

**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
Monday, the 4th March 1940.

PRESENT

The Hon'ble Mr. Basanta Kumar Das, Speaker in the Chair, the ten
Hon'ble Ministers and 89 members.

**Re publication of certain starred questions with answers in the
the newspaper**

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:
Mr. Speaker, Sir, before the questions are taken up I wish to
invite your attention to an important matter. On the 29th of February
some starred questions were tabled by my hon. friends Babu Lalit Mohan
Kar and Srijut Ghanasyam Das. As they were not present the questions
were not answered.....

The Hon'ble the SPEAKER: Were they starred questions ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :
Yes, Sir. They were starred questions. On the 2nd of March, I find that not
only the questions, but also the answers to these questions have been publish-
ed in the *Amrita Bazar Patrika*. It passes my comprehension how these ques-
tions and answers could have found their way to the representative and how
he got hold of the replies as the replies to these questions are supplied only
to the Hon'ble Ministers and to the Hon'ble Speaker. The other members
are not aware of the answers till after they have been given. So this is a
matter which may kindly be enquired into, and necessary disciplinary
action may be taken against the parties concerned.

The Hon'ble the SPEAKER: If what the Hon'ble Minister for
Revenue says be true it certainly shows reprehensible conduct on the part
of the newspaper correspondent who supplied the answers to the press. At
this stage I do not like to say anything, but I shall make an enquiry into the
matter, and try to find out how the answers could be got hold of by the
correspondent. I shall certainly take action against him if satisfactory
explanation is not obtained from him as to how this came to happen.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(to which oral answers were given)

(Starred question No. 92 standing in the name of Babu Dakshina Ranjan
Gupta Chaudhury was not put and answered as the questioner was
absent.)

**Number of employees who lost their employment in consequence of
the Digboi Strike and grant of relief to them**

Babu RABINDRA NATH ADITYA asked :

*93. Will Government be pleased to state—

- (a) What relief, if any, Government propose to grant to the Digboi
Strikers who have been discharged ?
- (b) What is the number of employees so discharged in consequence
of the said strike ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY replied :

93. (a)—No proposition of this nature has been put before Government, nor is it understood how it could be made.

(b)—The hon. member's question is not clear. If he refers to the number of employees who lost their employment as a consequence of the strike and the connected events, he may refer to the reports published with the Notification No. 7820-G.J., dated the 18th December 1939, in the *Assam Gazette*. Government have no further information.

Babu RABINDRA NATH ADITYA : Do not Government consider it a part of their duty to provide relief for these unfortunate people who have lost their jobs ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY : It is no part of Government business.

Babu RABINDRA NATH ADITYA : Have Government read the report of Mr. K. K. Hazra ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY : Government have seen the report.

Babu RABINDRA NATH ADITYA : Do Government consider the action of the Company in the matter, quite fair to the employees ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY : This is a question of opinion.

Babu RABINDRA NATH ADITYA : Do Government intend to take any action in the light of the report of Mr. Hazra ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY : Government decision has already been published.

Babu RABINDRA NATH ADITYA : Is it not a fact that the Government have not given any consideration to the recommendations contained in Mr. Hazra's report ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY : It is not a fact.

Conversion of the Medical School at Dibrugarh into a Medical College

Mr. NABA KUMAR DUTTA asked :

*94. (a) Do Government propose to convert the Medical School at Dibrugarh into a Medical College ?

(b) If so, when ?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY replied :

94. (a) & (b)—This matter was discussed by the Committee on Medical Education in their meeting held at the end of November last. The Committee's proceedings have reached Government only recently, and the matter is under the consideration of the Government.

Mr. NABA KUMAR DUTTA : May I know what was the recommendation of the Medical Education Committee ?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY : The report was received recently and Government have hardly time to go through it.

Mr. NABA KUMAR DUTTA: Is it not a fact that the Committee recommended that the School be converted into a College ?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY: Government have hardly had time to go through the report.

Mr. NABA KUMAR DUTTA: Am I to understand that the Government have not read the report at all ?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY: This is a new question.

The Hon'ble the SPEAKER: If any matters connected with the report are intended to be the subject-matter of any questions I think separate questions should be tabled. I do not think that all these questions arise out of the answers given by the Hon'ble Minister.

Re Appointment of the Advocate General of Assam and his staff

Maulavi MUHAMMAD AMJAD ALI asked :

*95. Has the attention of the Government been drawn to the fact that the Advocate General of Assam has called for applications for the appointment of a stenographer for him, on a salary of Rs.100 per month ?

*96. Will Government be pleased to state—

(a) Whether this appointment is a Government appointment ?

(b) If so, why the Public Service Commission was not asked to invite applications and select the best man, as in the case of other appointments carrying a salary above Rs.50 per mensem ?

*97. Is it a fact that the stenographers attached to the Hon'ble Ministers and other officers are appointed on the recommendations of the Public Service Commission after a test ?

*98. Will Government be pleased to state—

(a) The date of appointment of Rai Bahadur P. C. Dutt, a member of the Assam Legislative Assembly as Advocate General for Assam ?

(b) The party to which he belonged as a member of the Assam Legislative Assembly ?

(c) If any application was invited before filling up the job ?

(d) The person or persons who selected him for the job ?

(e) The age of Rai Bahadur P. C. Dutt, at the date of his appointment as Advocate General for Assam ?

(f) Whether he had the necessary qualification to fill up this job ?

(g) Whether any age limit is prescribed for the candidates to this post ?

(h) The dates on which Rai Bahadur P. C. Dutt was intimated that he would be appointed as Advocate General for Assam and the date on which he was communicated that he has been appointed as such ?

(i) What would be the ordinary Headquarters of the Advocate General ?

(j) The amount of salary, allowances and fees drawn by him from Government and Courts of Wards, from the date of his appointment till the last day of the month preceding the next session of the Assembly ?

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

95.—Yes.

96. (a)—Yes.

(b)—This is not necessary under the rules. The rule quoted by the hon. member does not apply in the case of the appointment in question.

97.—The reply is in the affirmative so far as the stenographers and reporters of the Legislature whose initial pay is Rs.200 per mensem or above are concerned. In practice stenographers in the Secretariat are also appointed in consultation with the Commission.

98. (a)—7th August 1939.

(b)—The Congress-Coalition Party.

(c)—No.

(d)—The hon. member is referred to section 55(1) of the Government of India Act, 1935.

(e)—Seventy.

(f)—So the then Ministry were advised.

(g)—No.

(h)—Rai Bahadur P. C. Dutt was informed on 13th July 1939 that he would be appointed Advocate General. He was informed on 7th August 1939 that he had been appointed as such.

(i)—Shillong.

(j)—Apart from the salary of Rs.700 per mensem he has drawn no fees or allowances so far.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY : Is it not a fact that Rai Bahadur Promode Chandra Dutt rendered valuable services to the Congress Coalition Government? (*laughter.*)

The Hon'ble the SPEAKER : It is a question of opinion whether he rendered valuable services to the Congress Coalition Government.

Mr. BAIDYANATH MOOKERJEE : Is it a fact that the Rai Bahadur rendered valuable services to the province?

The Hon'ble the SPEAKER : This, again, is a matter of opinion.

Maulavi MUHAMMAD AMJAD ALI : The Hon'ble Minister has referred to Section 55 (1) where the qualifications of a High Court Judge are given. Is it not a fact that the qualifications of an Advocate General ought to be the same as those of a High Court Judge?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI : Yes, Sir.

Maulavi MUHAMMAD AMJAD ALI : Is it not a fact that the qualification of an Advocate General is the same as that of a High Court Judge, and the age limit is 55 years prescribed on that behalf?

The Hon'ble the SPEAKER : That is asking for an interpretation of a certain section of the Government of India Act and I do not think that the question will be permissible at all.

Maulavi MUHAMMAD AMJAD ALI : Mr. Speaker, Sir, if you will kindly look to answer to (g), you will find it is 'No'.

The Hon'ble the SPEAKER : But I would draw the attention of the hon. member to the answer to question 98 (f) which is "So the then Ministry were advised"—and the question was "whether he had the necessary qualification to fill up this job". And the answer was that he was qualified.

Maulavi MUHAMMAD AMJAD ALI : May I know who the adviser was?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI: The Federal Advocate General.

Maulavi MUHAMMAD AMJAD ALI: Name please ?

The Hon'ble the SPEAKER: The hon. member ought to know the name.

Maulavi MUHAMMAD AMJAD ALI: I plead ignorance to that, Sir. But how could the Federal Advocate General override that portion of the Government of India Act so as to waive the 55 years age limit with regard to qualifications of the High Court Judge.

The Hon'ble the SPEAKER: This is questioning the opinion of the learned Advocate General of India and starting a discussion of a legal matter.

