get some relief at the hands of the Government. I hope, in this view of the matter the Hon'ble Finance Minister will see the reasonableness of this amendment and will also realise that this amendment is moved not in a spirit of opposition but is based on the same principle—which was incorporated by me in the proviso under clause 2 C of last year's Finance Bill. With these words, I support the amendment moved by my hon. friend Mr. Chaudhuri.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: Sir, I rise to oppose this motion. From the speeches delivered by my friends I simply see that they are now repenting for what they did last year (*Voices: No, No*). This reminds me of the story of a photographer and a newly married lady.

Mr. BAIDYANATH MOOKERJEE: We will never be benefited by this.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: Let me come to the story. In a fine morning a newly married lady entered the studio of a photographer and whipped out a wedding group, and said "you see, in our wedding group, my poor husband is looking like an ape". The photo grapher replied, "Dear madam, the fault is not mine: you ought to have noticed it before you became his partner in life". (*Laughter*). So I say, my friends ought to have thought it before they supported the Agricultural Income-tax Bill last year (*Voices: it is not the Agricultural Income-tax Bill that we are discussing*) In this Bill there is reference to that. My friends who helped the Congress-Coalition Government last time were sharpening the sword, and to-day for the sake of consistency they ought to be prepared to receive the wound from that sword.

My friends quoted figures. I do not like to enter into the jugglery of figures. I say that they were supporting the Government with sympathy last year, and to-day there is no reason why they should curtail that sympathy. They should support the motion put forward by the Government. With these words I oppose the motion.

The Hon'ble the SPEAKER: I do not think any other hon. member is going to speak.

Mr BAIDYANATH MOOKERJEE: It is a simple matter, Sir.

The Hon'ble the SPEAKER: The Hon'ble Finance Minister may reply.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, the last remark or the request of the hon. mover of this amendment puts me out of court to give him sympathy. He appealed to me as a small tea planter for help in the amendment he has proposed. If I do it, I shall be charged with partiality. I will, therefore, ignore that request of his. Sir, the position which Government takes in this matter is just that of our predecessor of last year.

I am surprised to see that my hon. friend, who piloted not merely the Agricultural Income-tax Bill but also the Finance Bill, lending his support to this amendment this year, though he did nothing of the kind last year when he was in charge of those two Bills. (Srijut Purna Chandra Sarma:— Experience). My hon. friend Srijut Purna Chandra Sarma interjects that experience has taught him to be wise.

Srijut PURNA CHANDRA SARMA: We have not been taught to be wise, we are already wise.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: My hon. friend thinks that they are already wise but some feel that they are "otherwise". They want to gather no more wisdom, but on the other hand I want to gather wisdom wherever I can find it. In this matter, Sir, everybody knows that up till now no realisations of agricultural income-tax have been made; we do not know what will be the income from this source; we have not seen any report from our Assistant Commissioner of Income-tax as to how this tax is operating upon either the poor or big capital tea industries of the province. Under these circumstances, Sir, we think that this motion is premature, and I am sorry I cannot help my hon. friend Mr. Chaudhuri by accepting his amendment.

As I already stated, Sir, this Finance Bill follows exactly word for word the provision which was laid before the House in the Finance Bill of last year. We want to gather knowledge by experience, and until we find what amount can be collected and how far the imposition of the tax hits our poor tea planters or other assesses under the Agricultural Income-tax Act, Government have no intention to change or decrease by 50 per cent. the income that is proposed to be recovered from this source.

The Hon'ble the SPEAKER: The question is:

"That in proviso (ii) to Division C of clause 2, for the word "half" occurring in the second line, the word "one-fourth" shall be substituted".

(When the Division bells were ringing.)

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, I request you to record the vote of Mr. P. Parida who is unwell and unable to go to the lobby. You extended the same concession last year in the case of another hon. member.

The Hon'ble the SPEAKER: Yes, that will be done.

The Assembly divided.

Ayes—46

- | | |
|---|--------------------------------------|
| 1. Kumar Ajit Narayan Dev. | 9. Srijut Debeswar Sarmah. |
| 2. Mr. Arun Kumar Chanda. | 10. Srijut Ghanashyam Das. |
| 3. Mr. Baidyanath Mookerjee. | 11. Srijut Gaurikanta Talukdar. |
| 4. Srijut Beliram Das. | 12. Srijut Gopinath Bardoloi. |
| 5. Srijut Bepin Chandra Medhi. | 13. Srijut Haladhar Bhuyan. |
| 6. Babu Bipin Behari Das. | 14. Babu Harendra Narayan Chaudhuri. |
| 7. Srijut Bishnu Ram Medhi. | 15. Srijut Jadav Prasad Chaliha. |
| 8. Babu Dakshinaranjan Gupta Chaudhuri. | 16. Srijut Jogendra Chandra Nath. |

Ayes—46—concl'd.

- | | |
|----------------------------------|--------------------------------------|
| 17. Srijut Joges Chandra Gohain. | 33. Srijut Rajani Kanta Barooah. |
| 18. Babu Kamini Kumar Sen. | 34. Srijut Rajendra Nath Barua. |
| 19. Babu Karuna Sindhu Roy. | 35. Srijut Ram Nath Das. |
| 20. Mr. Kedarmal Brahmin. | 36. Srijut Sankar Chandra Barua. |
| 21. Srijut Krishna Nath Sarmah. | 37. Srijut Sarveswar Barua. |
| 22. Srijut Lakshesvar Borooah. | 38. Babu Shibendra Chandra Biswas. |
| 23. Babu Lalit Mohon Kar. | 39. Srijut Siddhi Nath Sarmah. |
| 24. Srijut Mahadev Sarma. | 40. Maulavi Md. Ali Haidar Khan. |
| 25. Srijut Mahi Chandra Bora. | 41. Mr. Fakhruddin Ali Ahmed. |
| 26. Mr. Naba Kumar Dutta. | 42. Khan Bahadur Maulavi Mahmud Ali. |
| 27. Srijut Omeo Kumar Das. | 43. Srijut Bideshi Pan Tanti. |
| 28. Srijut Paramananda Das. | 44. Srijut Dhirsing Deuri. |
| 29. Babu Nirendra Nath Deb. | 45. Rev. J. J. M. Nichols-Roy. |
| 30. Srijut Purandar Sarma. | 46. Srijut Karka Dalay Miri. |
| 31. Srijut Purna Chandra Sarma. | |
| 32. Babu Rabindra Nath Aditya. | |

Noes—54

- | | |
|---|---|
| 1. The Hon'ble Maulavi Saiyid Sir Muhammad Saadulla | 21. Maulavi Dewan Ali Raja. |
| 2. The Hon'ble Srijut Rohini Kumar Chaudhuri. | 22. Maulavi Muhammad Amiruddin. |
| 3. The Hon'ble Maulavi Munawwar Ali. | 23. Maulavi Muhammad Amjad Ali. |
| 4. The Hon'ble Srijut Hirendra Chandra Chakrabatti. | 24. Maulavi Ashrafuddin Md. Chaudhury. |
| 5. The Hon'ble Khan Sahib Maulavi Mudabbir Hussain Chaudhuri. | 25. Maulavi Badaruddin Ahmed. |
| 6. The Hon'ble Dr. Mahendra Nath Saikia. | 26. Khan Bahadur Dewan Eklumur Roza Chaudhury. |
| 7. The Hon'ble Maulavi Abdul Matin Chaudhuri. | 27. Maulavi Ghyasuddin Ahmed. |
| 8. The Hon'ble Khan Bahadur Maulavi Sayidur Rahman. | 28. Khan Bahadur Maulavi Keramat Ali. |
| 9. The Hon'ble Miss Mavis Dunn. | 29. Maulavi Muhammad Maqbul Hussain Chaudhury. |
| 10. The Hon'ble Srijut Rupnath Brahma. | 30. Maulavi Mator Rahman Mia. |
| 11. Srijut Jogendra Narayan Mandal. | 31. Maulavi Mabarak Ali. |
| 12. Babu Kalachand Roy. | 32. Khan Bahadur Maulavi Mufizur Rahman. |
| 13. Maulavi Abdul Aziz. | 33. Maulavi Muzarrof Ali Laskar. |
| 14. Maulavi Abdul Bari Chaudhury. | 34. Maulavi Naziruddin Ahmed. |
| 15. Maulana Abdul Hamid Khan. | 35. Maulavi Sheikh Osman Ali Sadagar. |
| 16. Khan Bahadur Hazi Abdul Majid Chaudhury. | 36. Shams-ul-Ulama Maulana Abu Nasr Md. Waheed. |
| 17. Maulavi Abdur Rahman. | 37. Mr. A. H. Ball. |
| 18. Maulavi Syed Abdur Rouf. | 38. Mr. A. F. Bendall. |
| 19. Maulavi Md. Abdus Salam. | 39. Mr. F. W. Blennerhassett. |
| 20. Maulavi Dewan Muhammad Ahab Chaudhury. | 40. Mr. N. Dawson. |
| | 41. Mr. W. R. Faull. |
| | 42. Mr. D. B. H. Moore. |
| | 43. Mr. C. W. Morley. |
| | 44. Mr. R. A. Palmer. |
| | 45. Mr. A. Whittaker. |

Noes—54—*concl'd.*

- | | |
|------------------------------------|---------------------------------|
| 46. Mr. Benjamin Ch. Momin. | 51. Mr. Jobang D. Marak. |
| 47. Srijut Bhairab Chandra Das. | 52. Srijut Khorsing Terang. |
| 48. Srijut Binode Kumar J. Sarwan. | 53. Mr. P. Parida. |
| 49. Rev. L. Gatpoh. | 54. Srijut Rabi Chandra Kachari |
| 50. Mr. C. Goldsmith. | |

The motion was negatived.

The Hon'ble the SPEAKER : I do not think the other amendments can be moved now.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : No, Sir, they cannot be moved now.

The Hon'ble the SPEAKER : The question is that clause 2 of the Bill do form part of the Bill.

This was adopted.

Clause 1

The Hon'ble the SPEAKER : The question is that clause 1 of the Bill do stand part of the Bill.

This was adopted.

Title and Preamble

The Hon'ble the SPEAKER : The question is that the Title and Preamble of the Bill do form part of the Bill.

This was adopted.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I beg to move, Sir, that the Assam Finance Bill, 1940, be passed.

The Hon'ble the SPEAKER : Motion moved :

"That the Assam Finance Bill, 1940, be passed"

Mr. BAIDYANATH MOOKERJEE : Mr. Speaker Sir, when the previous amendment which we discussed on the floor of this House has been defeated, I think, as a representative of the Indian tea planters, it is my bounden duty to oppose the passing of this Bill, because, Sir, on behalf of the small tea concerns we wanted some relief but without any consideration for the points raised by us, the Hon'ble Finance Minister has rejected our amendment. Sir, I hope, that it is quite clear and wellknown to the Hon'ble Finance Minister that I did not support the amendment to derive any benefit on my own account but to give a little relief only to the small concerns. As I explained that the acceptance of the said amendment would have conferred some relief on about fifty per cent. of the Indian tea concerns. Sir, it was stated by the Hon'ble Finance Minister that in this he had followed the procedure of the last Ministry, but he forgot one point—Agricultural Income-tax Act itself? What was the idea behind it? The necessity of some variation in the rates from year to year. The Hon'ble Finance Minister cannot contradict this point. If that be the idea, and if this is accepted to be true, in that case, I think, he ought to have given some relief to the small concerns. But, Sir, he took advantage of the last Ministry's action, and, moreover, he said that he had got no data at his disposal to accept the proposition inunciated by us in this respect.

Sir, even after providing for this relief he could have, if necessary, amended the clause next year according to the needs of the case. This is not a permanent Act but only an annual Act. So, Sir, I think, that the hon. members...

(Some interruptions were made at this stage).

The Hon'ble the SPEAKER: Order, order, the hon. member may go on. He need not mind these interruptions

Mr. BAIDYANATH MOOKERJEE: But I cannot help minding it sometimes, Sir. I think the hon. members of this House must consider deeply whether the amendment moved by my hon. friend Babu Harendra Narayan Chaudhuri was reasonable or not. If some consideration was called for by the justice of the case, I believe, there cannot be a single member on the floor of the House who will not but oppose this motion for the passing of the Bill only on this one consideration that a small relief which was asked for on behalf of the small companies only has been summarily rejected by the Hon'ble Finance Minister. With these words, I oppose the passing of the Bill.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Sir, I never imputed any personal motives to any of my hon. friends who spoke on the last amendment which was voted upon and defeated. It is well known that my hon. friend the speaker who has just now opposed the passing of this measure has got proprietary interests in his tea garden and is not interested as a company. It is also well known that the fact that rates are to be levied every year by means of a Finance Bill means that the idea behind it is that the rates may be reviewed. Now the very fact of annual consideration or the very word 'review' connotes that there are certain facts, figures and other materials which form the basis for a review. I have already said that up till now I have not got before me any figures of collection under the Act, and at the same time I have not banged the door of relief to our small tea planters. If I may be allowed to make a passing remark, it was my friends on the opposite who withdrew the remission of land revenue which was granted by us and it was the last speaker's neighbour who by means of a cut motion wanted to throw the blame on us.

The Hon'ble the SPEAKER: The question is:

'That the Assam Finance Bill, 1940, be passed.'

The Assembly divided

Ayes—56

- | | |
|---|---|
| 1. The Hon'ble Maulavi Saiyid Sir Muhammad Saadulla. | 8. The Hon'ble Khan Bahadur Maulavi Sayidur Rahman. |
| 2. The Hon'ble Srijut Rohini Kumar Chaudhuri. | 9. The Hon'ble Miss Mavis Dunn. |
| 3. The Hon'ble Maulavi Munawwar Ali. | 10. The Hon'ble Srijut Rupnath Brahma. |
| 4. The Hon'ble Srijut Hirendra Chandra Chakrabatti. | 11. Srijut Jogendra Narayan Mandal. |
| 5. The Hon'ble Khan Sahib Maulavi Mudabbir Hussain Chaudhuri. | 12. Babu Kalachand Roy. |
| 6. The Hon'ble Dr. Mahendra Nath Saikia. | 13. Maulavi Abdul Aziz. |
| 7. The Hon'ble Maulavi Abdul Matin Chaudhury. | 14. Maulavi Abdul Bari Chaudhury. |
| | 15. Maulana Abdul Hamid Khan. |
| | 16. Khan Bahadur Hazi Abdul Majid Chaudhury. |
| | 17. Maulavi Abdur Rahman. |

Ayes—56—concl'd.

- | | |
|--|--|
| 18. Maulavi Syed Abdur Rouf. | 35. Maulavi Namwar Ali Barbhuiya. |
| 19. Maulavi Md. Abdus Salam. | 36. Maulavi Naziruddin Ahmed. |
| 20. Maulavi Dewan Muhammad Ahbab Chaudhury. | 37. Maulavi Sheikh Osman Ali Sadagar. |
| 21. Maulavi Dewan Ali Raja. | 38. Shams-ul-Ulama Maulana Abu Nasar Md. Waheed. |
| 22. Maulavi Muhammad Amiruddin. | 39. Mr. A. H. Ball. |
| 23. Maulavi Muhammad Amjad Ali. | 40. Mr. A. F. Bendall. |
| 24. Maulavi Ashrafuddin Md. Chaudhury. | 41. Mr. F. W. Blennerhassett. |
| 25. Maulavi Badaruddin Ahmed. | 42. Mr. N Dawson. |
| 26. Khan Bahadur Dewan Eklimur Roza Chaudhury. | 43. Mr. W. R. Faull. |
| 27. Maulavi Ghyasuddin Ahmed. | 44. Mr. D. B. H. Moore. |
| 28. Maulavi Jahanuddin Ahmed. | 45. Mr. C. W. Morley. |
| 29. Khan Bahadur Maulavi Keramat Ali. | 46. Mr. R. A. Palmer. |
| 30. Maulavi Muhammad Maqbul Hussain Chaudhury. | 47. Mr. A. Whittaker. |
| 31. Maulavi Matior Rahman Mia. | 48. Mr. Benjamin Ch. Momin. |
| 32. Maulavi Mabarak Ali. | 49. Srijut Bhairab Chandra Das. |
| 33. Khan Bahadur Maulavi Mufizur Rahman. | 50. Srijut Binode Kumar J. Sarwan. |
| 34. Maulavi Muzarrof Ali Laskar. | 51. Rev. L. Gatphoh. |
| | 52. Mr. C. Goldsmith. |
| | 53. Mr. Jobang D. Marak. |
| | 54. Srijut Khorsing Terang. |
| | 55. Mr. P. Parida. |
| | 56. Srijut Rabi Chandra Kachari |

Noes—6

- | | |
|---------------------------------|---------------------------------|
| 1. Mr. Baidyanath Mookerjee. | 4. Mr. Naba Kumar Dutta. |
| 2. Srijut Jadav Prasad Chaliha. | 5. Srijut Rajani Kanta Barooah. |
| 3. Babu Kamini Kumar Sen. | 6. Maulavi Md. Ali Haidar Khan |

The motion was adopted and the Bill was passed.