Khan Bahadur Maulavi KERAMAT ALI: May I know with regard to (c) whether applications were at all invited for this post ?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI: Yes, Sir. Applications were invited.

Khan Bahadur Maulavi KERAMAT ALI: May I know who were the candidates that applied ?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI: Most probably I would require notice of that question.

Khan Bahadur Maulavi KERAMAT ALI: May I know why the Public Service Commission was not consulted in this matter ?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI: Under the rules it is not required.

Khan Bahadur Maulavi KERAMAT ALI: Was there any special reason why the Public Service Commission was not consulted ?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI: I have said that under the rules the Public Service Commission need not be consulted.

The Hon'ble the SPEAKER: The answer is there already.

Maulavi ABDUR RAHMAN: Who is the appointing authority in this matter ?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI: The Government.

Maulavi ABDUR RAHMAN: Which department of Government ? Government is a very big term.

The Hon'ble the SPEAKER: That will be known from the fact that the Hon'ble Minister for the Judicial Department is answering the question.

Remission of land revenue to flood-affected people of Kamrup and Goalpara districts

Maulavi MUHAMMAD AMJAD ALI asked :

*99. Will Government be pleased to state—

- (a) Whether Government is aware that a large volume of water was released from the stream Hakua through Mora-Manas during 1345 B. S. and a large number of villages on its either side were inundated both in the districts of Kamrup and Goalpara and destroyed their Jute, Paddy, Sarisa and Kolai ?
- (b) Whether the authorities were approached by the people of the affected areas and the Manager, Bijni Raj, enquired personally and gave a total remission of land revenue to the flood-affected people of the Ijara Mahal of the Bijni Wards' Estate ?

- (c) Whether Government is aware that the same volume of water was again released from Hakua through Mora-Manas in *Chaitra* 1346 B. S. and inundated a large number of villages in either side of Mora-Manas and destroyed their cultivation ?
- (d) Whether a largely signed Public Petition was submitted to the Government by the people of these localities on the 25th of *Jaistha* of 1346 B. S. ?
- (e) Whether a prayer for cutting a *khal* to divert the flow of water to its original course to Beki river, was laid in the petition ?
- (f) Whether any action was taken by the Government in furtherance of this prayer ?
- (g) If so, what it is ?
- (h) What other prayer was made by the petitioners ?
- (i) Whether any relief was given to them ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

99.(a)—There was a flood in 1345 B. S. both in Kamrup and Goalpara and some damage to crops was done ?

(b)—Total remission of rent for one year was granted in 4 mauzas for damage caused by the 1345 B. S. flood.

(c)—*Chaitra* 1346 B. S. is still a month ahead. Evidently the hon. member refers to the sudden and premature flood in April 1939, in the locality which affected 13 villages in 2 mauzas of Kamrup and several in Bijni Duars. The damage to crops in both the districts by this flood was small and did not call for any immediate relief.

(d)—The Deputy Commissioner, Kamrup, has received such a petition.

(e)—Yes.

(f) and (g)—The petition is still under enquiry which is nearing completion and a report is expected early.

(h)—Prayer for relief.

(i)—As stated in answer (b) remission of rent for one year was granted in Bijni mauzas. In Kamrup after local enquiries made personally by the Sub-Deputy Collector and the Deputy Commissioner, a remission of 25 per cent. of the demand was granted in 8 villages and collection of revenue was suspended in cases of people who were unable to pay on account of poverty.

Maulavi MUHAMMAD AMJAD ALI: With regard to (f) will the Hon'ble Minister tell me how long the petition is under enquiry ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: I cannot say off hand. But I think it is under enquiry for a couple of months or so.

Maulavi MUHAMMAD AMJAD ALI : From now ?

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

Maulavi MUHAMMAD AMJAD ALI: The petitions were submitted on the 25th *Jaistha* of 1346 B. S. and am I to understand that the enquiry has begun only two months before now ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: There were several petitions filed in this connection and all the petitions are being enquired into together.

Construction of Creteways over the Barpeta-Simalaguri Road

Srijut KAMESWAR DAS asked :

*100. Will the Hon'ble Minister-in-charge of Public Works Department be pleased to state—

- (a) When and for what length, creteways were constructed over the Barpeta-Simalaguri Road ?
- (b) Whether the two portions of the road now covered with creteways gave much troubles to the Department and the public prior to introduction of creteways ?
- (c) Whether Government propose to complete the un-finished portions of the same road with creteways at an early date ?
- (d) If not, why not ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY replied :

100. (a)—In the year 1937 and on a length of 1.35 miles in 8th, 10th and 11th miles.

(b) & (d)—The hon. member is referred to the reply to question 502 (a) asked by him at September 1938 session of the Assembly.

(c)—No.

Srijut GHANASHYAM DAS : Will Government complete that road soon ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY : It was found by experience that creteways are not quite suitable for that portion of the road.

Srijut GHANASHYAM DAS : Who told that to Government ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY : The officers of Government.

Srijut GHANASHYAM DAS : Will it remain at this stage without being completed ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY : It cannot be completed by creteways.

Srijut GHANASHYAM DAS : What other method will be adopted ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY : That will be considered.

Srijut GHANASHYAM DAS : When, Sir ? May I have some approximate date ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY : I cannot give any approximate date but it will be considered in the near future.

Srijut GHANASHYAM DAS : When will that future be ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY : In not very distant date.

Srijut GHANASHYAM DAS : Some approximate date ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY : I cannot give an approximate date but as I say it will not take much time.

QUESTIONS AND ANSWERS

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Teaching of Botany in the Degree Classes of the Cotton College

Srijut GAURI KANTA TALUKDAR asked :

90. Will the Hon'ble Minister-in-charge for Education be pleased to refer to the reply to my question No.684 asked in the December session of the Assembly, 1938, and state—

(a) What steps Government have taken to give effect to the Director of Public Instruction's proposals for teaching Botany in the Degree Classes of the Cotton College ?

(b) Having regard to the answers given to my question No.683 asked in the same session of the Assembly do Government propose to make provisions for teaching Botany in the Degree Classes of the said College ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

90. (a) and (b)—The scheme was considered in connection with the 1940-41 budget but could not be selected for provision for paucity of funds. It will again be considered later in the year in connection with the budget estimates for 1941-42 and Government propose to include it for provision as soon as funds become available.

Srijut GAURI KANTA TALUKDAR : Will Government be pleased to tell us whether the Director of Public Instruction submitted a proposal for making provision for teaching Botany in the Degree Classes of the Cotton College ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI : The answer is already there ?

Srijut GAURI KANTA TALUKDAR : How long ago ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI : I have already answered that question. The scheme was considered in connection with the 1940-41 budget but could not be selected for provision for paucity of funds. It will be considered next year (1941-42).

Remission of land revenue to flood-affected people in the district of Kamrup

Srijut GAURI KANTA TALUKDAR asked :

91. (a) Is the Hon'ble Revenue Minister aware that an abnormal and early flood caused havoc this year to the *Ahu* and *Bao* paddy in the Upper Barbhag, Khata, Batahgila, Dharmapur and Khetri-Dharmapur Mouzas in the Nalbari subdivision ?

(b) Did the Hon'ble Revenue Minister accompanied by the Deputy Commissioner, Kamrup, visit the said Mouzas and collect first-hand information as to the magnitude of the damage caused by the flood ?

(c) Have the Government undertaken any steps with a view to give due relief to the suffering raiyats ?

(d) If so, what ?

(e) If not, do Government propose to give them some relief by way of remission of land revenue ?

(f) Are Government aware that great scarcity of food is prevailing amongst a large section of house-holders in the above-mentioned mouzas owing mostly to failure of Ahu crop due to flood ?

(g) If so, have the Government taken any steps to give some relief to the people ?

(h) If not, do Government propose to direct an immediate inquiry and to give possible help by way of gratuitous distribution of paddy, agricultural loan, test relief work, etc., amongst those who are found to be most needy ?

92. (a) Is the Hon'ble Revenue Minister aware that scarcity of food is prevailing in the Madartola Mouza in the Kamrup district ?

(b) If so, has the Hon'ble Revenue Minister received a copy of a resolution passed at a public meeting of some raiyots of the said Mouza under the presidency of Srijut Sibram Dutta requesting the Government to give early relief to the people of the said Mouza ?

(c) Are Government aware that the Sub-Deputy Collector, Kamalpur has found on enquiry that about 70 per cent. of the families in the said mouza are undergoing scarcity of food ?

(d) If so, do Government propose to render immediate help to these people by gratuitous distribution of paddy agricultural loans and test relief works, etc. ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

91. (a)—Government is aware that there was sudden flooding of some of the Brahmaputra tributaries on the north bank in Kamrup for a short time.