THE ASSAM LOCAL AUTHORITIES COMPENSATORY GRANTS (CHARGED) BILL, 1940

The Hon'ble the SPEAKER: Consideration of the Assam Local Authorities Compensatory Grants (Charged) Bill, 1940, clause by clause will now be taken up. There are no amendments to any of the clauses. I would therefore ask the Hon'ble Maulavi Saiyid Sir Muhammad Saadulla to move the motion which stands in his name that the Assam Local Authorities Compensatory Grants (Charged) Bill, 1940, be passed.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I beg to move, Sir, that the Assam Local Authorities Compensatory Grants (Charged) Bill, 1940, be passed."

The Hon'ble the SPEAKER: Motion moved: "That the Assam Local Authorities Compensatory Grants (Charged) Bill, 1940, be passed."

Mr. BAIDYANATH MOOKERJEE: On a point of information from the Hon'ble Finance Minister. May I know whether the money realised from the Tea Rates Road Fund will also be included and charged as such in the Bill?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: If my friend will look into the Bill, he will find a long schedule is given. That particular item is not mentioned in the schedule and therefore the Tea Rates Road Fund is not charged.

The Hon'ble the SPEAKER : The question is :
"That the Assam Local Authorities Compensatory Grants (Charged)
Bill, 1940, be passed."

The motion was adopted and the Bill was passed.

The Assam Ministers' (Salaries and Allowances) Bill, 1940

The Hon'ble the SPEAKER : Now we shall take up the Assam Ministers' (Salaries and Allowances) Bill, 1940. The motion to take the Bill into consideration is already before the House. The debate may now be resumed.

Babu DAKSHINARANJAN GUPTA CHAUDHURI : Before the consideration of the Bill is taken up, Sir, I rise on a point of information. The other day you were pleased to make the following statement while giving a ruling on the point of order that was raised by Babu Kamini Kumar Sen which runs thus : "In the view that the point of order involves adjudication of a legal question, involving an interpretation of a provision of the Constitution Act affecting the rights of a particular body of existing Ministers under certain given circumstances, the Chair would not assume the role of an interpreter of that provision and hold that the Bill would be *ultra vires* of the Legislature. A decision on the question to be final and binding on all concerned must be obtained from the proper forum which is functioning in the land". With regard to this, I beg to maintain that the Salaries Bill is meant for a particular set of Ministers. Because of the retrospective effect that is given in the Bill and because of the first portion of your ruling I maintain, Sir, before consideration of the Bill, the only thing Government can do is to take recourse to section 213 of the Government of India Act which runs thus : "If at any time it appears to the Governor-General that a question of law has arisen, or is likely to arise which is of such a nature and of such public importance that it is expedient to obtain the opinion of the Federal Court upon it, he may in his discretion refer the question to that court for consideration, and the court may, after such hearing as they think fit, report to the Governor-General thereon." In view of this fact I want to know from you, Sir, what will be the effect of the passing of this Bill.

The Hon'ble the SPEAKER : From me ?

Babu DAKSHINARANJAN GUPTA CHAUDHURI : Because I maintain this is a matter of urgent public importance. "That a question of law has arisen, or is likely to arise which is of such a nature and of such public importance". That a reference should be made to the Federal Court under section 213. We maintain that it is a matter of urgent public importance. Moreover in the later portion of your ruling we find "A decision.....*must be obtained*". I will urge you to mark the words "must be". In view of the importance of the Bill before a decision is obtained from the highest forum of the province, I would like to know whether the Bill that is being taken into consideration is in order and what will be the effect of passing of this Bill.

The Hon'ble the SPEAKER : I understood the hon. member to have asked for an opinion from the Hon'ble Premier, but now it appears that he is asking for an opinion from me. With regard to the query I should tell him that my ruling is very full and very clear. Now what the hon. member has asked me is not a point of order on which I am to give a

ruling, but he has raised a legal question with regard to which I am not at all competent to give any opinion for his guidance. I will again ask the hon. member to ponder over the various points I have discussed in my ruling I gave the other day. My ruling is very clear and the considerations that I placed before the House will, I hope, guide him in deciding whatever course of action he may like to adopt.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: May I know from the Hon'ble Premier as to what will be the position of the Government with regard to this point?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Sir, the position of the Government is this that the Bill is perfectly in order and you, Sir, gave your ruling which is exhaustive and very clear.

Babu RABINDRA NATH ADITYA: I beg, Sir, to move that the Bill be circulated for the purpose of eliciting public opinion thereon by the 30th of June, 1940 (*laughter*). I think, I am not quite out of order for I am supported by the instances moved on the floor of the House the other day with regard to the Temple Entry Bill and the Maternity Benefit Bill. Motions before the House on these two bills were for consideration but on the floor of the House, amendments were moved that these Bills be circulated for eliciting public opinion and you were good enough to hold that these motions were in order.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: May I correct the statement of the hon. member? With regard to those Bills, notices were given two days before.

Babu RABINDRA NATH ADITYA: Two days' previous notice is not at all required. According to rules no notice is necessary. Here the Rule 58(2) of the Assam Legislative Assembly Rules says, 'at this stage no amendments to the Bill may be moved but if the member-in-charge moves that the Bill be taken into consideration, any member may move as an amendment that the Bill be referred to a Select Committee or be circulated for the purpose of eliciting opinion thereon before a date to be mentioned in the motion'. So my submission to the House is that this is in consonance with the principle already enunciated by this House and if the Temple Entry Bill and the Maternity Benefit Bill require the sanction of the public opinion it is all the more necessary that such an important Bill should also bear the stamp of the public opinion. Sir, in this House we are guided by the majority rule but democracy does not mean a majority of 51 will rule over a minority of 41 in a tyrannical manner. Democracy is after all a Government by discussion and persuasion and that is why in no democratic country the question of Ministers' salaries becomes a target of so much agitation and criticism. In other democratic countries, Ministers' salaries are settled by arrangement, discussion and agreement between different groups in the Legislature. But here not only the salary is being changed to a higher scale but it is being changed from a retrospective date. I would not have minded it if the Hon'ble Premier gets Rs. 2,000 or even more than that as his salary—I would not mind it if the other Ministers get Rs. 1,000 or more as their salaries—I know Sir, that the Premier of this province is worth more than Rs. 2,000 and I may also admit, Sir, that he can certainly be ranked as a first class Premier in India although, I think, that the circumstances under which he is now working have made him a round nut in a square hole.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURI: May I know, Sir, who is the third class Premier?

The Hon'ble the SPEAKER: Order, order.

Babu RABINDRA NATH ADITYA: That is why, Sir, I would not have minded so much as to the amount of salary that is being given to the Ministers although I am not quite unconscious about the state of the finances of this poor province, but Sir, the question of giving retrospective effect to such a Bill is a most dangerous principle on which I register my emphatic protest. As a Congress man it is certainly my duty to question the amount of the salary because our outlook on this point is quite different. Sir, the hon. Leader of the Opposition the other day told the House that it was the spirit of service that prompted the Congress High Command to fix the salary of the Minister at Rs. 500. But that may not be the outlook of others who come in to give their best service to the country. Therefore, Sir, let us agree to differ on the point. The question of giving retrospective effect to a Bill after having drawn the salary fixed by the existing law would be a dangerous precedent for the future generation of the legislators. The other day, my hon. friend Mr. Sen also dealt with that aspect of the question. If our future legislators, say a hundred years after, nullify all the laws regarding the Ministers' salaries and give retrospective effect from 1939 to a new Act providing a lesser salary then will the future progeny of the *ex*-Ministers be liable to reimburse the State? It is really difficult to unring a song already sung. Secondly, there is another danger to high salary. The services of Sir Muhammad Saadulla may be assessed at a higher value when compared to the services of other non-Congress Premiers in other provinces but the question is whether Rs. 2,000 is the proper assessment for his efficiency and abilities. If his services and responsibilities are to be assessed at a fair market value and if his dignity is to be taken as a standard which should determine his salary, then I think Rs. 2,000 for the Premier and Rs. 1,000 would be too inadequate for the other Ministers because the amount would be much below the salary of the Commissioner or the Chief Secretary of the province. If the dignity of the position is to be taken as a standard to determine the salary then their salaries should be higher than that of the Commissioner and other civilians of the Province. If it is a question of keeping the Ministers in reasonable dignity according to the Indian standard, there also, Sir, we must differ. According to Indian standards we think Rs. 500 or 700 is quite sufficient to maintain a man in proper dignity. It may be, Sir, that even subordinate officials in the Provincial Service or in special cadre of service draw much more and live in a higher style of life than many of the Ministers of this House. So, by salary it is impossible to fix the dignity of any Minister or any one who comes to render service to the State. The salary of Signor Mussolini is only £135 per month, which is about Rs. 2,000. But the income of Italy is a hundred times greater than that of Assam. But I do not think that Mussolini suffers in his dignity, because he draws only £135 a month as his salary. Similarly the instance of Japan and other countries have also been cited on previous occasions to show that salary cannot fix the dignity of a Minister. So from what standard the salaries have been fixed it is difficult for us to understand. Neither from the point of view of dignity nor from the point of view of maintaining a proper style, nor from the point of view of getting a proper return for the services rendered, these salaries of Rs. 2,000 and 1,000 can be justified.

Sir, some hon. members of the Government Bench had remarked to us—of course outside the floor of this House—that it was impossible for them to

support this high rate of salary. I do not know if they have changed their opinion from the cooling effect of the salubrious heights of the capital of the province. Here Maulavi Mabarak Ali said "yes, we have changed our opinion". If they have, I may say, that this is the characteristic of some of the members of this House not to be consistent, and therefore I shall not be surprised if their opinion now undergoes a change.

Sir, our Agricultural Marketing Department that was established with the bounty of the Central Government has done yeoman service to this province. The other day, it was mentioned that it has done a lot of service in the matter of grading the agricultural products. Sir, perhaps our Hon'ble Premier has drawn a lesson from our Marketing Department in grading the Ministers. In his first Ministry, there were two grades of Ministers. In the second regime, there were three grades of Ministers—the lowest grade drawing Rs.750. This time, of course, there are two grades of Ministers. In the first grade the Premier is the sole representative. In the second grade—I cannot call it second grade as the jump from the first to the second has to cover such a wide gap—we should strictly speaking call it the fourth grade—we have all the other ministers drawing a pay of Rs 750, the first grade pay being Rs.1,750. If one of the Hon'ble Ministers in one of the previous regimes could maintain their dignity on a salary of Rs.750 and if one of the Hon'ble Ministers formerly belonging to the Congress-Coalition, adorning the new cabinet was able to maintain himself with proper dignity on Rs.700, I do not know what change has taken place in the values of life, that they are no longer able to maintain themselves with proper dignity now, with the same amount of salary. I could have seen some justification, Sir, if, there had been some change in their style of living. From the dress they put on I cannot presume that there has been any change in their style. So we cannot account for the different grading of the Ministers and for such a big disparity between the different grades.

These are, Sir, some of the considerations which should appeal to the Hon'ble Ministers. This is why I move that this Bill should not be passed in a hurry, in view of the fact that the Ministers are already drawing their salaries and they will not be experiencing any appreciable difficulty if the Salary Bill is delayed for a few months, and particularly when there is a clause that the Salaries Act shall have a retrospective effect. I do not think they will grudge the delay in having public opinion elicited in the meantime. Therefore, my earnest appeal to the Hon'ble Premier—whatever may be our differences in outlook—is that he should not think that by carrying a majority in this House he can stifle or flout public opinion in the province. We have to pay an additional sum of Rs.1,76,000 towards the Ministers' salaries next year.

We also know that our venture schools in the villages are awaiting grants. As regards the aid to these schools we make no considerations of creed, caste or community. If Rs.1,16,000 is utilised for the education of children—especially as the Hon'ble Premier himself is very fond of speaking in terms of primary schools—at least the venture schools now in the list of Government could be easily taken over by this additional amount. I appeal to the members of the Government Benches, when they return to their constituencies after the session is over and when they will be besieged by applicants for grants to venture schools, what reply are they going to give them? The other day we were asked to sit in a meeting at Karimganj to select some venture schools for grant-in-aid. Some hon. members

coming from my subdivision and now adorning the Government Benches, were members of that meeting. When we found that there were 150 schools, each of which had a special claim for consideration which we found difficult to ignore, we really were in a fix. We recommended about 75 schools out of 150 to be taken over. That is an impossible matter, because funds available would be sufficient for taking over only 10 schools. May I ask the members opposite as to what will they say to the people when they will go to their constituencies, after the acrimony over Ministers' salaries is hushed into silence?

The Hon'ble the SPEAKER : I hope the hon. member will finish.

Babu RABINDRA NATH ADITYA : I am finishing, Sir.

Then, Sir, with Rs.50,000 budgeted this year for primary education, we cannot take up more than 300 schools. So I appeal to them to remember their constituencies and to do justice to them. What account they can render to them of their work in this Legislature for three years? Should they vote for the Ministers' Salaries Bill when other projects are awaiting consideration? Important projects of nation building are being held up for want of funds. Therefore, are they justified in giving to the Ministers an additional amount of 1 lakh 16 thousand rupees? I fail to see what justification they can adduce for voting away this amount to 10 Ministers while the destiny of 10 millions demands more money, more education and more medicine. With these words, Sir, I commend my motion that the Assam Ministers' (Salaries and Allowances) Bill, 1940 be circulated for eliciting public opinion thereon by the 30th June, 1940, to the acceptance of the House.

The Hon'ble the SPEAKER : Amendment moved :

"That the Assam Ministers' (Salaries and Allowances) Bill, 1940, be circulated for eliciting public opinion thereon by the 30th June, 1940".

Srijut GAURI KANTA TALUKDAR : Mr. Speaker, Sir, I beg to support the motion of my friend, Mr. Aditya, for seeking to send the Bill for eliciting public opinion. The most important point in favour of this amendment is that there is a provision which will give retrospective effect to the provisions of the Bill. Therefore, the Ministry will not ultimately suffer—whatever delay there may be in passing the Bill. Now, Sir, in an important Bill like this, we think the best way of judging the advisability of its passing into law will be to refer it to the public at large for their opinion. If we find that the public are in favour of this Bill, certainly we shall have good material to come to a decision in this House.

Now, Sir, as regards the merit of the Bill, I beg to point out what Mahatma Gandhi has said in this respect. He says that at present we have been accustomed to excessive salaries, and that is the reason why we feel very much pained if we do not get salaries as high as we expect. We have forgotten our noble oriental principle of plain living and high thinking. We are all looking to the West and our eyes have been dazzled by the extremely highways of Western living. That is why we are now vying with one another to raise the standard of living as high as possible. We find that whether we are Government servants or whether we are private individuals—we are all anxious to raise our standard of living regardless of our income. And I am inclined to believe, Sir, that our Ministers are also actually prompted by this spirit, trying to get their salary increased. The ostensible ground for this claim which has been given is that with the present salary for this Congress-Coalition Ministry has fixed the present Ministers cannot keep their prestige and dignity. We all know that prestige and dignity are not like ordinary commodities that can be purchased or weighed with money

value. The dignity of a post depends upon the moral value which the public puts upon it and not on the salary attached to it. It is preserved and enhanced by the honesty and integrity in performing the duties attached to it. We find that in rich Congress provinces of India like Bombay, Madras and the United Provinces, the Congress Ministers had been receiving only Rs.750 a month (including house and car allowance). On that account they did not certainly suffer in their prestige or dignity. On the other hand their dignity and prestige were very much enhanced.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: On a point of order, Sir.

The Hon'ble the SPEAKER: The hon. member is not giving way.

Srijut GAURI KANTA TALUKDAR: But unfortunately according to my friends, Sir, dignity and prestige are things which depend upon salary. If our Hon'ble Ministers are really anxious to raise their dignity by raising their salary to a thousand or two they are totally mistaken. The Government of India Act has placed them in a position far above a large number of Government officers who draw thousands of rupees per month. Raising of their salary, therefore, to a thousand or two will not go to change their position materially.

The Hon'ble the SPEAKER: The hon. member is only repeating the arguments of Mr. Aditya.

Srijut GAURI KANTA TALUKDAR: I want to draw the attention of the House to another fact. Our province is one of the poorest in India. Therefore, at least here in Assam, we cannot have the luxury of having highly paid Ministers. We have seen that this Government is under a heavy load of debt to the tune of nearly half a crore of rupees. We have seen that the present budget is really a deficit budget to the extent of Rs.5 lakhs and also we have come to realise that this administration shall have to be run by borrowing. In the face of such a difficulty and serious state of provincial finance, shall we be justified in being a party to support a Bill which goes to increase the salary of Ministers to such an extent?

Moreover, Sir, we have seen that the peasantry of this province have got nearly 30 crores of rupees as debt, and we have seen that for their inability to sacrifice the excise revenue the Government have abandoned the Prohibition Bill of the Congress-Coalition Ministry. They have clearly said that they have not come up with that Bill for prohibiting the consumption of liquor, *ganja* and other intoxicants on the ground that the task will be a tremendous one, and because it will involve sacrifice of a large amount of excise revenue. And I think for the same reason they have not thought it fit to extend the total prohibition of opium policy of the Congress Government though they have assigned some non-appealing grounds that they had to abandon this policy on account of the increase in smuggling cases and also for the reason, that this policy induced the opium-eaters to take to *ganja*, liquor and other intoxicants. But I consider these grounds to be unreal and unconvincing. The main ground, to my mind, is that the Government are not prepared to sacrifice the excise revenue.....

The Hon'ble the SPEAKER: It seems that the hon. member is discussing the opium policy of Government. It is not necessary here; the hon. member may make a passing reference to that, but if he tries to develop that point it becomes irrelevant.

Srijut GAURI KANTA TALUKDAR: What I want to say is that for want of funds Government have not been able to do any palpable good for the impoverished people of this province. So, when the financial

state of the Government is so deplorable, will it be desirable for this House to pass such a Bill? So, Sir, I oppose the principles of the Bill, and if Government cannot find their way to drop it at this stage I would request the Hon'ble Premier to agree to the Bill being sent for eliciting public opinion.

Babu NIRENDRA NATH DEV: Mr. Speaker, Sir, my hon. friend Mr. Aditya was trying to evaluate the services of the Hon'ble Premier, and he thinks that Rs.2,000 may not be too much for him. Our esteemed colleague Srijut Harendra Narayan Chaudhuri was telling us the other day that our Premier had been in the service of this province for about 30 years. I submit, Sir, that the Government of Assam and the hon. members of this House should seriously consider whether it is not high time to see if they can grant our Hon'ble Premier a suitable pension for the services he has rendered to the province for all these years (*laughter*). Instead of coming up before us for the grant of a Private Secretary, Parliamentary Secretary or this increased salary, I think he would have been quite justified to come to this House for a suitable provision for his pension.

Sir, when our Hon'ble Premier accepted the responsibility of running this administration this time, if I am not mistaken, he gave out to Press representatives, in connection with not convening the session of this House that was scheduled for the 30th of November, that he did not hold the same opinion with the Congress people as regards the War Resolution, which the Congress Party proposed to pass at that session. His grounds were that he was with the British Government so far as this war was concerned. I submit, Sir, that when he accepted that responsibility, he surely took into consideration all the evils which this war has brought upon the people of this province. Sir, he has himself admitted that there has been necessity for appointing a Special Officer to study the question of price control, and this rise of prices due to war, is causing untold sufferings to the people of this province, and I submit, Sir, that before he came up to this House for additional grant for his salary it was his duty to see that the people under his care had also additional income to sustain themselves during this period of distress. Sir, the labourers in Ahmedabad and Bombay mill areas, the other day demanded additional wages, and they were justified in demanding so, due to rise in prices of the commodities.

Sir, the Ministers may be justified in demanding something extra on account of the rise of prices, but if that is the reason for coming up with this Bill, I submit, Sir, that instead of wanting a lump sum additional grant they could as well have asked the House to provide them with commodities at the pre-war price. But we are not going to give them anything further than that. We do not think they are in any way justified to claim this extra salary and allowance when they have made no provision for extra allowances for the people under their care. When the people in the villages have not got even their dire necessities, when they are required to curtail their food and clothing, because they can hardly make both ends meet due to this abnormal rise in prices, there is no justification for the Ministers to come forward before us and say "we want more salaries". Sir, for fourteen months we had Ministers in this Province who were going on quite well with only Rs.700, and there was not a single occasion for

the people to suspect that they were suffering from any hardship (*A voice : Corruption*). I think the hon. member should know his responsibility before he talks like that. Sir, we know how on the floor of this House charges have been levelled against Ministers for having motor cars and all that ; we know all these things. (*The Hon'ble the Speaker : Order, order*). But, Sir, this is not the thing we are going to discuss now. I submit, Sir, that before the Ministers come forward for extra salaries and allowances, they have got to provide more for the people, who have been hard hit due to this abnormal rise in prices, and they can be justified in asking for more for themselves only after they have given more to the people.

Sir, with these few words, I support the motion for circulation.

Adjournment

The Assembly then adjourned for lunch till 2 p. m.

After lunch

Srijut MAHI CHANDRA BORA : Mr. Speaker, Sir. I respectfully crave your indulgence to permit me to disclose a very important piece of radio news which is likely to end the bitter controversy in the House regarding the question of the Ministers' salaries. Sir, I presume, I have the tacit permission of the Hon. Leader of the House and the Deputy Leader of the Opposition to inflict the news on the hon. members of the House. They are of the opinion that the news might help hon. members of this House to reach an agreed solution in the matter. I may add that I take the full responsibility on myself for breaking this news to the House, and I may be permitted to produce the news verbatim. "*Namaste*, kindly, excuse me for disturbing you at this unearthly hour, at 2 a.m. I am speaking from the residence of the Hon'ble the Prime Minister....."

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : On a point of order, Sir. The hon. member cannot disclose radio news in the House. Moreover it is absolutely false to say that any telephonic or other message was communicated from my house at 2 a. m., at any time.

The Hon'ble the SPEAKER : Yes, I think the hon. member is not in order in repeating news of the sort he has mentioned.

Srijut MAHI CHANDRA BORA : Sir, I think the entire responsibility for it lies on myself. Moreover, it is quite relevant as I shall presently show.

The Hon'ble the SPEAKER : The hon. member is not in order in repeating something which was transmitted by the broadcasting agency. Besides the hon. member cannot say for certain whether the news was correct. So I do not think he can be permitted to proceed in the way he has begun.

Srijut MAHI CHANDRA BORA : All right, Sir. But I was going to give the House a bit of news that will be of great help to the House.

The Hon'ble the SPEAKER : We have got nothing to do with any news here.

Srijut MAHI CHANDRA BORA : Then I will relate a story. About 8-30 p.m., last evening there was a right royal debate in a secret chamber of this House between the hon. Mr. Blennerhassett and the hon. Mr. A. K. Chanda.....

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : In the house of the Prime Minister ?

Srijut MAHI CHANDRA BORA : No, Sir, in this House.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Is there any secret chamber in this House, Sir ?

The Hon'ble the SPEAKER: It might have been a chamber with doors closed against entry of others.

Srijut MAHI CHANDRA BORA: The debate was between Mr. Blennerhassett, the President of the European Group, and Mr. A. K. Chanda, Deputy Leader of the Opposition. The debate took a serious turn and on challenge duel fights reminiscent of old Roman days were arranged—The contestants were arranged in the following order—Mr. A. K. Chanda *versus* Mr. F. W. Blennerhassett—Srijut Paramananda Das *versus* Maulavi Osman Ali Sadagar.

Mr. F. W. BLENNERHASSETT: I absolutely deny the charge. (*Loud laughter*).

The Hon'ble the SPEAKER: Order. order. What we have been able to gather from the hon. member is that the hon. member wants to narrate an imaginary story (*laughter*). I do not think that it will be at all profitable to listen to such a story however amusing it may be. Any such story may regale the House, but will hardly be any substantial argument. I would, therefore, ask the hon. member to refrain from narrating it.

Srijut MAHI CHANDRA BORA: All right, Sir. I shall not take any further time of the House, and my purpose has been served when Mr. Blennerhassett stood up on his seat.

Mr. F. W. BLENNERHASSETT: If he is narrating an imaginary story, Sir, let him deal with imaginary people.

Maulavi JAHANUDDIN AHMED: On a point of information, Sir. Have we come here to hear stories from the hon. member ?

The Hon'ble the SPEAKER: I have said that no such stories are to be narrated ; but the hon. member was persisting (*loud laughter*).

Srijut LAKSHESVAR BOROAH: Mr. Speaker, Sir. I rise to support the motion of my hon. friend Babu Rabindra Nath Aditya. Sir, ever since the public opinion of this country became vocal, the one criticism levelled against the British Raj has been that the bulk of the revenue received from the tax-payer are spent in maintaining a top-heavy administration. Sir, the Congress which came into being long after, the expression of above-stated public opinion also accepted the principle that the public services in India should be fixed according to the paying capacity of the tax-payers. It is known to the hon. members of the House that when the Congress decided to enter the Legislatures after the inauguration of the Reforms, also when it was decided that Congress should accept office, the salaries of Ministers should be fixed at Rs.500 only. It is also known that when they had decided to accept office they decided to do so with a spirit of service and not with the remotest idea of making money. Sir, I believe, in accordance with this decision, the Congress accepted office in seven provinces ; the illustrious sons of India, the flowers of the country served the country on that small pittance, thereby showing that they accepted office simply with the spirit of service. I ask the hon. members of the Cabinet whether these people, if not all, at least most of them, in qualities of head and heart are not superior to the members of this Cabinet. If the news paper reports are correct, the Hon'ble Sir Muhammad Saadulla accepted his office in a spirit of service when he came from Calcutta. If such was the announcement of the Hon'ble Sir Muhammad Saadulla then his present insistence for taking a higher salary is really highly inconsistent. It has been stated in the Objects and Reasons of the Bill that the Ministers are unable to carry on their duties with the dignity

befitting the Ministers. I do not understand the meaning of this proposition. But, Sir, I guess what they mean is that one has got to assume an air of dignity in order to command respect. Respect Sir, is not a thing that can be demanded but it is a thing that can be commanded only by qualities of head and heart. Sir, India is a land in which a man is respected not by his earthly possessions but by his qualities of head and heart. Sir, I cannot do better than quote the memorable words of the great lady Mrs. Annie Besant of revered memory when she said in a convocation address, I think, of the Aligarh University "ours (India) is a land in which man is valued more by what he *is* than by what he *has*". I hope, the Hon'ble Sir Muhammad and hon. members will remember this noble saying of that noble lady of India. I again ask the Hon'ble Sir Muhammad and the other members of the Cabinet to act according to the spirit of that saying. With these words, Sir, I support the motion for circulation moved by Mr. Aditya.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: Sir the question has been discussed sufficiently and I think that the discussion should be closed now. I therefore, move that the question be now put.

The Hon'ble the SPEAKER: Is the hon. member the whip of his Party? In all Parliaments the convention is that it is the right of the whip of a Party to move for closures.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: He is one of the whips.

The Hon'ble the SPEAKER: Very well then, I shall consider it.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: I rise to support the motion for circulation. I would ask the House to read the Statement of Objects and Reasons which says, "The salaries and allowances provided by the Act which it is proposed to repeal, in accordance with the policy of the Congress Party which was then in office are not sufficient to maintain Ministers in reasonable dignity".

I do not go further. With regard to this statement, it is not only a definite statement that the present Members of the Cabinet feel that the salaries they are getting under the present Act is not sufficient to maintain their dignity but it is a dangerous reflection on the dignity of the outgoing Ministry. It is a calumny on those who were in office for fourteen months. Then, Sir, the question of dignity has been raised. I want to know what is dignity of a man, whether the term dignity has got any standard laid down, whether it is a purchasable commodity.....

Maulavi ABDUR RAHMAN: May we know whether dignity has a standard?

Babu DAKSHINARANJAN GUPTA CHAUDHURI: That is exactly my query Sir, whether there is a standard for dignity and whether any price has been put upon it, or whether dignity has increased in price with the coming in of war?

The Hon'ble the SPEAKER: That point has been sufficiently discussed.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: I am going to say something new about it, Sir. We find that in the case of one Minister in Sir Muhammad's second Ministry the salary was fixed at Rs. 750. Then it did not affect the dignity of the Hon'ble Minister. Again, Sir, we find in the present Cabinet another gentleman who only recently adorned the Congress-Coalition Ministry and was drawing a salary of Rs. 700 only.

The Hon'ble the SPEAKER: That was also mentioned by hon. Mr. Rabindra Nath Aditya.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: I am speaking on the question of dignity.

The Hon'ble the SPEAKER: That is included in the same argument.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: Therefore, I want to say that it is not dignity but it is for other things which are not apparent but are behind the scene that this Bill has been brought about. Therefore, it is not merely dignity that has led to the introduction of the Bill. Again, Sir, the dignity of the Hon'ble Premier has been assessed at double that of other Ministers. We find that the burden has fallen on the shoulders of the Hon'ble Premier to reply on behalf of all Ministers who are there acting as dummies

Maulavi ABDUR RAHMAN: I strongly object to that expression.

The Hon'ble the SPEAKER: Yes, the hon. member should withdraw that word.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: I withdraw, Sir. We also find, Sir, that the redoubtable Education Minister has also been eclipsed by the Hon'ble Premier. But, Sir, I expected that the Hon'ble Premier being an old man would have assessed the dignity of the other Ministers including the Lady Minister at more than Rs. 1,000. Between the two amounts of salaries, the difference is a big gap and at least the dignity of a Lady Minister ought to have been assessed at more than Rs. 1,000 (*laughter*) out of a sense of chivalry if not anything else. Moreover, the present Ministry took up office on the 17th November and there is nothing on record that they accepted this salary under any protest with regard to the period from 17th November to the date of the passing of this amendment and till it is accepted by the Upper House and then assented to by His Excellency. My submission is that Sir Muhammad's Cabinet does not suffer in any way in dignity because of the fact that they are getting salary under the existing Act. Therefore, I say that the question of dignity in this matter cannot come in.

Next as regards the question of retrospective effect, it is a dangerous principle. So far as law is concerned there has been no legislation with retrospective effect. Such a thing would disturb the existing order of things and the transactions that have already undergone. Moreover, in India we do not find any instance where a law is passed with retrospective effect and in that place we shall substitute another. Can the Hon'ble Premier give any instance of a law which has been passed giving retrospective effect and substituting existing law? Let me illustrate the case. Supposing the Congress-Coalition Ministry have passed the Salaries Amendment Bill with retrospective effect from the

The Hon'ble the SPEAKER: That point was mentioned by the hon. Mr. Sen when he rose to a point of order the other day. But it is open to hon. members to reject that clause and substitute it by something they want.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: I therefore point out to the danger spoken to by my friends on this side by giving retrospective effect.

Coming then to the question of salaries themselves, the first Saadulla Ministry provided a sum of Rs.1,00,200 and with the coming in of the Congress-Coalition Ministry they provided Rs.67,200 for their salaries and

the present Ministry including their underlings — I mean the Parliamentary Secretaries and Private Secretary — have provided a sum of Rs.1,74,500 for themselves. I really submit that Sir Muhammad Saadulla spoke very ably in his budget speech that there is a good breakfast before the country and that if the House desire they may partake of the breakfast. Here the breakfast table of Sir Muhammad is full and in spite of the fact that we have a deficit budget, in spite of the fact that Sir Muhammad could not expand the Veterinary Department, in spite of the fact that he could not find money for the Department of Industries and for other nation-building Departments — he has not been slow in providing to the tune of about 2 lakhs to satisfy themselves and the people who are coming under his agis.

The Hon'ble the SPEAKER : I hope the hon. member will finish.

Babu DAKSHINARANJAN GUPTA CHAUDHURI : Again, Sir, I would like to refer to the question of circulation. As my hon. friend Mr. Aditya has said the Bill should be circulated. It seems there are different standards of dignity so far as this House is concerned and there is also difference of opinion with regard to this matter in this House. I, therefore, appeal to Hon'ble Premier that he will agree to the motion for circulation because it is only by circulation we will be able to know what the public think about the salary and what the Indian public think about the standard of dignity ; whether the dignity of the Hon'ble Ministers can be maintained by giving Rs. 2,000 to the Premier and Rs.1,000 to the other Members of the Council of Ministers or by giving Rs. 700 to each of the Ministers. Let us hear the verdict of the country. I would ask Sir Muhammad to get the verdict of the country and if the verdict of the country on the 30th June be on his side we may assume a different attitude towards this Salaries Bill. Because of this aspect I support the motion of my friend Mr. Aditya.

Maulavi ABDUR RAHMAN : Sir, the matter has been sufficiently discussed. Under rule 50 we ask for the closure of the debate. I beg to move that the question be now put.

Babu RABINDRA NATH ADITYA : Have I got the right of reply ?

The Hon'ble the SPEAKER : No.

I do not think that the motion for closure is "an abuse of the rules or an infringement of the right of reasonable debate". I therefore put the question. The question is :

"That the question be now put".

Assembly divided

Ayes—56

- | | |
|---|--|
| 1. The Hon'ble Maulavi Saiyid
Sir Muhammad Saadulla. | 7. The Hon'ble Maulavi Abdul
Matin Chaudhuri. |
| 2. The Hon'ble Srijut Rohini
Kumar Chaudhuri. | 8. The Hon'ble Khan Bahadur
Maulavi Sayidur Rahman. |
| 3. The Hon'ble Maulavi Munaw-
war Ali. | 9. The Hon'ble Miss Mavis Dunn. |
| 4. The Hon'ble Srijut Hirendra
Chandra Chakravarty. | 10. The Hon'ble Srijut Rupnath
Brahma. |
| 5. The Hon'ble Khan Sahib
Maulavi Mudabbir Hussain
Chaudhuri. | 11. Srijut Jogendra Narayan
Mandal. |
| 6. The Hon'ble Dr. Mahendra
Nath Saikia. | 12. Babu Kalachand Roy. |
| | 13. Maulavi Abdul Aziz. |
| | 14. Maulavi Abdul Bari Chau-
dhury. |

AYES—56—concl'd.