(b)—It is a fact that as alleged the then Revenue Minister visited some of the areas mentioned to see things for himself.

(c)—The District Officer rendered such relief as was necessary. **Srijut GAURI KANTA TALUKDAR** : May I know what kind of relief was rendered by the District Officer ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : I think it is already replied to, that the enquiries are now being made.

The Hon'ble the SPEAKER : The answer is "The District Officer rendered such relief as was necessary". The hon. member now wants to know what was that relief.

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

Srijut GAURI KANTA TALUKDAR : Will the Hon'ble Minister ascertain whether there was any relief at all rendered by the District Officer of Kamrup ?

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

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

(d)—Speaking generally except in the case of some thriftless persons in Barkhetri mauza no gratuitous relief was found necessary. Remissions of land revenue for 1346B.S. were to be considered in accordance with the rules laid down in the Land Revenue Manual. It was at one time thought that cattle loans may be required in some places but the Deputy Commissioner after further enquiries reported that these were not needed.

Srijut GAURI KANTA TALUKDAR: Are we to understand that where there was total failure of Ahu crop there will be no remission of revenue ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: If the Deputy Commissioner thinks that remission is allowable then the remission will be granted.

Srijut GAURI KANTA TALUKDAR: There was failure of Ahu crop in certain places in my constituency and it was verified by the Deputy Commissioner and the Hon'ble Revenue Minister. Am I to understand that in those cases revenue will not be remitted ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: Whether there was failure of Ahu crop or not the people of those places are getting sufficient crop from the Sali paddy and so the question of remission does not arise.

Srijut GAURI KANTA TALUKDAR: Sir, the Government have said that the question of giving loans for purchasing cattle in those places, where plough cattle had died in numbers, was once thought of. May we know why Government have abandoned that idea of granting cattle loans ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: It is known to the Deputy Commissioner.

Srijut GAURI KANTA TALUKDAR: May we know what is the reason ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: The Deputy Commissioner thought that no relief was necessary.

Srijut GAURI KANTA TALUKDAR: Are we to live at the mercy of the Deputy Commissioner ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: As regards remissions and other measures we have to depend upon the rules. The rules are there and it is the Deputy Commissioner who is to submit his report to the Government.

Srijut GAURI KANTA TALUKDAR: When the representative of the people came here and represented the grievances of the people of their constituencies, Government referred the matter to the Deputy Commissioner and the latter was pleased to say that there was no necessity to grant any relief. Will Government in such cases try to make further enquiries and find out whether there existed any grievance ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: If the hon. member can satisfy Government that the Deputy Commissioner's report is wrong, surely Government will make an enquiry, otherwise not.

Srijut GAURI KANTA TALUKDAR: Will Government take it from me that much hardship was caused to the people of my constituency by the early flood and there was great scarcity of food and hundreds of applications were submitted to the Deputy Commissioner and the Hon'ble Revenue Minister ? Still the Deputy Commissioner says that there was no necessity for rendering relief and granting remission of land revenue ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: Is this a question or an argument ?

Srijut GAURI KANTA TALUKDAR: Sir, I want to know how we can impress upon the Government that necessity for giving relief really exists ?

The Hon'ble the SPEAKER: At this stage the hon. member is not entitled to start a discussion.

Srijut DEBESWAR SARMAH: The Hon'ble Minister said that if the hon. member can satisfy the Government something will be done. May I know what is the method of satisfying the Government, or in other words, how this satisfaction can be brought home to Government ?

The Hon'ble the SPEAKER: Very well, the Hon'ble Minister will indicate the procedure which is required to satisfy the Government.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: Our reply is based on the report of the Deputy Commissioner. Now my contention is, if he challenges that report, then an enquiry may be made.

Srijut GAURI KANTA TALUKDAR: In this case, Sir, I challenge the report. Will Government make an independent enquiry ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The incorporation of the procedure of eliciting information by questions is only to gather facts. There is no question of challenging facts stated in reply. If my hon. friend makes a representation, I think, Government will take action. Putting questions is not the way of representing the matter to the Government.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

(e)—Government must await the result of enquiries and recommendations of the local officers under the rules quoted above.

(f)—Government understand that the areas in question are predominantly Sali growing and that the flood came before Sali was due for transplantation. It is not likely therefore that the partial loss of Ahu near the rivers could have caused great scarcity of food amongst a large section of house-holders as alleged.

(g)—Does not arise.

(h)—Government have asked the Deputy Commissioner to see what relief is necessary and will await his recommendations.

Srijut GAURI KANTA TALUKDAR: Sir, I want to put some supplementary questions to question No. 91(h).

The Hon'ble the SPEAKER: I am afraid I cannot allow the hon. member to put any further supplementary questions on this question.

Srijut GAURI KANTA TALUKDAR: Sir, I think, I am entitled to get a definite answer to my question. Here is a question to which no definite answer has been given. My question was: "Are Government aware that great scarcity of food is prevailing amongst a large section of house-holders in the above mentioned mauzas owing mostly to failure of Ahu crop due to flood ? If not, do Government propose to direct an immediate enquiry, etc.," and the answer is "Government have asked the Deputy Commissioner to see what relief is necessary and will await his recommendations".

The Hon'ble the SPEAKER: Then there is the admission that Government are aware of the scarcity that is prevailing there.

Srijut GAURI KANTA TALUKDAR : My question is that the scarcity of food took place in June and July and Government is still waiting for the recommendation of the Deputy Commissioner. Has Government done anything in the meantime? This reminds me of the story, "Tiger on the platform do the needful."

The Hon'ble the SPEAKER : An explanation of the delay?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : Enquiries are being made. I cannot say further than that.

Srijut GAURI KANTA TALUKDAR : Have Government up till now realised that there was actually scarcity of food in these places?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : May I read the report of the Sub-Deputy Collector? The Sub-Deputy Collector's report is this: "I have made personal local enquiry in almost all the villages of Modartola mauza with a view to ascertain the exact state of affairs. We have also prepared list of persons who have no stock of paddy in their granaries. From local enquiry it appears that there was insufficient outturn of paddy during the last year. The flood this year (in July last) damaged considerably the Ahu and Bao cultivation and on account of draught this year the transplantation of Sali was rather late. I have also visited the fields as far as practicable and on a rough estimate I think the yield of Sali crop would come to 10 to 12 annas. During my local enquiry in the villages I found that most of the people have got no paddy in their granaries and they were purchasing paddy from the neighbouring mauzas Karara and Patidarrang. It seems people are in a position to purchase paddy and within a fortnight or so the people will harvest their *sali* crops and thus they will be relieved of their present want to a considerable extent".

Srijut GAURI KANTA TALUKDAR : This is an answer to my next question.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

92. (a) & (b)—A copy of the resolution was received and sent to the Deputy Commissioner who is competent to give or recommend such relief as is necessary.

(c)—The Sub-Deputy Collector made full inquiries into the matter represented in the resolutions passed at the meeting. He does not say that the people were badly off, or there was any helplessness amongst the raiyats.

(d)—Enquiries showed that no relief measures were needed for the people in question.

Proposed increment in the pay of all Primary School Teachers

Srijut GAURI KANTA TALUKDAR asked :

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

(a) Whether it is a fact that the outgoing Education Minister, in the Congress-Coalition Ministry, proposed an increment of a rupee in the pay of all Primary School Teachers, drawing a pay of Rs.12 only and recommended the inclusion of Rs.60,000 in the next year's Education Budget?

(b) If so, do Government propose to give effect to this proposal?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

93. (a) & (b)—New Schemes for inclusion in the Budget for next year was ordered by Finance Department to reach them, after scrutiny by the Administrative Department by 1st October last. The then Ministry had the time for submission of such schemes to Finance extended to 31st October.

The proposal mentioned in the question did not find a place in Director of Public Instruction's list of new Schemes but the then Education Minister ordered on 31st October 1939 that a Schedule prepared must be sent to Finance.

Before, however, Finance could scrutinize the Scheme, the Ministry resigned when the present Education Minister asked from Director of Public Instruction a list of new Schemes, this proposal was not included and hence the order of the late Premier was lost sight of.

It will be considered along with the Scheme for mass literacy campaign during the year 1940-41.

Srijut GAURI KANTA TALUKDAR; Will the Hon'ble Education Minister inform us whether he (the outgoing Education Minister) had any new schemes prepared by him for the advancement of educational activities of the province ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: New schemes for what ?

Srijut GAURI KANTA TALUKDAR: For educational advancement—for giving increment to Primary School teachers.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Increase of salary ? We have made no provision for increase of salaries for the Primary School Teachers in next year's Budget.