- | | |
|---|--|
| 15. Maulana Abdul Hamid Khan | 24. Maulavi Muzarrof Ali Laskar. |
| 16. Khan Bahadur Hazi Abdul
Majid Chaudhury. | 35. Maulavi Namwar Ali Barbhui-
ya. |
| 17. Maulavi Abdur Rahman. | 36. Maulavi Naziruddin Ahmed. |
| 18. Maulavi Syed Abdur Rouf | 37. Maulavi Sheikh Osman Ali
Sadagar. |
| 19. Maulavi Md. Abdus Salam. | 38. Shams-ul-Ulama Maulana Abu
Nasr Md. Wahced. |
| 20. Maulavi Dewan Muhammad
Ahab Chaudhury. | 39. Mr. A. H. Ball. |
| 21. Maulavi Dewan Ali Raja. | 40. Mr. A. F. Bendall. |
| 22. Maulavi Muhammad Amirud-
din. | 41. Mr. F. W. Blennerhassett. |
| 23. Maulavi Muhammad Amjad
Ali. | 42. Mr. N. Dawson. |
| 24. Maulavi Ashrafuddin Md.
Chaudhury. | 43. Mr. W. R. Faull. |
| 25. Maulavi Badaruddin Ahmed. | 44. Mr. D. B. H. Moore. |
| 26. Khan Bahadur Dewan Eklmur
Roza Chaudhury. | 45. Mr. C. W. Morley. |
| 27. Maulavi Ghyasuddin Ahmed. | 46. Mr. R. A. Palmer. |
| 28. Maulavi Jahanuddin Ahmed. | 47. Mr. A. Whittaker. |
| 29. Khan Bahadur Maulavi Kera-
mat Ali. | 48. Mr. Benjamin Ch. Momin. |
| 30. Maulavi Muhammad Maqbul
Hussain Chaudhury. | 49. Srijut Bhairab Chandra Das. |
| 31. Maulavi Matior Rahman Mia. | 50. Srijut Binode Kumar J.
Sarwan. |
| 32. Maulavi Mabarak Ali. | 51. Rev. L. Gatphoh. |
| 33. Khan Bahadur Maulavi Mufi-
zur Rahman. | 52. Mr. C. Goldsmith. |
| | 53. Mr. Jobang D. Marak. |
| | 54. Srijut Khorsing Terang. |
| | 55. Mr. P. Parida. |
| | 56. Srijut Rabi Chandra Kachari. |

NOES—49.

- | | |
|---|----------------------------------|
| 1. Kumar Ajit Narayan Dev. | 20. Srijut Kameswar Das. |
| 2. Babu Akshay Kumar Das. | 21. Babu Kamini Kumar Sen. |
| 3. Mr. Arun Kumar Chanda. | 22. Babu Karuna Sindhu Roy. |
| 4. Mr. Baidyanath Mookerjee. | 23. Mr. Kedarmal Brahmin. |
| 5. Srijut Beliram Das. | 24. Srijut Krishna Nath Sarmah. |
| 6. Srijut Pepin Chandra Medhi. | 25. Srijut Lakshesvar Borooh. |
| 7. Srijut Bhuban Chandra Gogoi. | 26. Babu Lalit Mohan Kar. |
| 8. Babu Bipin Behari Das. | 27. Srijut Mahadev Sarma. |
| 9. Srijut Bishnu Ram Medhi. | 28. Srijut Mahi Chandra Bora. |
| 10. Babu Dakshinaranjan Gupta
Chaudhuri. | 29. Mr. Naba Kumar Dutta. |
| 11. Srijut Debeswar Sarmah. | 30. Srijut Omeo Kumar Das. |
| 12. Srijut Ghanasyam Das. | 31. Srijut Paramananda Das. |
| 13. Srijut Gauri Kanta Talukdar. | 32. Babu Nirendra Nath Deb. |
| 14. Srijut Gopinath Bardoloi. | 33. Srijut Purandar Sarma. |
| 15. Srijut Haladhar Bhuyan. | 34. Srijut Purna Chandra Sarma. |
| 16. Babu Harendra Narayan Chau-
dhuri. | 35. Babu Rabindra Nath Aditya. |
| 17. Srijut Jadav Prasad Chaliha. | 36. Srijut Rajani Kanta Barooah. |
| 18. Srijut Jogendra Chandra Nath. | 37. Srijut Rajendra Nath Barua. |
| 19. Srijut Joges Chandra Gohain. | 38. Srijut Ram Nath Das. |
| | 39. Srijut Sankar Chandra Barua. |
| | 40. Srijut Sarveswar Barua. |

NOES—49—*concl'd.*

- | | |
|------------------------------------|--------------------------------------|
| 41. Babu Shibendra Chandra Biswas. | 45. Khan Bahadur Maulavi Mahmud Ali. |
| 42. Srijut Siddhi Nath Sarma. | 46. Srijut Bideshi Pan Tanti. |
| 43. Maulavi Md. Ali Haidar Khan | 47. Srijut Dhirsingh Deuri. |
| 44. Mr. Fakhruddin Ali Ahmed. | 48. Rev. J. J. M. Nichols-Roy. |
| | 49. Srijut Karka Dalay Miri. |

The motion was adopted.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, I am obliged to those hon. members who seem to have made a valuation of my worth to the House or in other words to the province. I also thank those hon. gentlemen who have made speeches about the definition of the term 'dignity' that found place in the Statement of Object and Reasons of my Bill. But I cannot congratulate those hon. members who drew upon their imagination and wanted to take away the time of the House by narrating unworthy and unparliamentary and imaginary episodes. I am glad, Sir, that you rightly stopped such imaginary talks in this House.

The Hon'ble the SPEAKER: I may remind the Hon'ble Premier that the Speaker does not stand in need of any thanks or any blandishments for doing his duty (*Applause from the Opposition benches*).

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: When we find that the Hon'ble Speaker is very prompt in taking action and bans unseemly talks in the House, surely he deserves thanks of the entire House. Sir, I admire the discipline of the great Congress Organisation and I respect most of their creeds and their jealous insistence in following the creeds not merely in speech but in thought and action. And again, Sir, if I find that members of the same great Organisation are not playing the game in right and proper spirit, I cannot but condemn those hon. members but not their party Organisation.

In the present case, it is well known to everybody, especially the hon. members who had participated in this debate, that in spite of our respect for the principles and policy of the Congress, we have not adopted their creed of serving on Rs.500 as salary, and therefore we have brought in a Bill which seeks to give a little higher than what the Congress Ministry fixed as their salary. But to dub the party or the Ministry with insinuations like self-seekers, insinuations that we seek to fatten ourselves at the cost of the poor cultivators and with motives for not inviting particular hon. members opposite to the "breakfast", is a procedure for which I cannot have any respect.

The other day, while moving for consideration of the Bill, I had already stated, Sir, that it is with the idea of giving a sum which will keep the Hon'ble Ministers in a proper standard of living and in order that they may devote their entire time for the administration of the country without seeking to augment their income by any side-line business, that I had brought in this Bill, not only in consultation with the Hon'ble Ministers but with the support of the entire party, providing for a sum of Rs.1,000 for the Hon'ble Ministers and a sum of Rs.2,000 for the Premier on account of his additional responsibilities. Beyond this, Sir, I have nothing to add,

A division was claimed by the hon. members.

The Hon'ble the SPEAKER: Having regard to the fact that after this question is disposed of I shall have to put the other question before the House, I have decided that the division should be taken summarily on the floor of the House under rule 12 of the Regulations regarding divisions. The hon. members know the rules. Therefore, I will ask the hon. members to rise in their seats, that is to say those who are for the motion will first be asked to rise in their seats and those who are against, next. In a division the names of the hon. members who would vote for and against the question should be recorded. So I propose to call out the names of members who would rise in their seats one after another, for being taken down by the tellers. As soon as I call out the name of a member he will take his seat and I shall be doing so until the last member's name is called. (*A voice:* Will it expedite the work?) Hon. members know that we have got a heavy business to go through. And I shall make a trial for ascertaining how much time is economised by the procedure I am proposing to adopt.

The question is:

"That the Assam Ministers' (Salaries and Allowances) Bill, 1940, be circulated for eliciting public opinion thereon by the 30th June, 1940."

A summary division was taken by asking the members to rise in their places and the names of members for the "Ayes" and the "Noes" were recorded as follows:—

Ayes—49

- | | |
|---|---|
| 1. Kumar Ajit Narayan Dev. | 26. Babu Lalit Mohon Kar. |
| 2. Babu Akshay Kumar Das. | 27. Srijut Mahadev Sarma. |
| 3. Mr. Arun Kumar Chanda. | 28. Srijut Mahi Chandra Bora. |
| 4. Mr. Baidyanath Mookerjee. | 29. Mr. Naba Kumar Dutta. |
| 5. Srijut Beliram Das. | 30. Srijut Omeo Kumar Das. |
| 6. Srijut Bepin Chandra Medhi. | 31. Srijut Paramananda Das. |
| 7. Srijut Bhuban Chandra Gogoi. | 32. Babu Nirendra Nath Deb. |
| 8. Babu Bipin Behari Das. | 33. Srijut Purandar Sarma. |
| 9. Srijut Bishnuram Medhi. | 34. Srijut Purna Chandra Sarma. |
| 10. Babu Dakshinaranjan Gupta
Chaudhuri. | 35. Babu Rabindra Nath Aditya. |
| 11. Srijut Debeswar Sarmah. | 36. Srijut Rajani Kanta Barooah. |
| 12. Srijut Ghanashyam Das. | 37. Srijut Rajendra Nath Barua. |
| 13. Srijut Gauri Kanta Talukdar. | 38. Srijut Ram Nath Das. |
| 14. Srijut Gopinath Bardoloi. | 39. Srijut Sankar Chandra Barua. |
| 15. Srijut Haladhar Bhuyan. | 40. Srijut Sarveswar Barua. |
| 16. Babu Harendra Narayan Chau-
dhuri. | 41. Babu Shibendra Chandra
Biswas. |
| 17. Srijut Jadav Prasad Chalaha. | 42. Srijut Siddhi Nath Sarma. |
| 18. Srijut Jogendra Chandra Nath. | 43. Maulavi Md. Ali Haidar
Khan. |
| 19. Srijut Joges Chandra Gohain. | 44. Mr. Fakhruddin Ali Ahmed. |
| 20. Srijut Kameswar Das. | 45. Khan Bahadur Maulavi
Muhammad Ali. |
| 21. Babu Kamini Kumar Sen | 46. Srijut Bideshi Pan Tanti. |
| 22. Babu Karuna Sindhu Roy. | 47. Srijut Dhirsing Deuri. |
| 23. Mr. Kedarmal Brahmin. | 48. Rev. J. J. M. Nichols-Roy. |
| 24. Srijut Krishna Nath Sarmah. | 49. Srijut Karka Dalay Miri, |
| 25. Srijut Lakshesvar Borooah. | |

Noes—56

1. The Hon'ble Maulavi Saiyid Sir Muhammad Saadulla.
2. The Hon'ble Srijut Rohini Kumar Chaudhuri.
3. The Hon'ble Maulavi Munawwar Ali.
4. The Hon'ble Srijut Hirendra Chandra Chakravarty.
5. The Hon'ble Khan Sahib Maulavi Mudabbir Hussain Chaudhuri.
6. The Hon'ble Dr. Mahendra Nath Saikia.
7. The Hon'ble Maulavi Abdul Matin Chaudhuri.
8. The Hon'ble Khan Bahadur Maulavi Sayidur Rahman.
9. The Hon'ble Miss Mavis Dunn.
10. The Hon'ble Srijut Rupnath Brahma.
11. Srijut Jogendra Narayan Mandal.
12. Babu Kalachand Roy.
13. Maulavi Abdul Aziz.
14. Maulavi Abdul Bari Chaudhuri.
15. Maulana Abdul Hamid Khan.
16. Khan Bahadur Hazi Abdul Majid Chaudhuri.
17. Maulavi Abdur Rahman.
18. Maulavi Syed Abdur Rouf.
19. Maulavi Md. Abdus Salam.
20. Maulavi Dewan Muhammad Ahbab Chaudhuri.
21. Maulavi Dewan Ali Raja.
22. Maulavi Muhammad Amiruddin.
23. Maulavi Muhammad Amjad Ali.
24. Maulavi Ashrafuddin Md. Chaudhuri.
25. Maulavi Badaruddin Ahmed.
26. Khan Bahadur Dewan Eklmur Roza Chaudhury.
27. Maulavi Ghyasuddin Ahmed.
28. Maulavi Jahanuddin Ahmed.
29. Khan Bahadur Maulavi Keramat Ali.
30. Maulavi Muhammad Maqbul Hussain Chaudhuri.
31. Maulavi Matior Rahman Mia.
32. Maulavi Mabarak Ali.
33. Khan Bahadur Maulavi Mufizur Rahman.
34. Maulavi Muzarrof Ali Laskar.
35. Maulavi Namwar Ali Bar-Bhuiya.
36. Maulavi Naziruddin Ahmed.
37. Maulavi Sheikh Osman Ali Sadagar.
38. Shams-ul-Ulama Abu Nasr Md. 'aheed.
39. Mr. A. H. Ball.
40. Mr. A. F. Bendall.
41. Mr. F. W. Blennerhassett.
42. Mr. N. Dawson.
43. Mr. W. R. Faull.
44. Mr. D. B. H. Moore.
45. Mr. C. W. Morley.
46. Mr. R. A. Palmer.
47. Mr. A. Whittaker.
48. Mr. Benjamin Ch. Momin.
49. Srijut Bhairab Chandra Das.
50. Srijut Binode Kumar J. Sarwan.
51. Rev. L. Gatphoh.
52. Mr. C. Goldsmith.
53. Mr. Jobang D. Marak.
54. Srijut Khorsing Terang.
55. Mr. P. Parida.
56. Srijut Rabi Chandra Kachari.

(After the division and before the announcement of the result of the division.)

Babu RABINDRA NATH ADITYA: The new procedure does not seem quite decent, Sir.

The Hon'ble the SPEAKER: I have seen it done in other Assemblies. We have thereby economised time a good deal.

Mr. BAIDYANATH MOOKERJEE: Both the Chair and the hon. members will be disgusted.

Moreover, it will be difficult for the Hon'ble Speaker to utter so many names.

The Hon'ble the SPEAKER: Very well, in future I shall see whether the same object can be achieved by some other way without calling out the names of the members,

The Hon'ble the SPEAKER: Order, order. The result of the division is:

Ayes—49.

Noes—56.

The motion has been negatived.

The Hon'ble the SPEAKER: The question is:

“That the Assam Ministers' Salaries (Amendment) Bill, 1940, be taken into consideration.”

The motion was adopted.

The Hon'ble the SPEAKER: We shall now take up the Bill clause by clause. There are as many as 14 amendments which have been tabled. May I know which of the amendments are going to be moved?

Babu RABINDRA NATH ADITYA: May I rise to a point of order, Sir?

We have just passed the first reading of the Bill. If we have understood the object of the three different stages through which a Bill passes it is this: That after a Bill is taken into consideration, and after it is analysed by a discussion of the various points with regard to the principles embodied in the Bill, members may table their amendments. To-day after the first reading is finished, we come to the second stage immediately. If this right is denied, then the meaning of the first reading loses all its significance. Therefore after we have passed the first reading, some time must be allowed to the members to table their amendments in the light of the discussions which take place in the House.

The Hon'ble the SPEAKER: Will the hon. member quote the rule which stands in the way?

Babu RABINDRA NATH ADITYA: The rule does not say this way or that way, Sir. The rule is silent on this point as to what time should intervene between first stage and the second stage. There is no time limit for that. Amendments may be moved to a Bill after the first stage and for that three days' notice is necessary. But in this case we were asked to supply our amendments beforehand, even when the Bill was not taken into consideration. So the right of members to table their amendments after having discussed the Bill threadbare or getting light from the discussion in the House has been denied. We think that after discussion has taken place on the floor of the House many new points may strike the members and as such they have got the right to table amendments in the light of the discussion. That is why provision has been made for three days' notice in tabling amendments. From that view of the thing, I think, the second reading of the Bill may be postponed to a subsequent date, as we think there is no hurry in the matter. So I request you not to deprive hon. members of their right of tabling amendments after the consideration stage is finished.

Babu KAMINI KUMAR SEN: Mr. Speaker, Sir, May I be permitted to say a few words on the point of order that has been raised. I submit Sir, that according to the Rules, consideration clause by clause cannot come to-day. I would refer to rule 56. The rule runs thus:

“When a Bill is introduced, or on some subsequent occasion, the member-in-charge may make one of the following motions in regard to the Bill, *viz.*,

- (a) that it be taken into consideration by the Assembly either at once or at some future day to be then mentioned ; or
- (b) that it be referred to a Select Committee ; or
- (c) that it be circulated for the purpose of eliciting opinion thereon.

Provided that if a member gives notice of a particular motion specified in (a), (b) and (c), he shall not be permitted to move a different motion.”

Now, Sir, the motion that has just been disposed of is worded like this “that the Bill be taken into consideration”. There is nothing to show that the motion was meant to be taken up *at once*. On the other hand, Sir, the motion was actually moved long ago, I think on the 2nd of March when there was absolutely no intention to take up the consideration, clause by clause, *at once*. So, Sir, even by implication, the motion that has been accepted by the House just now, cannot be taken to be a motion specified in the sub-clause (a) referred before as a motion for taking the Bill into consideration at once.