Srijut GAURI KANTA TALUKDAR: Was it for the reason that the proposal for the increase of salaries of the Primary School Teachers was not in the Director of Public Instruction's list ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Yes.

Srijut GAURI KANTA TALUKDAR: I want to know whether the Hon'ble Minister looked into the file before him and ascertained whether the scheme prepared by the previous Government was to be given effect to or not ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: I have already clearly explained and I do not understand what the hon. member wants.

The Hon'ble the SPEAKER: What the hon. member wants to know is that in the new schemes submitted by the Director of Public Instruction no proposal was made for giving relief to the Primary School Teachers and whether Government thought it necessary to examine the schemes that were submitted by the Director of Public Instruction.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Sir, I asked the Director of Public Instruction to give a list of new schemes in order of urgency and that was not included among the urgent schemes.

Mr. FAKHRUDDIN ALI AHMED: Sir, that is not exactly what the hon. member wants to know. May I put a question to clear up the position ? Is it a fact that new schemes other than those that were provided by the previous Ministry were included in the list of the new schemes submitted to the House for 1940-41 ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Certainly some new schemes were provided.

Mr. FAKHRUDDIN ALI AHMED: Is it a fact that such new schemes of the Education Department were included in the list at the initiative taken by the Hon'ble Minister in-charge of Education ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Yes Sir, at the instance not only of the Hon'ble Minister in-charge of Education, some new schemes were prepared after discussion with other colleagues of the Cabinet.

Mr. FAKHRUDDIN ALI AHMED: Is the Hon'ble Minister in-charge of Education aware that the proposal for the increase in the salary of the Primary School Teachers was recommended by my leader hon. Srijut Gopinath Bardoloi, and what stood in his way of getting it included in the list of the new Schemes when some new schemes after his assumption of office at his instance were in fact included ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: That was not brought to my notice.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: Is it a fact that Babu Lalit Mohan Kar moved a resolution in the last Budget session for the increment in the pay of the Lower Primary School Teachers and that the Congress Coalition Ministry did not give any effect to that ?

The Hon'ble the SPEAKER: This fact is known to the whole House.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: I want a reply from the Hon'ble Minister.

The Hon'ble the SPEAKER: What is the necessity of getting a reply when it is presumed that it is known to the whole House.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: I do not understand why the Congress Coalition Ministry did not make any provision in the Budget for increasing the salary of the Lower Primary School Teachers though a resolution was moved to that effect.

The Hon'ble the SPEAKER: How can the present Government say why the previous Government did not make provision in the Budget ?

Babu DAKSHINARANJAN GUPTA CHAUDHURI: Is it a fact that the Director of Public Instruction is the final arbiter of all the new schemes ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Certainly not, Sir.

Srijut PURNA CHANDRA SARMA: Sir, has the present Ministry drawn up its new scheme for mass literacy campaign ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: The idea is that in carrying on the mass literacy campaign, it may be necessary to utilise the services of the Primary School Teachers. In that connection, we shall consider the question of the increase of the emoluments of the Lower Primary School Teachers.

Srijut PURNA CHANDRA SARMA: Has the Hon'ble Minister gone so far through the scheme prepared by the previous Government in this regard ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Certainly, Sir.

Srijut PURNA CHANDRA SARMA: Was it not in the scheme of the previous Government that the Primary School Teachers who will be employed for this purpose shall be given an increment of Re. 1 in their pay ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: As far as I remember, there was an idea of giving annas 4 per case of successful work.

Srijut PURNA CHANDRA SARMA: Was not the increment of pay an additional temptation in the scheme for the Lower Primary School Teachers to do mass literacy work free of cost?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: That point will be considered.

Remission of land revenue to flood-affected people in the district of Kamrup

Srijut GAURI KANTA TALUKDAR asked :

94. (a) Is the Hon'ble Revenue Minister aware that Ahu and Bao crops were greatly damaged in several parts of Kamrup by an early and untimely flood this year (1939-40) ?

(b) Are Government aware that large areas of lands had to remain fallow in different parts of Kamrup as the cultivators could not grow Sali paddy on account of draught this year (*i. e.*, 1939-40) ?

(c) If the answers to the above question 94 (a) and (b) are in the affirmative, will Government be pleased to state what relief they propose to give to the cultivators thus affected ?

(d) Do Government propose to give them some relief by way of remission of land revenue ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

94. (a)—The hon. member is referred to the answer given to his question No. 91 (a) in the current session.

(b)—Government understand that sowing was delayed.

Srijut GAURI KANTA TALUKDAR: Sir, I asked in my question that several parts of Kamrup went under draught and the peasants could not transplant fully due to draught and large areas remained fallow. And the Government has said that sowing was delayed. Will the Government be pleased to accept my statement that vast areas of land remained fallow for want of water and make further enquiries in this matter ?

The Hon'ble the SPEAKER: Now to this question, practically the answer which the Hon'ble Premier has given is quite sufficient. The Hon'ble Premier has said that if all these be submitted to him, he will certainly take action on that.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

(c)—The hon. member is referred to the answers given to his question No. 91 (c) and (d) in the current session of the Assembly.

(d)—The hon. member is referred to the answers given to his question No. 91 (e) in the current session of the Assembly.

Grant of extension of service to Mr. G. Rai Giri of the Assam Executive Service

Srijut OMEO KUMAR DAS asked :

95. (a) Is it a fact that Mr. G. Rai Giri of the Assam Assistant Engineering Service has completed his 55th year on the 16th January 1940 ?

(b) Is it a fact that he completed 33 years 7 months 19 days Service on the 16th January 1940 ?

(c) Is it a fact that extension of Service has been granted to him by the present Government ?

(d) If so, for how many years and why ?

96. At what age, a Government Servant is to retire according to rules, and at what year of service ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY replied :

95. (a)—Yes.

(b)—Yes.

(c)—Yes.

(d)—For one year on account of shortage of experienced and competent officers for Divisional charges.

Srijut SIDDHI NATH SARMA : Is the Hon'ble Minister aware of the fact that Mr. Rai Giri put another ten years' service as Moharar ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY : I am not aware of that, Sir.

Srijut SIDDHI NATH SARMA : Will the Hon'ble Minister please make an inquiry and inform the House about it ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY : I shall make an inquiry, Sir.

Babu RABINDRA NATH ADITYA : How does the Hon'ble Minister get over the difficulty due to the shortage of experienced officers after one year ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY : Officers will gain in experience in time.

Babu RABINDRA NATH ADITYA : Did Government take the recommendation of the Executive Engineers or other proper authorities whether there are competent officers available for the purpose of taking over charge of Subdivisions.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY : Not for Subdivisions, Sir, but for Divisions and Government came to a decision in this matter after consultation with senior officers of the Department.

Babu RABINDRA NATH ADITYA : Who were the Officers with whom the Government consulted about this matter ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY : The Chief Engineer and the Superintending Engineers were consulted.

Mr. FAKHRUDDIN ALI AHMED : Sir, is this the sample in which the present Ministry proposes to tackle the question of retrenchment ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY : It is entirely an irrelevant question.

The Hon'ble the SPEAKER : If the hon. member changes the word 'sample' then I can allow the question.

Mr. FAKHRUDDIN ALI AHMED : All right Sir, is this the way in which the present Ministry proposes to tackle the question of retrenchment ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY : The hon member seems to have entirely misunderstood the Government's intention.

Babu RABINDRA NATH ADITYA : Was it the recommendation of the Chief Engineer that he should get extension on account of the dearth of competent officers ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY : Well, I said that we came to this decision after consulting the Chief Engineer and the Superintending Engineers. I am not prepared to disclose here, their recommendations, which are confidential.

Babu RABINDRA NATH ADITYA : Is it the contention of the Government that at present there was no officer available for the purpose ?

The Hon'ble the SPEAKER : I am afraid, this is arguing the question.

Srijut SIDDHI NATH SARMA : Was it not possible to fill up the vacancy by promotion ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY : As I said, Sir, there was a dearth of officers for holding the charge of a division.

Babu DAKSHINARANJAN GUPTA CHAUDHURY : Is there any other instance of such extension in the Department ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY : There are precedents, Sir.

Babu DAKSHINARANJAN GUPTA CHAUDHURI : May we know one of them ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY : I require notice of that question, Sir.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY replied :

96.—At the age of 55 years, irrespective of the length of service in the case of Provincial and Subordinate Service officers.

Visit of Hon'ble Minister for Education to Calcutta

Srijut SIDDHI NATH SARMA asked :

97. Will Government be pleased to state—

(a) Whether the Hon'ble Minister for Education visited Calcutta during the last week of January 1940 ?

(b) Whether the said Hon'ble Minister attended a meeting of the Senate of the Calcutta University during the visit ?

(c) If so, will the Hon'ble Minister be pleased to state the purpose of his attending the meeting of the Senate ?

98. Will the Hon'ble Minister for Education be pleased to state—

(a) Whether he had discussion with the Hon'ble Minister for Education of Bengal during his said visit ?

(b) What affairs of the State were discussed by him with the Premier of Bengal ?

(c) Whether the discussion was in connection with the Literacy Campaign ?

(d) If so, has the present Government decided to alter the scheme adopted by the previous Government in this behalf ?

99. If the reply to question No. 98 (d) above is in the affirmative will the Hon'ble Minister be pleased to state in what particulars the Government is going to do so ?

100. (a) Is it a fact that the Hon'ble Minister for Education met the Hon'ble Minister for Revenue of Bengal during his said visit to Calcutta and discussed about the "Line System" in Assam with him ?

101. Will the Hon'ble Minister be pleased to disclose to the House what matters were discussed by him in this connection ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

97. (a)—Yes.

(b)—Yes.

(c)—To take part in the deliberation of the meeting.

98. (a)—No.

(b)—Does not arise.

(c)—Does not arise.

(d)—Does not arise.

99.—Does not arise.

100 and 101.—The Hon'ble Minister is not prepared to disclose to the House the conversation that he had with the Hon'ble Revenue Minister of Bengal in course of a friendly and private visit.

Mr. NABA KUMAR DUTTA: What was the purpose of the Hon'ble Minister's visit to Calcutta during the last week of January 1940 ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: I have already said that I went to Calcutta to take part in the deliberation of the Senate meeting.

Srijut PURNA CHANDRA SARMA: Is the Hon'ble Minister aware of the statement published in the press that he was in Calcutta in order to discuss with the Hon'ble Minister for Education of Bengal regarding the mass literacy campaign ?

The Hon'ble the SPEAKER: Is the hon. member taking the statement of the press as true ?

Srijut PURNA CHANDRA SARMA: Yes, Sir, I take it as true until contradicted.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: What question am I to answer ?

The Hon'ble the SPEAKER: The hon. member takes the responsibility about the publication of the newspaper regarding the intention of the Hon'ble Minister's visit to Calcutta.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: I do not know nor do I care to know what statement appeared in the press. I have already stated that I went to Calcutta to attend the Senate meeting.

Mr. NABA KUMAR DUTTA: May I know on what subject the Hon'ble Minister took part in the deliberation of the meeting ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Well, if the hon. member wants, I may try to secure a copy of the proceedings for him.

Mr. NABA KUMAR DUTTA: Is it not possible to say before this House ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: I do not consider it a part of my duty to tell before the House in what particular item I took part in the Senate meeting.

The Hon'ble the SPEAKER: I think, the Hon'ble Minister is a member of the Senate and if a Senate meeting is called he is quite entitled to attend it. Why such a question then ?

Mr. NABA KUMAR DUTTA: Am I to understand that the hon. members are not entitled to hear what transpired there ? Is it in connection with the establishment of a University in this province ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: There was no such discussion in the Senate meeting.

Srijut SIDDHI NATH SARMA: Is it a fact that the Hon'ble Minister met the Hon'ble Minister for Revenue of Bengal during his visit to Calcutta to discuss about the Line System with him ?

The Hon'ble the SPEAKER: The Hon'ble Minister is not prepared to disclose the conversation that he had with the Revenue Minister there.

Srijut SIDDHI NATH SARMA: My question is whether the Hon'ble Minister discussed about the Line System.

The Hon'ble the SPEAKER: This is in a way asking the Minister to disclose it.

Srijut PURNA CHANDRA SARMA: The question, Sir, is very simple, *viz.*, whether the Hon'ble Minister discussed the Line System or not.

The Hon'ble the SPEAKER: But the Hon'ble Minister has said that he is not prepared to disclose anything. It is within his discretion whether he should disclose or not.

Citrus Fruit Scheme

Babu RABINDRA NATH ADITYA asked :

102. (a) Is it a fact that the citrus fruit scheme financed by the Imperial Council of Agricultural Research was formerly proposed to be opened at Thariaghat but was subsequently transferred to Panihat ?

(b) Are Government aware that Panihat is an insanitary place where officers do not like to be posted for work ?

(c) Will Government be pleased to state the activities taken up under the said scheme ?

(d) Do Government propose to consider the question of shifting the station to a better place ?

The Hon'ble Maulavi MUNAWWAR ALI replied :

102. (a)—Yes. (Burnihat, not Panihat.)

(b)—It may be so.

(c)—A copy of the programme as approved by Imperial Council of Agricultural Research is laid on the table.

REVISED PROGRAMME OF WORK FOR THE CITRUS FRUIT EXPERIMENT STATION, BARNIHAT (ASSAM)

The revised programme of work for the Citrus Fruit Research Scheme at Barnihat sanctioned by the Imperial Council of Agricultural Research will be as follows :—

I. Collection and classification of Citrus fruits indigenous to Assam both wild and cultivated together with exotic varieties available (particular attention will be paid to the recent work of America and Japan especially those of Swingle and Tanaka both in identification and classification of the varieties).

II. Suitability of various indigenous citrus stocks for budding orange and studying their influence on the scion. The following indigenous stocks will be selected to start with :—

- (1) Shaddock (Jambura), (2) Khasi lime, (3) Pani Jamir (lemon), (4) Karun Jamir (wild orange), (5) Satkara (*Citrus Ichingensis*). (A further collection of wild stocks will be made as the work proceeds). Participation in the co-operative experiment on the behaviour of five well-known root stocks under different climatic and other conditions as suggested by the Imperial Council of Agricultural Research. The materials will be obtained from Madras, the Punjab and Bombay as recommended by the Imperial Council of Agricultural Research.

III. Manurial experiments with the old bearing trees in a private garden and newly planted trees in the Citrus Station.

IV. Cultural experiments with a view to study how far improved cultural operations like hoeing, weeding, and spraying with Bordeaux mixture increase the yield.

V. Observation of insect pests, yellowing of trees and fungus diseases (The Provincial Entomological and Mycological Assistant will help in identification and control of pests).

VI. Investigation into the best methods of picking, curing, storage and packing of oranges for the Calcutta market in co-operation with the marketing section. (In this the work in the Punjab, Central Provinces and also those of Palestine will be taken into consideration.)

1st year, 1938-39

Reclamation and levelling of land is under progress. This will be continued till the end of the present financial year.

Item No. I(a).—Collection of flowers, fruits, seeds, leaves and also seedlings of various indigenous varieties available in Assam both in hills and plains. (This work will be continued for several years till all the available varieties both wild and cultivated are exhausted).

(b) Noting down the botanical characters of flowers seeds, etc., collected in (a) and preserving them as herbarium samples for further reference.

Item No. II(a).—Seeds will be sown in the nursery block in seeds beds in February and March. Seedlings of known varieties, if available, will be planted in the variety block specially allotted for the purpose at 15' apart.

Item No. III.—Manurial experiment with the old bearing trees in a private garden designated as 'Manurial Block A' will be arranged as follows :—

(A) Treatment of trees with simple manures and their combinations—

	Sodium nitrate	Superphosphate	Potassium sulphate
(i)	2 lbs.
(ii)	...	1 lb.	...
(iii)	1 lb.
(iv)	2 lbs.	1 lb.	...
(v)	2 lbs.	...	1 lb.
(vi)	2 lbs.	1 lb.	1 lb.

The lay out will be done this year and the manures will be applied after two years' study in yield so as to ascertain the extent of variability in the trees.

Item No. IV.—Cultural experiment with the old bearing trees in a private garden designated as 'Care' versus 'No care' will be laid out.

Item No. V.—Observation of insect pests and diseases, dieback and yellowing in particular in the bearing orange garden which is three miles away and will be acquired shortly by Government.

Item No. VI.—Nil.

2nd year, 1939-40

Item No. I.—To be continued.

Item No. II (a).—Planting of 3 seedling trees of different varieties raised in the previous year in rows in the 'variety block' and will be under observation for identification and classification.

(b) Budding on 5 different varieties of stock will begin, if vigorous seedlings are available.

(c) Planting of 3 budded plants of each variety of known origin from the Khanapara and Haflong gardens including the exotic varieties available for observation.

(d) The co-operative experiment on the behaviour of 5 different root-stocks will be taken up. Materials will be obtained from Madras, the Punjab and Burma respectively in due course.

Item No. III—(A) 'Manurial Block A'.—Yield of individual trees will be recorded.

Item No. IV.—Yield of individual trees will be recorded this year.

Item No. V.—This will be continued.

Item No. VI.—To start work in picking, packing, etc., in co-operation with the marketing section in the old garden.

3rd year, 1940-41

Item No. I.—To be continued.