It is also clear that the notice of the motion was given only for consideration at a subsequent date. But the proviso clearly says “provided that if a member gives notice of a particular motion specified in (a), (b) and (c), he shall not be permitted to move a different motion”. Therefore, I think, Sir, that if consideration clause by clause be taken up now, it will mean that the motion which has just been disposed of would in effect be a motion, different from the one for which notice was given. It will mean that the motion we have just passed is a motion for taking the Bill into consideration *at once*, and not one for consideration at a subsequent date for which the notice was given. So, I submit, Sir, that consideration of the Bill clause by clause cannot be taken up now.

I may also refer you to rule 58(2), which says, “At this stage no amendments to the Bill may be moved, but if the member-in-charge moves that the Bill :—

- (a) be taken into consideration, any member may move as an amendment that the Bill be referred to a Select Committee or be circulated for the purpose of eliciting opinion thereon before a date to be mentioned in the motion ; or
- (b) be referred to a Select Committee, any member may move as an amendment that the Bill be circulated.....”

So, these are the only motions that can be moved at this stage. Consideration clause by clause cannot come unless there is motion for taking the Bill into consideration *at once*. As the motion that was discussed to-day is an old motion that was moved on the 2nd March, even by implication it cannot be said that the motion was for consideration “at once”. So, Sir, I submit that consideration clause by clause cannot be taken up to-day.

Babu RABINDRA NATH ADITYA : I would refer to rule 66 as well.

The Hon'ble the SPEAKER : With regard to the point of order raised, I may at once point out to the House that the views that have been placed before me are not such as I can accept. Hon. Mr. Kamini Kumar Sen has referred to rule 56 and has relied upon the proviso, No.(1),

of that rule, which is to this effect: "Provided that if a member gives notice of a particular motion specified in (a), (b) and (c), he shall not be permitted to move a different motion". Mr. Sen has argued that the motion to take the Bill into consideration clause by clause is a different motion than the motion to take the Bill into consideration. Therefore, he urges that it should not be taken up to-day after the disposal of the Hon'ble Premier's motion for taking the Bill into consideration. But I may tell the hon. member that he is entirely mistaken here, as the different motion here refers to one of those motions mentioned in (a), (b) and (c) of rule 56. Rule 56 runs thus:

"When a Bill is introduced, or on some subsequent occasion, the member-in-charge may make one of the following motions in regard to the Bill, namely:—

- (a) that it be taken into consideration by the Assembly either at once or at some future day to be then mentioned; or
- (b) that it be referred to a Select Committee; or
- (c) that it be circulated for the purpose of eliciting opinion thereon".

Now, the intention of the proviso is that if any hon. member gives notice to move one of these three motions, then he will not be allowed to move any other of the remaining two motions mentioned in the rule. In other words when there is a notice of any one of these three motions before the House the member giving notice of that motion will not be permitted to move any of the other two motions in the place of the one he has given notice of. The rule, therefore, prohibits substitution of one of the three motions mentioned in it by any of the other two motions. Here no question of substitution of one motion by another arises. The motion for taking the Bill into consideration was adhered to and has been finally disposed of necessitating the Bill to undergo its next stage of having the clauses considered separately.

So, coming to rules 66 and 67 of the Assembly Rules, I at once say that the contention that has been raised is not correct. Rule 66 says: "After a motion has been agreed to by the Assembly that a Bill be taken into consideration, any member may propose an amendment of the Bill". So, this rule, as it stands, does not stand in the way—rather it gives the right to a member to move an amendment of the Bill, because the motion that the Bill be taken into consideration has been agreed to by the Assembly.

Then, coming to rule 67, the rule says: "If notice of a proposed amendment has not been sent to the Secretary three clear days before the meeting of the Assembly at which the Bill is to be considered, any member may object to the moving of the amendment, and such objection shall prevail unless the Speaker, in his discretion, allows the amendment to be moved". Here I may draw the attention of the hon. members to the circular letter that was issued by the Secretary to all the members on the 5th March, 1940. In that letter, members were informed that the intention of Government was to have this Bill considered and passed by the Assembly on the 16th and 18th March, 1940. So, the hon. members also got notice of the fact that Government would make the motion for passing of the Bill on the 16th. The hon. members had, therefore, ample time to give notice of amendments.

Now, apart from that, when this motion was under discussion on the 2nd March, the members knew that if that motion were put to vote and carried on that day, the motion for taking up the Bill for consideration clause by clause would come up to-day and with the knowledge of that fact, the hon. members tabled as many as 14 amendments. As I examine the amendments I find that all the principles adumbrated here in course of discussion of the Bill have been sought to be implemented by one or other of the amendments. So with regard to the contention of Mr. Aditya that unless the members get sufficient time to table their amendments they will be prejudiced and that it will be taking away a valuable right of theirs, I do not think, in view of the sufficient number of amendments tabled, that the question of prejudice arises in this case. As I have scrutinised the amendments I find that the points of view that have been sought to be placed before the House is there in several of the amendments.

I may also refer the House to what was done in connection with the Bill that was considered by the House for the existing Ministers' Salaries Act. That Bill was introduced, taken into consideration and passed on the very same day:

Clause 3

The Hon'ble the SPEAKER: Now, which amendments are going to be moved? I have analysed the amendments, and I find the amendment of hon. Mr. Dakshinaranjan Gupta Chaudhuri suffer from some serious defects. I think his intention has not been clearly expressed in the amendment. I think his intention is that he wants each Minister to get a salary of Rs.500, but his amendment reads as follows:—

“That in clause 3, after the words ‘Prime Minister’ occurring in the first and second lines, the words ‘and each of the other Ministers’ shall be inserted, and in item (a) of that clause for the words and figure ‘Rs.1,750 per mensem’, the words and figure ‘Rs.500 per mensem’ shall be substituted”.

If this amendment is accepted, it will mean that the Prime Minister and each of the other Ministers shall get Rs.500 per mensem, *i.e.*, Rs.500 shall be shared between the Prime Minister and each of the other Ministers (*laughter*). His intention would have been clearly expressed if the word “each” were placed after the words “other Ministers”.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: What I meant that each of the Ministers should get a salary of Rs.500 per mensem. It may be a printer's devil, Sir.

The Hon'ble the SPEAKER: It will be better if some other amendment is taken up, and I call Mr. Naba Kumar Dutta to move his amendment.

Mr. NABA KUMAR DUTTA: Mr. Speaker, Sir, I beg to move that for clause 3, the following shall be substituted:—

“3. There shall be paid to each of the Ministers—

(a) a salary of Rs.500 per mensem,

(b) a house allowance of Rs.125 per mensem, provided that such allowance shall not be paid to any Minister if such Minister is provided by Government with a house free of all rents, assessments, taxes, rates or cesses due to the Government or any local authority, and

(c) an allowance of Rs.125 per mensem, for the maintenance of a motor car”.

Sir, we were dragged to a discussion of the question of Ministers' salaries on so many occasions in the past on the floor of this House that the Hon'ble Ministers ought to have had learnt by experience that this House cannot afford to be overgenerous to them in this respect. Now, Sir, in the pre-Reform days, there was an idea that the salaries of the Hon'ble Ministers should not look contemptible in the eyes of their highly paid subordinates in the permanent Civil Service, and accordingly the salaries of the Hon'ble Ministers were fixed at a rate higher than the rate of salaries of the senior Civil Servants. But, Sir, this idea has been discarded as ridiculous, and to-day all sections of public opinion admit that it is foolish to compare the salary of an Hon'ble Minister, who is a bird of the passage, and I should say of a very rapid passage, with the salary of a Civil Servant who holds no politics. Though, Sir, there is an implied admission of this truth in this Bill, it is a pity that the Hon'ble Ministers cannot be satisfied with the rate of salary fixed for the members of the Congress-Coalition Cabinet. It will be far from the truth to say that the salaries which were fixed for the Hon'ble Ministers of the Congress-Coalition Government were not sufficient to enable them to maintain their dignity and comfort. The rate of salaries fixed for the Parliamentary Secretaries, and the fact that one of the Hon'ble Ministers of the present Cabinet held a portfolio under the last Cabinet and never grumbled about his salary give a direct lie to this argument. Again, Sir, we sometimes hear in this province that the salaries of the Hon'ble Ministers should be high enough so that persons who may be earning higher emoluments in other vocations of life may take to politics. I must say, Sir, that this argument can only be heard in this province and nowhere else in the world. Was Sir John Simon paid a salary at a higher rate when he had to give up his tremendously lucrative practice at the Bar to join the British politics? Sir, I think I need not pursue this point further, but I must say that an error in politics might become a principle, and I must warn the hon. members of this House not to commit an error by disturbing the fine tradition set up by the Congress-Coalition Cabinet with regard to Ministers' salaries (*Hear, hear*).

With these words, Sir, I move my amendment for the acceptance of the House.

The Hon'ble the SPEAKER : Amendment moved :

"That for clause 3, the following shall be substituted :—

'3. There shall be paid to each of the Ministers—

- (a) a salary of Rs.500 per mensem,
- (b) a house allowance of Rs.125 per mensem, provided that such allowance shall not be paid to any Minister if such Minister is provided by Government with a house free of all rents, assessments, taxes, rates or cesses due to the Government or any local authority, and
- (c) an allowance of Rs.125 per mensem, for the maintenance of a motor car."

Babu Bipin Bihari Das may move the next amendment. I shall allow all the amendments to be moved now one after another, and then put them to the vote in the same way.

Babu BIPIN BIHARI DAS : Mr. Speaker, Sir, I beg to move :—
That for clause 3, the following shall be substituted :—

“3. There shall be paid to each of the Ministers—

- (a) a salary of Rs.550 per mensem,
- (b) a house allowance of Rs.125 per mensem, provided that such allowance shall not be paid to any Minister if such Minister is provided by Government with a house free of all rents, assessments, taxes, rates, or cesses due to the Government or any local authority, and
- (c) an allowance of Rs.125 per mensem, for the maintenance of a motor car”.

Sir, the placing of Ministers' Salaries (Amendment) Bill is really surprises to me. Nobody could ever imagine or dream that the popular Ministers should come forward with such a Bill fixing the salaries of the Prime Minister at Rs.2,000 including house-rent and conveyance allowance, and at Rs.1,000 for each of the other 9 Ministers, when the budget placed before the Legislature is a deficit one. The last Saadulla Cabinet with six Ministers drew as salaries a sum of Rs.1,02,000 annually, but the present Saadulla Cabinet has been now trying to increase even that provision by Rs.30,000 annually. The Congress-Coalition Ministry on the other hand managed the affairs of the province with Rs.67,200 annually, *i.e.*, with Rs.64,800 less than the present provision. The present provision for 10 Ministers is Rs.1,32,000. Over and above this the 10 Parliamentary Secretaries will require Rs.36,000 annually, and the sum of Rs.6,600 will be required for a Private Secretary to the Hon'ble Premier. Thus a sum of Rs.72,600, will be spent in excess by the present Saadulla Ministry over the previous one.

In the statement of Objects and Reasons it has been stated that the salaries drawn by the Ministers of the Congress-Coalition Ministry are not sufficient to maintain Ministers in reasonable dignity. I am not going to say anything with regard to the salaries of the Congress-Coalition Ministers. The country will judge whether that is sufficient. I like to point out here that there was a difference of pay of the Hon'ble Ministers in the former Saadulla Cabinets. The past Saadulla Cabinet fixed the salaries of the Hon'ble Prime Minister at Rs.2,500 and for other Ministers at Rs.1,500 each. Subsequently an addition of one Hon'ble Minister was made suddenly and a decrease in the pay of all Hon'ble Ministers except one was made and the Hon'ble Minister subsequently taken had to draw Rs.750. But now the present Ministry is trying to fix a sum of Rs.2,000 for the Prime Minister and Rs.1,000 for each of the others. So I am at a loss to understand the standard of dignity. It is said that we the legislators are the representatives of the people and we have come to represent the interest of the poor masses. It is a well-known fact that the condition of the masses is very deplorable. They are not well fed, they are not well clothed and they are not well educated. The daily income of the people of the province is one and a half-anna per head and the percentage of literacy is 8 whereas in England, Japan and other civilised countries of the world literacy is 98 per cent. Thousands of people are dying for want of treatment. Constant flood and waterhyacinth are damaging the paddy lands every year. But it is a pity that while we cannot spare sufficient money for the urgent needs of the people, the Hon'ble Ministers are trying for a substantial increase in their own salaries. So the exorbitant increase in the salaries of Ministers which is responsible for very meagre provision for the nation-building departments

can in no circumstances be supported. I appeal to the hon. members of this House to consider this amendment very seriously.

With these words, I beg to move my amendment for the acceptance of the Hon'ble House.

The Hon'ble the SPEAKER : Amendment moved :

"That for clause 3, the following shall be substituted :—

3. There shall be paid to each of the Ministers—

(a) a salary of Rs.550 per mensem

(b) a house allowance of Rs.125 per mensem, provided that such allowance shall not be paid to any Minister if such Minister is provided by Government with a house free of all rents, assessments, taxes, rates, or cesses due to the Government or any local authority, and

(c) an allowance of Rs.125 per mensem, for the maintenance of a motor car".

The Hon'ble the SPEAKER : Does the hon. member Babu Dakshinaranjan Gupta Chaudhuri wish to move his amendment ?

Babu DAKSHINARANJAN GUPTA CHAUDHURI : I would like to, because that is with regard to retrospective effect.

The Hon'ble the SPEAKER : That is on clause 2. That will come last of all. So he is not moving his amendments under clause 3.

Babu DAKSHINARANJAN GUPTA CHAUDHURI : I will, if I am allowed.

The Hon'ble the SPEAKER : What is the use ?

Babu DAKSHINARANJAN GUPTA CHAUDHURI : That is with a rider "each".

The Hon'ble the SPEAKER : Then there is another inaccuracy of expression in his amendment to item (b). If the hon. member would read his amendment, it would appear that if a house free of all rents, assessments, etc., be allowed to the Premier then the other Ministers would not get such a house ; and that if such a house is allowed to each of the other Ministers then the Premier would not be entitled to get such a house.

Babu DAKSHINARANJAN GUPTA CHAUDHURI : There may be some omission in the office.

The Hon'ble the SPEAKER : I do not know, but I can say that the office has no right to alter the words used by the hon. member. Therefore, I take it that the hon. member's amendments Nos.4* and 6† will not be moved. Now Babu Lalit Mohan Kar can move his amendments under clause 3.

Babu LALIT MOHAN KAR : I beg to move, Sir—

(i) that in item (a) of clause 3, the figure "1, 750" shall be substituted by the figure "Rs.501".

(ii) That in item (b) of clause 3, the figure "125" shall be substituted by the figure "100".

*4. "That in clause 3, after the words 'Prime Minister' occurring in the first and second lines, the words "and each of the other Ministers" shall be inserted and in item (a) of that clause for the words and figure 'Rs.1,750 per mensem', the words and figure 'Rs.500 per mensem' shall be substituted."

†6. That in item (b) of clause 3, the words and figure 'Rs.125 per mensem' shall be substituted by the words and figure 'Rs.100 per mensem' and after the words 'Prime Minister' occurring in the fourth line of that item the words 'or each of the other Ministers' shall be inserted.

- (iii) That in item (c) of clause 3, the figure "125" shall be substituted by the figure "100".

My object in moving these amendments is two-fold. Firstly, I think that in the present circumstances a higher salary for the Hon'ble Ministers cannot be justified in any way. For a small province like Assam the number of Ministers and Parliamentary Secretaries are too many. If the number of Ministers had been five or six there would have been some justification for the increment in salary. Moreover, the first two Saadulla Ministries drew annually a sum of Rs.1,02,000 as their salaries whereas the salaries and allowances provided in the Bill will increase this figure by Rs.30,000. Over and above this there is a provision of Rs.36,000 for the Parliamentary Secretaries. So the total increase even over the provision for first two non-Congress Ministries comes to Rs.66,000. This amount will further be increased by Rs.6,000 and odd for the appointment of a Private Secretary to the Hon'ble Premier. So, Sir, the total increase would be more than Rs.72,000. I am sure that every hon. member would agree that the provincial finances cannot afford to grant this increase at least in the present state of affairs. Therefore, I believe that there is absolutely no justification for any increase at present.

Secondly, Sir, I have provided for an increase of Re.1 only per mensem only to avoid objection on sentimental grounds. The present Ministry might object to Rs.500 on the plea that they are not bound to obey the Congress mandate. If it is now raised even by a rupee, I hope, they cannot have any such objection. I hope, the Hon'ble Ministers will not unreasonably demand a higher salary, especially as in this case they can have no ground for objection even on sentimental grounds.

With these few words, Sir, I beg to commend my motions for the acceptance of the House.

The Hon'ble the SPEAKER : Amendment moved :

- "(i) That in item (a) of clause 3, the figure '1,750' shall be substituted by the figure 'Rs.501'.
- (ii) That in item (b) of clause 3, the figure '125' shall be substituted by the figure '100'.
- (iii) That in item (c) of clause 3, the figure '125' shall be substituted by the figure '100'."

Now the debate will follow.