Item No. II (a).—Budding work will continue.

(b) Planting of budded nursery plants of 5 different varieties for Stock Trial Experiment.

Item No. III (a).—"Manurial Block A"—Yield study to be continued.

"(b) Manurial Block B" will be laid out as follows:—

Three manures, viz. 2 lbs. Sodium Nitrate, 1 lb. Superphosphate and 1 lb. Potassium Sulphate, will be applied to the trees raised from seedlings on the Farm. The manures will be applied when the trees come to bearing only basal manuring with cowdung or leaf-mold will be applied at a fixed rate.

Item No. IV.—The cultural experiment to be continued.

Item No. V.—To be continued.

Item No. VI.—To be continued.

4th year, 1941-42

Item No. I.—Continued.

Item No. II.—

Item No. III.—"Manurial Block A.—Manures will be applied as described under 1938-39.

Item No. IV.—Cultural Experiment.

Item No. V.—Continued.

Item No. VI.—

5th year, 1942-43

*Item No.I.—Continued.**Item No.II.—*

Item No.III.—Continued with old bearing trees as before. Application of manures on the newly budded trees will begin when they come to bearing.

*Item No.IV.—Continued.**Item No.V.—**Item No.VI.—*

The Hon'ble Maulavi MUNAWWAR ALI replied :

(d)—The reply is in the negative as the scheme has been financed by Imperial Council of Agricultural Research who have selected this site after much correspondence and local inspection.

Babu RABINDRA NATH ADITYA : Is orange one of the most important fruits to be taken under the Citrus Fruits Scheme ?

The Hon'ble Maulavi MUNAWWAR ALI : Yes.

Babu RABINDRA NATH ADITYA : Do Government consider that they cannot get a better place for the purpose ?

The Hon'ble Maulavi MUNAWWAR ALI : Yes, that is the opinion of Government ?

Babu RABINDRA NATH ADITYA : Is it the contention of the Government that they will not change the place because the Imperial Research Council has made the selection of site ?

The Hon'ble Maulavi MUNAWWAR ALI : No.

Dhubri Local Board and Public Works Department Ferries over the River Pokalaga

Kumar AJIT NARAYAN DEV asked :—

103. (a) Is it a fact that a ferry ghat managed by the Dhubri Local Board over the river Pokalaga near the village Abadi under the Bijni Police Station, has been amalgamated with the Ferry ghat over the same river, on the North Trunk Road, managed by the Public Works Department ?

(b) Is it a fact that the rate of toll levied on the Public Works Department Ferry ghat on the North Trunk Road, is double the rate levied on the ghat which has been amalgamated ?

(c) Are Government aware that the villagers have to suffer to a great extent on account of the double rate being levied on them instead of the rate they were used to pay on the other ghat ?

(d) Do Government propose to take any steps to save the poor villagers from this heavy rate of toll ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY replied :

103. (a)—The Public Works Department Pokalaga Ferry and the Local Board Rohahat Ferry are sold jointly to the same lessee.

(b)—The rate of tolls levied at Public Works Department Ferries is higher than that levied at Local Board Ferries. The proportion is double in the case of some items.

(c) Government are not aware of any special circumstances in this case which would justify any variation from the regular rate of tolls charged at Public Works Department Ferries all over the Assam Valley.

(d)—Government will consider the matter.

Kumar AJIT NARAYAN DEV: Sir, my question has not been answered. I have asked whether a ferry ghat managed by the Dhubri Local Board over the river Pokalaga near the village Abadi under the Bijni Police Station, has been amalgamated with the Ferry ghat over the same river. The answer given does not answer this question.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: What does the hon. member mean by the word 'amalgamated'?

Kumar AJIT NARAYAN DEV: Formerly there were two ghats. I want to know whether one ghat is abolished.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: The reply is that the two ghats are sold jointly to the same lessee.

Kumar AJIT NARAYAN DEV: May I know whether the Local Board Ferry boat is plying now?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY: I cannot say that now.

Inspection of Subdivisional Offices by the Deputy Commissioners in the Province

Babu KARUNA SINDHU ROY asked:

104. (a) Is it a fact that the periods spent in the recent inspection of Subdivisional offices by the Deputy Commissioners in the Province are much longer than previous years?

(b) Will Government be pleased to state whether the touring expenses of Deputy Commissioner in the Sunamganj subdivision during the years 1937, 1938 and 1939 are heavier than those of the years 1933, 1934 and 1935?

(c) If so, why?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

104. (a)—Government have no reason to suppose so, and are assured by the Commissioner that this is not a fact.

(b)—The tour expenses are not accounted for separately for Subdivisional Commissioner's tours in Sunamganj from which it appears that he spent 10, 11 and 22 days there in the last three and 26, 32 and 15 in the first three years named. Clearly therefore the answer must be in the negative.

(c) Does not arise.

ADJOURNMENT MOTION

Adjournment motion on the unmagisterial conduct on the part of the Deputy Commissioner, Cachar, in connection with the dealing of a case of assault alleged to have been committed upon a lad by an officer of the Telegraph Department

The Hon'ble the SPEAKER : I have got notice of an adjournment motion from Mr. Arun Kumar Chanda.

Mr. ARUN KUMAR CHANDA : Sir, I beg leave of the House to move an adjournment motion which stands in my name, and runs as follows :—

“ That this Assembly do now adjourn to discuss a definite matter of urgent public importance, to wit, apprehension of failure of justice in the district of Cachar, caused by the improper, unmagisterial conduct of the Deputy Commissioner in dealing with a case of assault alleged to have been committed upon a lad of 8 by an officer of the Telegraph Department, named Perkins.”

Hon. members may have noticed in the Press that the public have been very much stirred in the district of Cachar over a cowardly assault alleged to have been committed by a foreigner named Perkins on a poor school-boy aged eight. Since then the developments that have occurred in the matter have amazed the public in that, when the matter was brought up before the Court of the Deputy Commissioner in Cachar, the Deputy Commissioner, instead of taking the course which he was bound to take in law, adopted methods which have caused great misapprehension in the minds of the public about a failure of justice in this case. This is a very serious matter.....

The Hon'ble the SPEAKER : The hon. member has not mentioned what unmagisterial steps were adopted.

Mr. ARUN KUMAR CHANDA : I only received this paper yesterday which gives a report of the proceedings before the Deputy Commissioner. When the complaint was brought to the notice of the Deputy Commissioner.....

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

The Hon'ble the SPEAKER : Order, order, the hon. member should be allowed to finish.

Mr. ARUN KUMAR CHANDA : When the complainant was brought before the Deputy Commissioner, the Deputy Commissioner asked the party to come at 3 in the afternoon. The Deputy Commissioner, instead of receiving the complaint from the boy, asked him several irrelevant questions, in the presence of the person complained against and what can be gathered from the press report is that the Deputy Commissioner tried to make out that no offence had really been committed by the person against whom the complaint was being made.

I submit, Sir, this is a very serious case, because the district of Cachar in the past has been the scene of many occurrences of failure of justice. I am reluctant to refer to past history which is full of incidents of cowardly attacks made on helpless children of the soil by foreigners with impunity in the days of bureaucratic Government who were not responsible to public opinion. I would also like to remind the Hon'ble House that even since the inauguration of provincial autonomy in this province, there have been at least three such instances of cowardly assaults committed by foreigners on Indians and on every such occasion the district authorities in Cachar

have failed to inspire the public with a sense of security in similar cases. In one case, Sir, the learned predecessor of the present Deputy Commissioner, on the case being referred to the High Court, received the severest of strictures at the hands of Mr. Justice Lort-Williams for his unmagisterial and improper conduct. The second case was that of a military officer named Eddleman and in that case also the assault was committed on a poor boy. But the learned Magistrate let him off with a mere warning! On this occasion, Sir, the normal misapprehension in such cases of failure of justice has been further accentuated by this attitude of the Deputy Commissioner of Cachar. Therefore, I submit that this is a very important and serious matter and the House has a right to discuss it, because in these days of provincial autonomy it would be a pathetic commentary upon administration of justice to think that officers could conduct themselves in the manner as alleged.

The Hon'ble the SPEAKER : Has the complaint been entertained?

Mr. ARUN KUMAR CHANDA : No, Sir, my information is, it has not been properly and fully entertained and no summons has been issued yet.

The Hon'ble the SPEAKER : So, it has not been finally disposed of?

Mr. ARUN KUMAR CHANDA : No, Sir, it has been kept hanging.

The Hon'ble the SPEAKER : So the Magistrate has not taken any action on it and it is a matter which relates to his judicial functions.

Mr. ARUN KUMAR CHANDA : I am not going, Sir, into the merits of the case. What I submit, Sir, is that the Deputy Commissioner instead of taking the course of action which he was bound to take in law adopted methods of his own and I refer to the conduct of the Deputy Commissioner and not the merits of the case.