Srijut GAURI KANTA TALUKDAR : Mr. Speaker, Sir. I beg to support the amendment of my hon. friend Mr. Naba Kumar Dutta. I will touch only on one point and that is this. Mr. Dutta and other movers of the subsequent amendments are seeking to make the salaries of all the Ministers uniform. Sir, I fail to understand why there should be an invidious distinction between the Prime Minister and the rest of the Ministers. We have seen, Sir, in all the Congress provinces the Premiers have not claimed anything more either in respect of salary or in respect of any comfort. Here in this province also during the regime of the Congress-Coalition Government, the Premier did not demand anything more and he was satisfied with what was given to the other members of the Cabinet. Now, Sir, Saadulla, for making this distinction. He has said in the Statement of Objects and Reasons as, "higher salary is proposed for the Prime Minister than for other Ministers, as the least which is necessary in order to

remunerate the great responsibilities, and the greater expenditure than in the case of other Ministers, which are entailed by his office." Now, Sir, I understand when he says that the responsibility of the Premier is greater, but I fail to understand what is meant by the expression "greater expenditure than in the case of other Ministers". Equal provisions have been made in the Bill for providing all the Ministers with house and motor allowances. I fail to see how greater expenses shall have to be incurred by the Premier for his position as the Premier and why the poor tax-payers should be required to defray the "greater expenditure" even if the Premier liked to incur. I will wait to hear an explanation from the Hon'ble Premier in this respect.

Now, let us consider the question of the "greater responsibility". We expect Sir, that every Hon'ble Minister of this Cabinet is equally responsible for due and satisfactory discharge of his duties. Now if we are to judge responsibility by the portfolios held by each of the Ministers then probably we shall have to recognise differences in degrees of responsibility amongst the various Hon'ble Ministers. And in that event we shall have to make different grades in salary amongst them. Probably there will be the Education Minister who may say that the responsibilities of his portfolio are greater than those of the Minister for Forests or Registration and he, therefore, is entitled to better treatment. Similarly the Minister of Forests may say that he deserves greater emoluments because his portfolios are greater in responsibility than those of others. Sir, if we go on judging their salaries from the point of view of responsibility attached to their portfolios probably there will be no end of such demands and probably we shall be nowhere if we allow such demands according to the responsibility attached to different Ministers. I think, this will be a very unwise and detrimental policy. So I earnestly request the Hon'ble Premier to consider this question very seriously whether he should place an example in this province of making distinction between the Minister and Ministers. We expect that the Hon'ble Premier will be satisfied with a uniform salary.

Moreover, Sir, the post of a Minister is not one for making or hoarding money. These are positions for service of the country. The Ministers are supposed to have come here with a special object to serve the country, keeping themselves in reasonable comfort compatible with the condition of the people they have come to serve. It is with this object that these amendments have been tabled to reduce the proposed increase in salary of the Ministers to a standard which has been laid down by the Congress. Sir, the sole object of the Congress in fixing the salary of a Government servant at Rs. 500 is to make us realise that nobody has a right to accept or demand salaries which is not compatible with the financial condition of the people who make the payment, *i.e.*, the tax-payers. This ideal shall have to be strictly adhered to throughout the country till the time comes when the financial condition of the masses is improved, either by industrial or agricultural development. In my opinion, Sir, the only criterion of fixing the salary of Government servants as well as of Ministers is the paying capacity of the people, the earning of the masses upon whom we have to depend for running this administration. So, Sir, I earnestly request the hon. members of this House as well as members of the Cabinet to decide this question of increasing the salaries of the Ministers by looking to the plains, to the masses and the miserable plight in which they are placed and the heavy burden of debts under which they are groaning.

Mr. D. B. H. MOORE: Mr. Speaker, Sir, I rise to oppose the three motions which are now before the House. Generally the accepted principle by which we have always been guided in considering the salaries and allowances which should be paid to Ministers is briefly—that where heavy duties and responsibilities are undertaken, those undertaking them should receive emoluments commensurate with those duties and responsibilities. Whether such emoluments are paid in the form of a salary plus additional allowances or whether in the form of one consolidated sum, is clearly a matter for individual opinion. But the practice of paying car and housing allowances is one which has been adopted elsewhere and is one to which we can find no serious objection. As regards the differentiation between the Premier and remaining Ministers' salaries, we feel that the greater responsibility and additional work which undoubtedly falls on the shoulders of the Premier entitle him to a higher remuneration and as such the figure proposed in the Bill we consider to be just and proper.

Then the question we have to decide is what can be considered an adequate salary for these Cabinet Members; and here we realise there must be a considerable variation in opinion. There are a number of factors which have to be taken into consideration—some of which have been mentioned at some length by hon. members of the House—namely, such as the position and dignity of office and attendant expenses which the positions carry with them—as well as the amount of responsibility and the work which is involved in these various posts. I can only say quite briefly that in our view, considering all these factors, we consider that the salaries and allowances for which a provision has been made in this Bill cannot be called excessive. Therefore, Sir, we oppose those amendments.

Maulavi ABDUR RAHMAN: Mr. Speaker, Sir, I rise to oppose the amendment moved by Mr. Naba Kumar Dutta. Sir, while Sir Muhammad Saadulla formed the first Ministry, my friend Mr. Dutta was one of the staunchest supporters of the Saadulla Ministry and I exactly remember that that particular gentleman was labouring hard to pay high salaries to each of the Hon'ble Ministers. In fact he was one of the pioneers who supported the high salaries of Rs. 2,500 to be paid to the Hon'ble Premier and Rs. 1,500 to other Ministers. His argument was that when the Ministers are placed in the administration of a province they have got to perform very arduous duty and therefore they should be given higher salaries.

Mr. NABA KUMAR DUTTA: Time has changed, Sir.

Maulavi ABDUR RAHMAN: Now my hon. friend says that time has changed. Now he has got lessons. Sir, if a man having no strong principle and having inconsistency in him comes forward with various proposals they cannot at all impress us to lend our.....

Mr. NABA KUMAR DUTTA: Sir, when he is talking about principle I should like to remind him about his own principle also.

The Hon'ble the SPEAKER : Order, order.

Maulavi ABDUR RAHMAN : Sir, in the speech delivered by Mr. Talukdar we find that he simply criticised on the gradation of salaries for the Hon'ble Ministers. He was arguing why there should be a difference between the salary of the Hon'ble Premier and that of the other Hon'ble Ministers. From his arguments we are convinced that he is not against the principle of giving higher salary to the Hon'ble Ministers; the only thing he has argued is that there should not be any invidious distinction between the salaries of the Ministers. Again, Sir, what the hon. mover of the amendment has spoken cannot convince us that we should lend our support to his amendment. Our people want works—they do not mind for this higher salary. With these words I oppose the motion.

Mr. ARUN KUMAR CHANDA : On a point of information, Sir. Is it not a fact that hon. Mr. Abdur Rahman moved the first no-confidence motion against the Ministry of Sir Muhammad Saadulla? (Laughter)

Maulavi ABDUR RAHMAN : Certainly it is a fact.

The Hon'ble the SPEAKER : Order, order.

Babu RABINDRA NATH ADITYA : Mr. Speaker, Sir. I rise to support the motion of my hon. friend. I will only raise one point in connection with this amendment. We are new to the Parliamentary system of Government and as such it is necessary for us to create healthy precedents and conventions. It is also necessary that our Ministers should be strong enough to fight with the Governor so that the residuary power that is left to him may be disabled by nonuser. The Hon'ble Ministers should work with a sense of detachment to their offices, otherwise we cannot expect that they will be able to fight their way out to create healthy conventions. Now if the salary for the post is high, then naturally there would be some sort of attachment for the offices. That is why we expect that our Ministers should always be able to carry on their resignation letters in their pockets. We are opposed to higher salaries because the Ministers should have no attraction for these offices so that they may not give way before the stronger power or swerve for any other consideration. To keep them in the right track of duty it is necessary that salaries should not serve as an additional temptation for the Ministers. With these few words, Sir, I support the motion.

Srijut MAHADEV SARMA : মাননীয় সভাপতি ডাঙৰীয়া মহি এই সং-
শোধনী প্ৰস্তাৱ সমৰ্থন কৰোঁ। যি বিলাক বাই কাৰণত মহি এই প্ৰস্তাৱ সমৰ্থন কৰোঁ
তাৰ প্ৰথমটো হৈছে যে যি মনোভাৱকোৰ্তোঁটি কৰি এই বন্ধিত হাৰৰ মন্ত্ৰী সকলৰ দম হাৰ,
আইনৰ প্ৰস্তাৱ কৰিছে সেই মনোভাৱ জাতীয়তাবাদী ভাৱতে প্ৰতিৰোধ কৰিব খোজে।
জাতীয়তাবাদী ভাৱতে নিজৰ বৈশিষ্টৰ অধুৰূপ এনে কাৰ্যপন্থা দেশত বিস্তাৰ কৰিব
খোজে যাৰ দ্বাৰা সিবিলাকে সিবিলাকৰ আদৰ্শ কিম্বা সিবিলাকৰ দক্ষ্য পাবলৈ সমৰ্থ
হব পাৰে। এই আদৰ্শ কি তাক আপোনালোকে সকলোৰে জানে। যি মনোভাৱ এই
প্ৰস্তাৱত প্ৰকাশ হৈছে সেই মনোভাৱটোৰ দ্বাৰা এইটোৱেই বুজা যায় যাক ইংৰাজীৰে

চমু কথাৰে কবলৈ হলে cultural conquest of British Imperialism of Indian nationhood বুলি ক'ব পাৰি। আৰু ই ভাব প্ৰতিবন্ধ কৰিবৰ কাৰণ এই বিজাতীয় ধাৰ প্ৰতিৰোধ কৰিবৰ কাৰণে—জাতীয়তাবাদা ভাৱে দেশৰ আগত, জাতিৰ আগত নিজৰ সুকিয়া আদৰ্শ স্থাপন কৰিব বিচাৰে। মই আশাকৰোঁ যে অসম দেশৰ মন্থী সভাই এই উন্নত প্ৰগতিশীল আদৰ্শ গ্ৰহণ কৰিবলৈ কেতিয়াও পিছ নোহোঁকিব।

Cultural conquest এই কথাটোত বহুত ডাঙৰ কথা লুকাই আছে। এই নিত্য কম সময়ৰ ভিতৰত বাহুল্যকৈ ক'বৰ সুবিধ নাই। কিন্তু মোৰ বিশ্বাস মঠ যি সফল লোকৰ আগত এই কথা কৈছিলোঁ সিলালক এই কথা চমুকৈ ইঙ্গিত কৰি কলেই মোৰ কথাৰ মৰ্ম্য সহজে বুজিব পাৰিব। প্ৰত্যেক জাতিৰ যি বিশিষ্টতা সি তেওঁবিলাকৰ সভ্যতাৰ ভিতৰত বিকাশ পায় আৰু মোৰ বিশ্বাস যে জগতৰ সকলো জাতিৰ সভ্যতাৰ ভিতৰত তেওঁবিলাকৰ নিজ নিজ সুকিয়া বিশিষ্টতা প্ৰকাশ পাইছে। অন্ততঃ এটা কথাত আমাৰ ধৰ্ম্মহে নেলাগে আন সকলো ধৰ্ম্মৰে একমত দেখা যায়। সেইটো হৈছে ত্যাগৰ ভাব।

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: On a point of order Sir. Is the hon. member in order in speaking about religion and *Dharma* ?

The Hon'ble the SPEAKER: I do not think the hon. member is attacking any religion.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: Are we not prohibited from discussing religion ?

Mr. BAIDYANATH MOOKERJEE: Why is the hon. member so much afraid of religion ?

Srijut MAHADEV SARMA: মই অতি দুখেৰে মৈতে কওঁ যে তেখেতে মোৰ মনৰ ভাৱ সমূলি বুজিব পৰা নাই। সেই কাৰণেই মোৰ বক্তৃতাৰ ধৰ্ম্ম শব্দটোৰ উল্লেখতে আপত্তি কৰিছে। মই ডাঠি কওঁ যে কোনো ধৰ্ম্মভাৱত আঘাত লাগিব পৰা কথা মই কোৱা নাই। সেইটো মোৰ উদ্দেশ্যও নহয়। মই কওঁ জগতত যি এইটা ধৰ্ম্ম স্থাপিত হৈছে তাৰ পৰাই এটা জাতিৰ সভ্যতা আৰু কৃষ্টি গঠিত হোৱা নাইনে? জাতিয়ে তাৰে পৰা প্ৰেৰণা লাভ কৰি কাৰ্য্যকৰণত আগ বোবাঢ়েনে? প্ৰস্তাবিত আইনত আপোঁৱাহৰুত মনোবৃত্তি দেখিবলৈ পাইছে তাৰ প্ৰতিবোধৰ বাবেই মই প্ৰসঙ্গক্ৰমে এই কথাৰ উল্লেখ কৰিছোঁ। ধৰ্ম্ম, হিন্দু ধৰ্ম্মত প্ৰধানতঃ ত্যাগৰ আদৰ্শ আছে। কিন্তু বাইবেলত যিটোখণ্ডই নো কি কৈছে? তাত তেখেতে কৈছে যে তোমালোক পাৰ্থিৱ বস্তু দুখীয়াক বিলাই দি বা ত্যাগ কৰি মোৰ ওচৰলৈ আহাঁ। ইছলামেও যি কেইটা ঘাই ধৰ্ম্মকাৰ্য্য বুলি ধৰি আধ্যাত্মিক উন্নতিলৈ বাট দেখুৱাই দিছে তাৰ ভিতৰত মোৰ বিশ্বাস প্ৰধান হৈছে দান ধৰ্ম্ম। দান ধৰ্ম্মক সিবিলাকে ধৰ্ম্মৰ ডাঙৰ অঙ্গ বুলি বিবেচনা কৰে।

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: On a point of order. (*Loud laughter from many members.*)

The Hon'ble the SPEAKER: I hope the hon. member will allow the hon. speaker to go on uninterrupted.

Srijut MAHADEV SARMA: মই সেই কাৰণে কৈছিলোঁ যে সিবিলাক আদৰ্শলৈ মানুহে জগতত চলে সেই আদৰ্শবাদ পোন প্ৰথমতে সত্যতাৰ জৰিয়তে প্ৰকাশিত হয়। সত্যতা বুলিলে অৰ্থাৎ ধৰ্ম্মৰ বাটে যোৱা বুলি কলে মোৰ বিশ্বাস একো অপবাদ কৰা নহয়। সেই কাৰণে মই কৈছোঁ যে অলপমান নিজে ত্যাগৰ ভাঁটৰ ওপৰত প্ৰতিষ্ঠিত হলেহে মানুহে জগতত প্ৰতিষ্ঠা লাভ কৰিব পাৰে। মন্ত্ৰীমণ্ডলীয়ে যদি বিবেচনা কৰে যে সিবিলাকৰ জগতত প্ৰতিষ্ঠা লাভ হ'ব যদিহে অলপমান বাহ্যিক আড়ম্বৰ আৰু অলপমান comfort বা আয়াস লাভ কৰিবৰ বিধান হয়, তেনেহলে মই সেই মনোভাবৰ প্ৰতিবোধ কৰি কওঁ যে সিবিলাকৰ সেই ধাৰণা ভ্ৰান্ত। আৰু এই ভ্ৰান্ত ধাৰণাৰ বশবৰ্তী হৈ সিবিলাকে আমাক কব খোজে যে যদি আমি আমাৰ বাহ্যিক আড়ম্বৰ, ঐশ্বৰ্য্য বিভূতি প্ৰকাশ কৰোঁ তেনেহলে আমি আমাৰ প্ৰতিষ্ঠা দেশত কিম্বা সমাজত লাভ কৰিব পাৰিম। জাতীয়তাবাদী ভাৱে ত্যাগৰ ভাবৰ ওপৰত প্ৰতিষ্ঠিত হৈ নিজৰ বিশিষ্টতা সকলোকে আঙ্গুলিয়াই দেখুৱাই তালৈ সকলোকে আহ্বান কৰিছে আৰু সেই আহ্বানত যদি অধিকাংশ মানুহ যায় আৰু আমাৰ লগৰ কেইজনমান মানুহ যদি নেযায় তেনেহলে যুক্তিৰ জৰিয়তে সিবিলাকৰ দৃষ্টি আকৰ্ষণ কৰিবলৈ আৰু সহযোগ পাবলৈ সেই সুযোগলৈ আমি বিশেষদৰে সিবিলাকৰ দৃষ্টি আকৰ্ষণ কৰোঁ। সিবিলাকে কথাপ্ৰসঙ্গতে সদায় কৈ থাকে যে আমি দেশসেবা কৰিবলৈ ওলাইছোঁ; মন্ত্ৰীৰ গ্ৰহণ কৰি আমি আমাৰ স্বাৰ্থপূৰণ কৰিবলৈ ওলাইছোঁ বুলি কোনোবাটো কব পাৰেনে কি? কংগ্ৰেচ দলভুক্ত হলেহে দেশসেবাৰ অধিকাৰ থাকে এই বুলি বিদ্ৰূপ কৰি যায়। আমি নিজে সেই কথা কেতিয়াও স্বপ্নতো ভবা নাই। আমি কিছুমানে দেশৰ কল্যাণৰ কাম কৰিছোঁ বুলি, দেশৰ অত্যাগ্ৰ মানুহে নকৰে বা অধিকাৰ নাই বুলি কোনো ভাব পোষণ কৰা নাই আৰু তেনে উদাহৰণ দিবও নোৱাৰো। কিন্তু যি কাৰ্য্যপন্থা ললে দেশৰ প্ৰগতিশীল কামত আগবাঢ়ি যাবলৈ সুযোগ হয় সেইটো যুক্তি দেখুৱাই আমাৰ দেশবাসী অত্যাগ্ৰ মানুহক আহ্বান কৰিবলৈ বাক আমাৰ অধিকাৰ নাইনে সভাপতি ডাঙৰীয়া? (*laughter*) সেই সুযোগ লৈ আজি সিবিলাকক অনুবোধ কৰোঁ যে বৃটিছ সাম্ৰাজ্যবাদৰ জৰিয়তে আমাৰ কৃষ্টি আৰু সত্যতা ধ্বংস হোৱাতো উচিত নেকি ইমান দিনে সিবিলাকৰ যি মহৎ ভাব আছে, তাৰে সিবিলাকে sober আৰু cool moment ত ভাবি চাওক আৰু আমি যি ছুই চাৰিটা কথা কৈছোঁ তাত ভাবি চাবলগীয়া কিবা আছেনে নাই?

Dignity—সম্ভ্ৰম বা শ্ৰদ্ধা ধনেৰে কিবাব পাৰেনে সভাপতি ডাঙৰীয়া?

The Hon'ble the SPEAKER: The hon. member is practically repeating the arguments already advanced.

Srijut MAHADEV SARMA: মই এই কথাটো অত্ৰভাবে কব খোজে।।

The Hon'ble the SPEAKER: The hon. members are all sufficiently intelligent and the points need not be repeated so many times.

Srijut MAHADEV SARMA: যদি বাহ্যিক আড়ম্বৰে মানুহৰ গন্ধা আকৰ্ষণ কৰিব পাৰিলে হেতেন তেনেহলে জগতত যি সকল ভ্যাগী পুৰুষ সেই সকল কেতিয়াও প্ৰতিষ্ঠিত হব নোৱাৰিবলহেতেন। সেইকাৰণে বাহ্যিক আড়ম্বৰতকৈ হৃদয়ৰ উচ্ছতাকহে মানুহে বেচকৈ শ্ৰদ্ধা কৰে আৰু হৃদয়ৰ উচ্চতা যিবিলাকে প্ৰদৰ্শন কৰে সেইবিলাকেহে সম্ভ্ৰম পাবৰ অধিকাৰী। অগাৰ্য প্ৰদেশ বিলাকত যেতিয়া কংগ্ৰেছ মন্ত্ৰীসভা আছিল আৰু আমাৰ প্ৰদেশতো সৌভাগ্যক্রমে ১৪ মাহৰ কাৰণে যেতিয়া কংগ্ৰেছযুক্ত মন্ত্ৰীসভা আছিল তেতিয়া দৰমহা কমাইনোৱাত মন্ত্ৰী সকলৰ সম্ভ্ৰমৰ কিবা ব্যাঘাত হৈছিলনে? বং মই ডাঠ কব পাৰো যে সেই সময়ত কোনো এজন মন্ত্ৰীৰ সম্ভ্ৰমত বাধা পৰা নাছিল, যদিও সিবিলাকে জাতীয়তাবাদী প্ৰগতিমূলক আদৰ্শ মানি মাত্ৰ ৫০০ টকাকৈ মাহিলি দৰমহা গ্ৰহণ কৰিছিল। সেই কাৰণে মই সিবিলাকক বিশেষভাৱে সোধা যে সিবিলাকে সেইটোকে আদৰ্শবুলি গোটেই জাতি বা দেশক কিয় আনবাটে নিবলৈ চেষ্টা কৰে? আৰু সেইকাৰণে মই শুবিব পাৰোনে যে এই প্ৰতিক্ৰিয়ামূলক মনোভাবৰ দাৰ্ফণা স্বৰূপ আমি সিবিলাকক বন্ধিত হাৰে দৰমহা দিব লাগিবনে?

Mr. D. B. H. MOORE: May I ask, Sir, if you would consider extending the sitting so that the Bill may be passed to-day?

The Hon'ble the SPEAKER: I shall sit for 15 minutes more after 5 p. m.

Maulavi MUHAMMAD AMJAD ALI: In view of the fact that we have got a lot of important business.....

The Hon'ble the SPEAKER: The hon. member must have heard what I said on this question.

Srijut MAHADEV SARMA: প্ৰধান মন্ত্ৰী ডাঙৰীয়াই সভাৰ আগত পানতে বাজেট দাঙ্গি ধৰোতে breakfast ৰ কথা প্ৰসঙ্গক্রমে উল্লেখ কৰি তাতে সম্ভ্ৰষ্ট থকাৰ কথা কৈছিল।

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The hon. member, Sir, is repeating the arguments already advanced.

The Hon'ble the SPEAKER: I should again request the hon. member not to repeat the arguments. Perhaps it is for the 20th time I am hearing criticism of the expression "breakfast" used by the Hon'ble Premier in his budget speech.

Srijut MAHADEV SARMA: কথা প্ৰসঙ্গত কোৱাৰ বাবে মই এইটো উল্লেখ কৰিছোঁ। Breakfast তেই যদি ইমান বন্ধিত হাৰৰ দৰমহা লাগে dinner ৰ বেলিকা বা কেনে হব? (*Loud laughter*) আমাৰ বুদ্ধিৰ অগোচৰ।

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

Sir, I was thinking with what expression I will congratulate the mover of the original amendment, Mr. Naba Kumar Dutta, for his new born patriotism or his newly acquired spirit of sacrifice and acquisition of knowledge. Some hon. member says that he is showing the zeal of a new convert. Really he has become a new convert. Hon. members may remember that in 1937 when I introduced the Ministers' Salaries Bill to the extent of Rs. 2,800 for the Premier and Rs. 1,800 for the other Ministers, my friend Khan Bahadur Sayidur Rahman moved an amendment for reducing the sum to Rs.2,500 and Rs.1,500 respectively. I find, Sir, that there was a motion to reduce the salary of the Ministers to Rs.500 per mensem with house and car allowance of Rs. 300 per mensem from the Congress Party, which was moved by Srijut Omeo Kumar Das. During the discussion we heard some very plain truths from the lips of Mr. Naba Kumar Dutta. I will read two sentences therefrom. These are his words :

"We must not forget that though politics involve sacrifice of income to a certain extent, yet too inadequate a salary will draw to the Ministry only people with fat bank balances and thus a plutocracy will be established."

Mr. NABA KUMAR DATTA : I was not wise to make that statement.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :
Then, Sir, he says :

"Lastly on the analogy of British Cabinet system we should pay higher salary to the Chief Minister. British Cabinet system has grown through convention but our Cabinet system has been copied from it. Sir, if we want a Cabinet system of Government, the position of the Chief Minister or Premier whatever you call him must be recognised. I hope, Sir, in the amendment different view points will find a ready compromise". (Mr. Naba Kumar Dutta: You have taught me) I am glad that the hon. member says that I have taught the new ideal which he is preaching.

My friend, Babu Bipin Behari Das, after extolling the provisions of the Bill passed at the instance of the Congress-Coalition Ministry thinks that the provision made therein was not sufficient. Therefore he has been good enough to provide by his amendment a sum of Rs.800 and not Rs.700. This fact clearly shows, Sir, that he is of opinion that the provision made in the Act now in force is not sufficient. I need not detain the House with a detailed criticism of his proposal. But I am surprised at the generosity of my friend Babu Lalit Mohon Kar. He has admitted the principle that there is a difference between the responsibility of the Premier and his colleagues the other Ministers, and therefore he proposes that the Prime Minister must get a higher salary and in his generosity he has proposed one rupee more. I thank him for the admission of the principle that on account of the added or higher responsibility there must be greater salary. I would leave to the judgment of the House what higher sum the Chief ought to get.

The unkindest cut came from a quarter from which I never expected it. I refer to my friend Srijut Gauri Kanta Talukdar. He wanted various explanations, but I have no time to oblige him. I say unkindest cut comes from him as I feel that if anybody is to pay me a sufficient sum, it is he. By my acceptance of office, I have given him an opportunity to open the

flood gates of his oratory while last year, we all felt that his speech was dammed by party whip.

The Hon'ble the SPEAKER: I shall put the amendment of Babu Lalit Mohan Kar first :

The question is :

“ That in item (a) of clause 3 the figure ‘1,750’ shall be substituted by the figure ‘501’.

That in item (b) of clause 3, the figure ‘125’ shall be substituted by the figure ‘100’.

That in item (c) of clause (3) the figure ‘125’ shall be substituted by the figure ‘100’.

The Assembly Divided.

Ayes—51

- | | |
|--|---|
| 1. Kumar Ajit Narayan Dev. | 26. Srijut Lakshesvar Borooah. |
| 2. Babu Akshay Kumar Das. | 27. Babu Lalit Mohan Kar. |
| 3. Mr. Arun Kumar Chanda. | 28. Srijut Mahadev Sarma. |
| 4. Mr. Baidyanath Mookerjee. | 29. Srijut Mahi Chandra Bora. |
| 5. Babu Balaram Sircar. | 30. Mr. Naba Kumar Dutta. |
| 6. Srijut Beliram Das. | 31. Srijut Omeo Kumar Das. |
| 7. Srijut Bepin Chandra Medhi. | 32. Srijut Paramananda Das. |
| 8. Srijut Bhuban Chandra Gogoi. | 33. Babu Nirendra Nath Deb. |
| 9. Babu Bepin Behari Das. | 34. Srijut Purandar Sarma. |
| 10. Srijut Bishnu Ram Medhi. | 35. Srijut Purna Chandra Sarma. |
| 11. Babu Dakshina Ranjan Gupta
Chaudhuri. | 36. Babu Rabindra Nath Aditya. |
| 12. Srijut Debeswar Sarmah. | 37. Srijut Rajani Kanta Barooah. |
| 13. Srijut Ghanashyam Das. | 38. Srijut Rajendra Nath Barua. |
| 14. Srijut Gaurikanta Talukdar. | 39. Srijut Ram Nath Das. |
| 15. Srijut Gopinath Bardoloi. | 40. Srijut Sankar Chandra Barua. |
| 16. Srijut Haladhar Bhuyan. | 41. Srijut Santosh Kumar Barua. |
| 17. Babu Harendra Narayan Chau-
dhuri. | 42. Srijut Sarveswar Barua. |
| 18. Srijut Jadav Prasad Chaliha. | 43. Babu Shibendra Chandra
Biswas. |
| 19. Srijut Jogendra Chandra Nath. | 44. Srijut Siddhi Nath Sarma. |
| 20. Srijut Joges Chandra Gohain. | 45. Maulavi Md. Ali Haidar Khan. |
| 21. Srijut Kameswar Das. | 46. Mr. Fakhruddin Ali Ahmed. |
| 22. Babu Kamini Kumar Sen. | 47. Khan Bahadur Maulavi
Mahmud Ali. |
| 23. Babu Karuna Sindhu Roy. | 48. Srijut Bideshi Pan Tanti. |
| 24. Mr. Kedarmal Brahmin. | 49. Srijut Dhirsingh Deuri. |
| 25. Srijut Krishna Nath Sarmah. | 50. Rev. J. J. M. Nichols-Roy. |
| | 51. Srijut Karka Dalay Miri. |

Noes—56

- | | |
|---|---|
| 1. The Hon'ble Maulavi Saiyid
Sir Muhammad Saadulla. | 4. The Hon'ble Srijut Hirendra
Chandra Chakravarty. |
| 2. The Hon'ble Srijut Rohini
Kumar Chaudhuri. | 5. The Hon'ble Khan Sahib
Maulavi Mudabbir Hussian
Chaudhuri. |
| 3. The Hon'ble Maulavi Munaw-
war Ali. | |

Noes.—56—*conld.*

- | | |
|---|---|
| 6. The Hon'ble Dr. Mahendra Nath Saikia. | 28. Maulavi Jahanuddin Ahmed. |
| 7. The Hon'ble Maulavi Abdul Matin Chaudhuri. | 29. Khan Bahadur Maulavi Keramat Ali. |
| 8. The Hon'ble Khan Bahadur Maulavi Sayidur Rahman. | 30. Maulavi Muhammad Maqbul Hussain Chaudhury. |
| 9. The Hon'ble Miss Mavis Dunn. | 31. Maulavi Matior Rahman Mia. |
| 10. The Hon'ble Srijut Rupnath Brahma. | 32. Maulavi Mabarak Ali. |
| 11. Srijut Jogendra Narayan Mandal. | 33. Khan Bahadur Maulavi Mufizur Rahman. |
| 12. Babu Kalachand Roy. | 34. Maulavi Muzarrof Ali Laskar. |
| 13. Maulavi Abdul Aziz. | 35. Maulavi Namwar Ali Barbhuiya. |
| 14. Maulavi Abdul Bari Chaudhury. | 36. Maulavi Naziruddin Ahmed. |
| 15. Maulana Abdul Hamid Khan. | 37. Maulavi Sheikh Osman Ali Sadagar. |
| 16. Khan Bahadur Hazi Abdul Majid Chaudhury. | 38. Shams-ul-Ulama Maulana Abu Nasr Md. Waheed. |
| 17. Maulavi Abdur Rahman. | 39. Mr. A. H. Ball. |
| 18. Maulavi Syed Abdur Rouf. | 40. Mr. A. F. Bendall. |
| 19. Maulavi Md. Abdus Salam. | 41. Mr. F. W. Blennerhassett. |
| 20. Maulavi Dewam Muhammad Ahab Chaudhury. | 42. Mr. N. Dawson. |
| 21. Maulavi Dewan Ali Raja. | 43. Mr. W. R. Faull. |
| 22. Maulavi Muhammad Amiruddin. | 44. Mr. D. B. H. Moore. |
| 23. Maulavi Muhammad Amjad Ali. | 45. Mr. C. W. Morley. |
| 24. Maulavi Ashrafuddin Md. Chaudhury. | 46. Mr. R. A. Palmer. |
| 25. Maulavi Badaruddin Ahmed. | 47. Mr. A. Whittaker. |
| 26. Khan Bahadur Dewan Eklimur Roza Chaudhury. | 48. Mr. Benjamin Ch. Momin. |
| 27. Maulavi Ghyasuddin Ahmed. | 49. Srijut Bhairab Chandra Das. |
| | 50. Srijut Binode Kumar J. Sarwan |
| | 51. Rev. L. Gatphoh. |
| | 52. Mr. G. Goldsmith. |
| | 53. Mr. Jobang D. Marak. |
| | 54. Srijut Khorsing Terang. |
| | 55. Mr. P. Parida. |
| | 56. Srijut Rabi Chandra Kachari. |

The motion was negatived.

The Hon'ble the SPEAKER: I shall now put the amendment of Mr. Naba Kumar Dutta.

The question is :

“That for clause 3, the following shall be substituted :—

‘3. There shall be paid to each of the Ministers—

(a) a salary of Rs. 500 per mensem,

(b) a house allowance of Rs. 125 per mensem, provided that such allowance shall not be paid to any Minister if such Minister is provided by Government with a house free of all rents, assessments, taxes, rates or cesses due to the Government or any local authority, and

(c) an allowance of Rs. 125 per mensem, for the maintenance of a motor car'."

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: On a point of order, Sir. Mr. Lalit Mohan Kar's motion has already been put and the House has given its verdict. So how can this motion so far as relates to the Prime Minister be put to the vote now?

The Hon'ble the SPEAKER: The Hon'ble the Premier will see that in clause 3 the amendment is so framed as to dispense with clause 4, and therefore it becomes a different motion.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The House has already given its verdict at least so far as the Prime Minister is concerned.

The Hon'ble the SPEAKER: In the amendment proposed by Babu Lalit Mohan Kar it was suggested that the Prime Minister should get Rs. 501 instead of Rs. 1,750, and in this motion it is intended to give a salary of Rs. 500 and a house allowance of Rs. 125 and a conveyance allowance of Rs. 125. In this motion the whole thing has been taken together and therefore it is a different motion and the previous motion does not bar out this motion, even so far as the salary of the Premier is concerned, because it seeks to give him Rs. 500 as salary.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I do not wish to take up the time of the House, but as I say Mr. Lalit Mohan Kar's amendment was, "that in item (a) of clause 3 the figure 1,750 shall be substituted by the figure Rs.501." The House has already given its verdict that Rs. 501 should not be given. Can it be now asked to give its verdict whether the Premier should get Rs.500?

The Hon'ble the SPEAKER: I will give the same answer to this. Here the salary to be fixed is Rs. 500. Again, the motion has been put along with the other two clauses, but if I had put only the first part of the amendment of course there might have some force in the Hon'ble Premier's contention.

The Assembly divided.