The Hon'ble the SPEAKER : Then it appears that the hon. member is taking the report as appears in the press as correct. Does he take the responsibility for his statement?

Mr. ARUN KUMAR CHANDA : I have no reason to doubt its correctness, Sir, particularly in the light of previous experience in the district of Cachar.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY : May I know the name of the newspaper which has given the report?

Mr. ARUN KUMAR CHANDA : The *Jugasakti* of Sylhet.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY : Is it a fact that one of the prominent members of the Congress party is connected with that paper?

The Hon'ble the SPEAKER : That does not arise.

Mr. ARUN KUMAR CHANDA : I do not belong to the Criminal Investigation Department, Sir.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I am sorry, Sir, that this has been taken as a matter of urgent importance. The fact so far as I have been able to gather is that a complaint has been received by the Deputy Commissioner. He has recorded the complaint and has asked the Senior Extra Assistant Commissioner to look into the matter. The case is still *sub judice* and we cannot discuss it here.

The Hon'ble the SPEAKER : After having heard the hon. member who has given notice of this adjournment motion and the Hon'ble the Premier, I am disposed to think that this is not a matter of urgent public importance. The point that has been sought to be made out in the notice is the unmagisterial conduct of the Deputy Commissioner in dealing with the case of an assault. To elucidate that point the hon. member has said

that the Deputy Commissioner has made delay in taking action and that he put certain irrelevant questions to the complainant. I do not think any unmagisterial conduct has been displayed by the action taken by the Deputy Commissioner ; we cannot characterise it as a very unmagisterial conduct which can be discussed by means of an adjournment motion. So I hold that the motion is not in order.

Mr. ARUN KUMAR CHANDA : May I ask the Hon'ble Premier to enquire into the allegations made in the columns of this paper and take steps against it if it is found that false allegations have been made against a high official of the Government ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : It is for the officer himself to take the initiative in the matter. If he thinks that there is a case against that paper, he would come up for permission.

DEMANDS FOR GRANTS

Grant No. 11

(25—GENERAL ADMINISTRATION)

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs.21,07,100 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1941, for the administration of the head "25.—General Administration."

The Hon'ble the SPEAKER : Motion moved :

"That a sum not exceeding Rs.21,07,100 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1941, for the administration of the head '25.—General Administration'."

I have got notice of about 39 cut motions. May I ask the party who are mainly responsible for tabling these cut motions whether they have arrived at any decision as to which of the cut motions would be moved ?

Babu DAKSHINARANJAN GUPTA CHAUDHURI : Sir, before the motion is taken into consideration I want to rise to a point of order.

The Hon'ble the SPEAKER : A point of order arises when a matter is under discussion.

Babu DAKSHINARANJAN GUPTA CHAUDHURI : With regard to the motion that has been brought forward by the Hon'ble the Premier, I submit, Sir, my point of order does arise.

The Hon'ble the SPEAKER : What is the point of order ?

Babu DAKSHINARANJAN GUPTA CHAUDHURI : With regard to this motion—I mean—Grant No. 11, 25—General Administration. At page 71, we find that Rs.96,000 has been shown as charged to the Revenues of the Province on account of Ministers' salaries. The whole matter of Ministers' salaries is governed by the Government of India Act under section 51, sub-section (3) and an expenditure to be charged on the revenues of the province, is governed by section 78 (3) (c) of the Government of India Act.

Section 51(3) says, "The salaries of Ministers shall be such as the Provincial Legislature may from time to time by Act determine, and, until the Provincial Legislature so determine, shall be determined by the Governor."

Section 78(3)(c) says that the salaries and allowances of Ministers shall be charged on the revenues of the province.

So, Sir, so far as the Ministers' salaries are concerned these shall be charged to this extent that His Excellency by his discretion decides to put certain amount as salaries at the first instance and afterwards the salaries allowable by an Act of Legislature. Sir, we are, therefore, being governed by a Salary Act of Ministers. The present Act grants to each Minister only Rs.500 per head. That is, it comes to Rs.60,000 annually. So, only Rs.60,000 for the Ministers can be charged to the revenues of the province. So, Sir, the excess amount cannot be charged to the revenues of the province.

The Hon'ble the SPEAKER: But the amount charged is not included in this sum.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: I want to know whether the amount can be charged or not.

The Hon'ble the SPEAKER: The motion is that a sum not exceeding Rs.21,07,100 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1941, for the administration of the head "25.—General Administration". From what the hon. member has said it appears that Rs.96,000 which has been shown as charged must be outside this sum. We are to deal with that amount. If any discussion was necessary that ought to have been done at the time when the Budget was under discussion and the hon. member was quite entitled to discuss it at that time.. Now we are concerned with the sum of Rs.21,07,100.

As I pointed out, the amount was not included in this sum. I may, however, point out that there are certain cut motions which have been tabled for the discussion of this matter and reduction has been proposed from the grant which has been shown as voted. When these cut motions come in for discussion hon. members may discuss what they want to discuss. At this stage it will not be at all proper. Apparently that sum of Rs.96,000 is not included in the amount that is now being sought to be granted by the Hon'ble Premier.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: When that amount has been shown as charged we are precluded from discussing that. It is taking away our right as legislators. We have been deprived of a valued right of showing the excess amounts, *i.e.*, Rs.36,000 for any useful purpose.

The Hon'ble the SPEAKER: I have repeatedly told the House that they are entitled to discuss the amount that has been shown as charged on the days in which the Budget as a whole was under discussion.

The hon. member is perfectly right when he says that the Ministers' salaries become charged when paid by an Act, and that an expenditure to be charged on the revenues of the province shall be decided by the Governor in his discretion. With regard to the question whether His Excellency the Governor is right in showing an amount which was not sanctioned by an Act as charged, even if I give a ruling that will not be binding on His Excellency; he has his discretion whether he can show any amount as charged or not.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: I respectfully submit to your ruling; but I submit Sir that sub-section (4) of section 78 runs thus, "Any question whether any proposed expenditure falls within a class or expenditure charged on the revenues of the Province shall be decided

by the Governor in his discretion" His Excellency's discretion does not according to this section extend to any amount. It does not give absolute right to His Excellency the Governor to unlimited extent and the Governor is not authorised to decide in his discretion, what expenditure is to be charged and what not. In that case, Sir, the Legislature will have no right over the revenues of the Province. My submission, therefore, Sir, is that the Governor's discretion is limited. I would request you to mark the words "whether any proposed expenditure falls within a class of expenditure charged on the revenues of the Province". I submit that the Governor's discretion is only limited to that extent only—that the Governor is to decide only to what class of charged expenditure, a particular proposed charged expenditure will fall. I, therefore, submit, Sir, to shew in the Budget an unauthorised amount of Rs.36,000 as charged is *ultra vires* and illegal.

The Hon'ble the SPEAKER: As pointed out by me, the question reduces itself to this whether any excess amount proposed as part of the Ministers' salaries should be shown as charged or not is entirely within the discretion of His Excellency the Governor. Even if I give any opinion now, that will not at all be binding on him. If I say that the excess amount ought not to have been shown as charged, I do not know how it will help the hon. member, and further, I have no right to exclude this amount from the Budget as has been framed. But the hon. members have certainly adopted a proper procedure for the purpose of reducing that amount, so I do not see any point in the discussion that has been raised.

Srijut GOPINATH BARDOLOI: Sir, I will make the position clear with regard to this matter, on behalf of my party. I consider that the entire amount that has been shown on account of Ministers' salaries could not have been shown as charged on the revenues, in view of the fact that the Act was not passed. The Act is still pending before us, and we think, Sir, that this amount can be shown as charged on the revenues only after passing of that Act. Therefore, to the extent of that excess the House has been deprived of the right not of discussion, which might have been raised even if it were charged on the revenues, but of voting for reduction. As the thing stands now, we could not even table any cut motions for reduction for the simple reason that the amount has been shown as charged.

The Hon'ble the SPEAKER: But a reduction of Rs.36,000 has been proposed from the total amount. That would be an indirect way of reducing the charged amount.

Srijut GOPINATH BARDOLOI: But that has been shown only with regard to Parliamentary Secretaries

The Hon'ble the SPEAKER: No, with regard to Ministers' salaries. This discussion would properly come under a cut motion. So, I would ask Babu Dakshinaranjan Gupta Chaudhuri to say whether he is going to move his cut motion No. 1.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: Yes, Sir, I shall move it.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Have you, Sir, fixed any time limit for speeches in connection with these motions because there are as many as 39 cut motions?