Ayes—51

- | | |
|---|-----------------------------------|
| 1. Kumar Ajit Narayan Dev. | 18. Srijut Jadav Prasad Chaliha. |
| 2. Babu Akshay Kumar Das. | 19. Srijut Jogendra Chandra Nath. |
| 3. Mr. Arun Kumar Chanda. | 20. Srijut Joges Chandra Gohain. |
| 4. Mr. Baidyanath Mookerjee. | 21. Srijut Kameswar Das. |
| 5. Babu Balaram Sircar. | 22. Babu Kamini Kumar Sen. |
| 6. Srijut Beliram Das. | 23. Babu Karuna Sindhu Roy. |
| 7. Srijut Bepin Chandra Medhi. | 24. Mr. Kedarmal Brahmin. |
| 8. Srijut Bhuban Chandra Gogoi. | 25. Srijut Krishna Nath Sarmah. |
| 9. Babu Bipin Behari Das. | 26. Srijut Lakshesvar Borooah. |
| 10. Srijut Bishnu Ram Medhi. | 27. Babu Lalit Mohon Kar. |
| 11. Babu Dakshinaranjan Gupta
Chaudhuri. | 28. Srijut Mahadev Sarma. |
| 12. Srijut Debeswar Sarmah. | 29. Srijut Mahi Chandra Bora. |
| 13. Srijut Ghanashyam Das. | 30. Mr. Naba Kumar Dutta. |
| 14. Srijut Gaurikanta Talukdar. | 31. Srijut Omeo Kumar Das. |
| 15. Srijut Gopinath Bardoloi. | 32. Srijut Paramananda Das. |
| 16. Srijut Haladhar Bhuyan. | 33. Babu Nirendra Nath Deb. |
| 17. Babu Harendra Narayan Chau-
dhuri. | 34. Srijut Purandar Sarma. |
| | 35. Srijut Purna Chandra Sarma. |
| | 36. Babu Rabindra Nath Aditya. |

AYES—51—concl'd.

- | | |
|------------------------------------|--------------------------------------|
| 37. Srijut Rajani Kanta Barooah. | 44. Srijut Siddhi Nath Sarma. |
| 38. Srijut Rajendra Nath Barua. | 45. Maulavi Md. Ali Haidar Khan. |
| 39. Srijut Ram Nath Das. | 46. Mr. Fakhruddin Ali Ahmed. |
| 40. Srijut Sankar Chandra Barua. | 47. Khan Bahadur Maulavi Mahmud Ali. |
| 41. Srijut Santosh Kumar Barua. | 48. Srijut Bideshi Pan Tanti. |
| 42. Srijut Sarveswar Barua. | 49. Srijut Dhirsingh Deuri. |
| 43. Babu Shibendra Chandra Biswas. | 50. Rev. J. J. M. Nichols-Roy. |
| | 51. Srijut Karka Dalay Miri. |

Noes—56

- | | |
|---|---|
| 1. The Hon'ble Maulavi Saiyid Sir Muhammad Saadulla. | 25. Maulavi Badaruddin Ahmed. |
| 2. The Hon'ble Srijut Rohini Kumar Chaudhuri. | 26. Khan Bahadur Dewan Eklimur Roza Chaudhury. |
| 3. The Hon'ble Maulavi Munawwar Ali. | 27. Maulavi Ghyasuddin Ahmed. |
| 4. The Hon'ble Srijut Hirendra Chandra Chakravarty. | 28. Maulavi Jahanuddin Ahmed. |
| 5. The Hon'ble Khan Sahib Maulavi Mudabbir Hussain Chaudhuri. | 29. Khan Bahadur Maulavi Keramat Ali. |
| 6. The Hon'ble Dr. Mahendra Nath Saikia. | 30. Maulavi Muhammad Maqbul Hussain Chaudhury. |
| 7. The Hon'ble Maulavi Abdul Matin Chaudhuri. | 31. Maulvi Matior Rahman Mia. |
| 8. The Hon'ble Khan Bahadur Maulavi Sayidur Rahman. | 32. Maulavi Mabararak Ali. |
| 9. The Hon'ble Miss Mavis Dunn. | 33. Khan Bahadur Maulavi Mufizur Rahman. |
| 10. The Hon'ble Srijut Rupnath Brahma. | 34. Maulavi Muzarraf Ali Laskar. |
| 11. Srijut Jogendra Narayan Mandal. | 35. Maulavi Namwar Ali Barbhuiya. |
| 12. Babu Kalachand Roy. | 36. Maulavi Naziruddin Ahmed. |
| 13. Maulavi Abdul Aziz. | 37. Maulavi Sheikh Osman Ali Sadagar. |
| 14. Maulavi Abdul Bari Chaudhury. | 38. Shams-ul-Ulama Maulana Abu Nasr Md. Waheed. |
| 15. Maulana Abdul Hamid Khan. | 39. Mr. A. H. Ball. |
| 16. Khan Bahadur Hazi Abdul Majid Chaudhuri. | 40. Mr. A. F. Bëndall. |
| 17. Maulavi Abdur Rahman. | 41. Mr. F. W. Blennerhassett. |
| 18. Maulavi Syed Abdur Rouf. | 42. Mr. N. Dawson. |
| 19. Maulvi Md. Abdus Salam. | 43. Mr. W. R. Faull. |
| 20. Maulavi Dewan Muhammad Ahab Chaudhury. | 44. Mr. D. B. H. Moore. |
| 21. Maulavi Dewan Ali Raja. | 45. Mr. C. W. Morley. |
| 22. Maulavi Muhammad Amiruddin. | 46. Mr. R. A. Palmer. |
| 23. Maulavi Muhammad Amjad Ali. | 47. Mr. A. Whittaker. |
| 24. Maulavi Ashrafuddin Md. Chaudhury. | 48. Mr. Benjamin Ch. Momin. |
| | 49. Srijut Bhairab Chandra Das. |
| | 50. Srijut Binode Kumar J. Sarwan. |
| | 51. Rev. L. Gatphoh. |
| | 52. Mr. C. Goldsmith. |
| | 53. Mr. Jobang D. Marak. |
| | 54. Srijut Khorsing Terang. |
| | 55. Mr. P. Parida. |
| | 56. Srijut Rabi Chandra Kachari. |

The motion was negatived.

The Hon'ble the SPEAKER: I shall now put the amendment of Babu Bipin Behari Das. The question is:

"That for clause 3, the following shall be substituted:—

'3 There shall be paid to each of the Ministers—

(a) a salary of Rs. 550 per mensem,

(b) a house allowance of Rs. 125 per mensem, provided that such allowance shall not be paid to any Minister if such Minister is provided by Government with a house free of all rents, assessments, taxes, rates, or cesses due to the Government or any local authority, and

(c) an allowance of Rs. 125 per mensem, for the maintenance of a motor car".

The motion was negatived.

The Hon'ble the SPEAKER: The question is: That clause 3 of the Bill do stand part of the Bill.

This was adopted.

Maulavi MUHAMMAD AMJAD ALI: Sir, as we are having very important items of business for Monday, I suggest that we may sit and finish this Bill to-day.

(Cries of "No")

The Hon'ble the SPEAKER: Of-course, I could see the point of the hon. member which he wanted to urge. There are two very important Bills,—the Tenancy Bills—in which all sections of the House are interested. If we can finish this Bill at least to-day, of-course, that would put us in an advantageous position on Monday. But I wish to know the wishes of the House whether the hon. members want to continue sitting to-day for any further time.

("Cries of No")

Adjournment

The Assembly was then adjourned till 11 a.m. on Monday, the 18th March, 1940.

SHILLONG:

The 11th May, 1940.

A. K. BARUA,

Secretary, Assam Legislative Assembly.

The 16th February 1940.

No. 849-L.S.-G.—In exercise of the powers conferred by section 296(2)(i) of the Assam Municipal Act, 1923 (Assam Act I of 1923), as subsequently amended, which was extended to the Nalbari Small Town by Notification No.1566(a)-L. -G., dated the 8th March 1938, the Governor of Assam is pleased to make the following rules for the division of the Nalbari Small Town into wards and for fixing the number of members to be elected for each of such wards of the said Small Town.

NALBARI SMALL TOWN

The Small Town shall be divided into four wards with the following boundaries :—

Number of
elected members
for each ward

WARD No. 1 1

North.—A line starting from the south-west corner of *dag* No.527 of Nalbari Town and running in an eastwardly direction along the northern boundary of *dag* No.540 of Nalbari Town and ending at its north-east corner, which point is demarcated by a survey mark.

East.—A line starting from the north-east corner of *dag* No.540 of Nalbari Town and running in a southwardly direction along the eastern boundaries of *dags* Nos.540, 572, 573, 709, 1171, 591, 710, 711, 712, 713, 714, 715, 716, 1258, 730, 732, 1316, 735, 736, 744, 745, 746, 747, 1220, 1170, 748, 751, 754 and 755 of Nalbari Town and ending at the south-east corner of the last mentioned *dag*.

South.—A line starting from the south-east corner of *dag* No.755 of Nalbari Town and running in a westwardly direction along the southern boundaries of *dags* Nos.755, 756, 757, 743, 663, 662, 661, 659, 658, 657, 655, 653, 652, 650, 551, 647, 1259, 646, 645, and 644 of Nalbari Town and ending at the south-west corner of the last mentioned *dag*.

West.—A line starting from the south-west corner of *dag* No.527 of Nalbari Town and crossing the *dags* Nos.540, 572 and 573 southwardly in a straight line to meet the north-west corner of *dag* No.585 and then along the western boundary of *dag* No.585 and crossing the *dag* No.591 (North Trunk Road) in a straight line and meeting the southern boundary of the said *dag* and running in a westwardly direction along the southern boundary of *dag* No.591, then along the eastern and southern boundary of *dag* No.1079 (N. T. Roadside land) to the north-west corner of *dag*

Number of
elected members
for each ward

No.603, thence running southwardly along the western boundary of the said *dag* and *dags* Nos.602, 1212, 1213, and through the *dag* No.1214 running straight to the *Nisp.* stone pillar at the north-west corner of *dag* No.601 and thence running southwardly along the western boundary of *dag* No 601 to the *Nisp.* boundary stone at the south-west corner of *dag* No.601 and thence running westwardly along the northern boundary of *dag* No.641 up to the north-west corner of the said *dag* No.641 and thence running southwardly along the western boundary of *dag* No.641 and *dag* No.644 of Nalbari Town and ending at the south-west corner of *dag* No.644.

WARD No. II

North.—A line starting from the north-west corner of *dag* No.1080 of Nalbari Town and running in an eastwardly direction along the southern boundaries of *dags* Nos.532 and 573 of Nalbari Town and ending at a spot where it meets the north-west corner of *dag* No.585 of Nalbari Town.

East—A line starting from the north-west corner of *dag* No.585 of Nalbari Town and running in a southwardly direction following exactly the western boundary of Ward No.I and ending at the south-west corner of *dag* No 644 of Nalbari Town.

South.—A line starting from the south-east corner of *dag* No.1141 of Nalbari Town and running in a westwardly direction along the southern boundaries of *dags* Nos.1141, 1160, 1236, 1159, 1256, 1156, 1149, 1155 and 1154 of Nalbari Town and ending at the south-west corner of the last mentioned *dag*.

West.—A line starting from the south-west corner of *dag* No.1154 and running in a northwardly direction along the western boundaries of *dags* Nos.1154, 1370 and then along the eastern boundary of *dag* No.1144 to the spot where it meets the southern boundary of *dag* No.1079 of Nalbari Town and then running in an eastwardly direction along the southern boundary of the last mentioned *dag* where it meets the north-east corner of *dag* No.1110 of Nalbari Town and then in a northwardly direction along the western boundary of *dag* No.1357 of Nalbari Town then crossing *dags* Nos. 1079, 1222 and 590 of Nalbari Town in a straight line to meet the south-east corner of *dag* No 1058 and then in a northwardly direction along the western boundary of *dag* No. 1080 of Nalbari Town (station road) and ending at the north-west corner of the last mentioned *dag*.

1

WARD No. III

1

North.—A line starting from the north-west corner of *dag* No.293 of Nalbari Town and then running in an eastwardly direction along the northern boundary of *dag* No.293 and then running southwardly along the eastern boundary of *dag* No.293 and then again eastwardly along the northern boundary of the said *dag* and *dags* Nos.292, 291, 263, 266, 1324 and 536 of Nalbari Town and ending at the spot where it meets *dag* No.527 of Nalbari Town covered by Dhamdhama Road.

East and South.—A line starting from the point where the northern boundary of *dag* No.536 meets the western boundary of *dag* No.527 and running in a southwardly direction along the western boundary of *dag* No.527 to the point where it meets the north-west corner of Ward No.I and then crossing the *dags* Nos.540, 572 and 573 of Nalbari Town in a straight line to meet the north-west corner of *dag* No.585 of Nalbari Town and then in a westwardly direction along the southern boundary of *dags* Nos.573 and 532 to where it meets the north-west corner of *dag* No.1080 of Nalbari Town then running in a southwardly direction exactly following the western boundary of Ward No.II and ending at the point where it meets the south-west corner of *dag* No.1154 of Nalbari Town.

West.—A line starting from the south-west corner of *dag* No.1154 and running in a northwardly direction along the western boundary of *dags* Nos.1154 and 1370 and crossing *dags* Nos.1144 and 1145 and meeting in a straight line at the south-west corner of *dag* No.1146 and then running in a northwardly direction along the eastern boundary of *dag* No.931 and south-east boundary of *dag* No.955 of Nalbari Town to where it meets the north-west corner of *dag* No.981 of Nalbari Town and thence crossing northwardly the *dags* Nos.955 and 956 in a straight line and meeting the south-east corner of *dag* No.1337 and running along the eastern boundaries of *dags* Nos.1307, 1306, 1305, 957, 958, 959, 960 to its north-east corner and then crossing *dag* No.1035 (path) and meeting the south-east corner of *dag* No.984 and then running in a northwardly direction along the western boundary of *dag* No.997 to the north-east corner of *dag* No.989 then in a westwardly direction along the northern boundary of *dag* No.989 to the south-east corner of *dag* No.977 then in a northwardly direction along the western boundary of *dag* No.997 to the north-east corner

Number of
elected members
for each ward

of *dag* No.976 then crossing the (Sarkari land) *dag* No.1330 of Nalbari Town to where it meets the south-east corner of *dag* No.1180 and running in a northwardly direction along the eastern boundaries of *dags* Nos.1180, 775 and 771 of Nalbari Town and crossing *dags* Nos.532, 531 and 328 of Nalbari Town in a straight line to meet the south-west corner of *dag* No 293 and thence running northwardly direction along the western boundary of *dag* No.293 of Nalbari Town and ending at the north-west corner of the said *dag*.

WARD No. IV

North.—A line starting from the north-west corner of *dag* No.310 of Nalbari Town and running in an eastwardly direction along the northern boundaries of *dags* Nos. 310, 314, 313, 312 and 311 of Nalbari Town and ending at the north-west corner of *dag* No. 293 of Nalbari Town.

East.—A line starting from the north-west corner of *dag* No.293 and running in the southwardly direction following exactly the western boundary of Ward No. III to the south-west corner of *dag* No.1154 of Nalbari Town and thence running in a southwardly direction along the eastern boundaries of *dags* Nos. 932, 931 and 930 of Nalbari Town and southern boundary of *dag* No.924 of Nalbari Town and ending at the south-east corner of the said *dag*.

South.—A line starting from the south-west corner of *dag* No.924 of Nalbari Town and running in a westwardly direction along the southern boundaries of *dags* Nos.922, 906, 903 and 902 of Nalbari Town then in a northwardly direction along the western boundary of *dag* No.902 up to the north-west corner of the last mentioned *dag* and thence in a westwardly direction along the southern boundary of *dag* No.5 of Khatabari to the north-east corner of *dag* No.6 of Khatabari thence along the eastern boundary of the said *dag* to its south-east corner thence in a westwardly direction to the north-east corner of *dag* No.13 of Nalbari Gaon thence southwardly along the eastern boundary of *dags* Nos.13 and 14 of Nalbari Gaon meeting at the south-east corner of the last mentioned *dag*, thence in a westwardly direction along the southern boundaries of *dags* Nos.14 and 15 to the south-west corner of the last mentioned *dag* thence in a northwardly direction to the south-east corner of *dag* No.16, thence in a westwardly direction along the southern boundaries of *dags* Nos.16 and 17 and ending at the south-west corner of the last mentioned *dag*.

1

[16TH MAR. 1940]

Number of
elected members
for each ward

West.—A line starting from the south-west corner of *dag* No.17 of Nalbari Gaon and running in a north-wardly direction along the western boundaries of *dags* Nos.17, 216, 9, 151, 8, 240, 212, 259, 6, 5 and 1 of Nalbari Gaon and thence along the northern boundaries of *dags* Nos.192, 193 and 194 of Khatabari Gaon up to the point where it meets the western boundary of *dag* No.861, of Nalbari Town and thence along the western boundaries of *dags* Nos.861, 360, 859, 858, 857, 1254, 856, 854, 1336, 845, 844, 843, 1335, 810, 809, 807, 793, 792, 784, 783, 782, 781, 780, 779, 761, 532, 531, 328, 326 and 310 of Nalbari Town and ending at the north-west corner of the last mentioned *dag*.

S. P. DESAI,

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