The Hon'ble the SPEAKER: I may tell the hon. members that the mover of a cut motion will have 7 minutes time for his speech, I shall allot 7 minutes also for the Hon'ble Minister-in-charge to reply, and for other speakers I allot 5 minutes for each.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: Mr. Speaker, Sir, I beg to move that the provision of Rs.42,600 under Grant No. 11, Major head-25.—General Administration, Minor head-H.—Ministers, Sub-head—1.—Pay of Officers, (total), at page 71 of the Budget be refused, *i.e.*, the amount of the whole grant of Rs.21,07,100 do stand reduced by Rs.42,600.

Sir, this amount has been provided as salaries for the proposed Parliamentary Secretaries and the Private Secretary for the Hon'ble Premier. So far as we are concerned, Sir, we say that we are not opposed to the appointment of Parliamentary Secretaries or the Private Secretary to the Hon'ble Premier. But in a poor province like Assam, having a revenue of not more than 3 crores of rupees, when we have already got 10 Ministers, we see no reason why Parliamentary Secretaries and the Private Secretary at such a high cost should be appointed. I am tempted, Sir, in this connection, to quote some words from a speech of a hon. member of the Upper House. He said that he did not know on what considerations Parliamentary Secretaries and Private Secretary were going to be appointed. Sir, the present Premier became Premier of the province on April 1937, and continued to be so for more than 12 months. Then, another administration came and it also continued for about 14 months. Sir, the province continued to have good administration inspite of the fact that no Parliamentary Secretaries or Private Secretary were appointed. No case has been made out to show that necessity has now arisen for the appointment of Parliamentary Secretaries and Private Secretary to the Hon'ble Premier. It is because of this, Sir, I submit that the appointments are going to be made on party considerations, for considerations which acquire importance in the cover of darkness. So, Sir, it would be better if 24 more persons were appointed as Ministers and 24 others as Parliamentary Secretaries as that would enable the present Government party to keep their majority in tact.

Again, Sir, with regard to this item, my hon. friend Mr. Whittaker also has remarked that there has been too much load on the caravan. So I do hope that I would have the whole-hearted support for my motion from the European group.

Again, Sir, with regard to the Private Secretary to the Hon'ble Premier, the Hon'ble Premier has said in his opening speech on the Budget, that such a post is necessary for clearing up correspondence and for regulating the number of visitors. But at what cost? A sum of Rs.6,600 has been provided for that purpose. If for regulating the number of visitors, and for clearing up the Premier's correspondence, Assam has to pay Rs.6,600 I do not know what will be the position of our administration.

I think, Sir, that this sum of Rs.42,600, provided for this purpose, could have been utilised for the purpose of starting at least 150 Lower Primary Schools, or for other useful projects for the benefit of the people of this province. Instead of that, this huge sum has been provided for appointment of 10 Parliamentary Secretaries and a Private Secretary to the Hon'ble Premier. Of course, I realise that it is meant for giving provision to 10 members sitting behind the Treasury Bench and one gentleman of the Provincial Civil Service, who will get his salary as Private Secretary to the Hon'ble Premier in addition to his scale of pay in the Provincial Service. I, therefore, lodge my emphatic protest against such wastage of public money. We have already got 10 Ministers and we often find that they are idling away their time. In the pre-Reform days Assam used to be governed by two Executive Councillors and two Ministers only, but with the coming of the Reforms we found that the number increased

to 5. Then it was increased to 6 and to-day we have ten Ministers, even more than the number of portfolios. I am tempted to say what some gentleman told me in a private talk, that with the departure of each Ministry, Assam is saddled with the burden of an increased number of Ministers. Such is the lot of our poor province, in spite of her poverty and degradation! The administrators of this province do not care to look for the amelioration of the condition of the people, but here we see that instead of ameliorating the condition of the people they are distributing patronage to members of their party.

With these few words, I move the motion which stands in my name, and I also voice a most emphatic opposition to the proposal to appoint 10 Parliamentary Secretaries and a Private Secretary for the Hon'ble Premier at such high salaries.

The Hon'ble the SPEAKER: Cut motion moved:

"That the provision of Rs.42,600 under Grant No. 11, Major head—25.—General Administration, Minor head—H—Ministers,—Sub-head—1.—Pay of Officers (total), at page 71 of the Budget be refused, *i.e.*, the amount of the whole grant of Rs.21,07,100 do stand reduced by Rs.42,600".

While we are on this motion I may point out to the House that motions Nos. 4 and 13 refer to the same matter that is under discussion. So naturally these two cut motions will fall through if this motion be discussed, and that the other two motions cannot arise because they are intended to censure the Government for the appointment of Parliamentary Secretaries.

Khan Bahadur Maulavi KERAMAT ALI: Mr. Speaker, Sir, it has been said by my hon. friend, the mover, that the administration of Assam was conducted previously only by two Executive Councillors and two Ministers, and now that the number of Ministers has been increased there should not be any Private Secretary or Parliamentary Secretaries. Well, there were days when the administration was run only by a Chief Commissioner, and the expenditure of the Government was then much smaller. Had my hon. friend moved that we go back to those days when the province was being administered only by a Chief Commissioner, I would surely have been with him. But now that our own people wanted Reforms and are not satisfied with the previous administration, the Reforms had to be given, and with the successive expansion of the Reforms comes the expansion in expenditure and therefore it is now too late in the day to complain.

Then, as regards the Private Secretary, the Hon'ble Premier in his speech pointed out why he wanted a Private Secretary. I hope the hon. Leader of the Opposition will admit that when he was the Premier he was so crowded with visitors, and his work was so heavy, that he found it impossible to take his food or to go to his bed in proper time. I think, if he would have been provided with a Private Secretary he would have been only glad. As regards Parliamentary Secretaries, they are wanted, as has been admitted by the hon. mover, but he says that because Assam is a smaller province and its income is smaller, therefore so many Secretaries are not necessary. Congress Ministries are responsible for introduction of Parliamentary Secretaries in different provinces. If Assam is a smaller province with a smaller income, let it have a smaller number of Secretaries with a smaller pay. I, therefore, support the motion (*loud laughter*) I mean the original motion of the Hon'ble Premier.

Maulavi MUHAMMAD AMJAD ALI: Mr. Speaker, Sir, my hon. friend Babu Dakshinaranjan Gupta Chaudhuri has said that the appointment of Parliamentary Secretaries is unwanted, but he seems to forget that it was their own doing. I would like to remind him that it was sponsored by the first Coalition Ministry, and it came into being when Congress Coalition Ministry came into power. During the last Budget Session and after the Budget Session, some Opposition Members were approached by Congressites. My hon. friend Srijut Rajendra Nath Barua, if I do not make a mistake, approached some of us and told us that some Parliamentary Secretaries were going to be appointed by the Congress Coalition Government from the Opposition to strengthen the party and he would like to know if any of us in the Opposition would like to come in as such (*loud laughter*). It is very well now for them to turn round from the Opposition Benches and say that this item of expenditure is uncalled for. Sir, we have observed that with every new Ministry there has been an increase in the number of Ministers. From the time of the inauguration of the Reforms we have seen that every time the Ministry has changed, there has been an increase in the number of Ministers, and there was a certain addition, and the item of Parliamentary Secretaries was first thought of by the Congress Coalition Government. But for their vacating the office these Parliamentary Secretaries would have been appointed by them sometime ago. But now my friends say that this item should not have been there. The necessity is there and the exigency of circumstances with the change in political conditions demand this and this has been done by Congress Governments in other provinces.

With these few words I hope, my hon. friend will realise his mistake and withdraw his motion.

Srijut HALADHAR BHUYAN: সভাপতি ডাঙৰায়া, পালিয়েমেণ্টেৰী চেক্রেটেৰীৰ নিমিত্তে যিটো provision বাজেটত ধৰা হৈছে, সেই provision টো দেখি মোৰ এটা গল্প মনত পৰিছে। গল্পটো হৈছে এই—এজন বঙালী, কীৰ্তনীয়া আৰু তেওঁৰ লগত সঙ্গতদাৰ কেইজনমান আছিল—যাক অসমীয়াত ওজা আৰু পালী বোলে।

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: On a point of order, Sir, can the hon. member narrate a story here in the House?

The Hon'ble the SPEAKER: Yes, he can, if it is relevant of course.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: Sir, on other occasion you disallowed Khan Bahadur Dewan Eklimur Roja Chowdhury to narrate a story.

Srijut HALADHAR BHUYAN: এই কীৰ্তনীয়াৰ দলে এদিন এঠাইত কীৰ্তন গান অৰ্থাৎ ওজা-পালী গাইছিল। কীৰ্তন হৈছিল বামাঙ্গনৰ বিক্ষিপ্ত কাণ্ড। (*laughter*) পিচে কীৰ্তন হৈ থাকোতে মাজতে হঠাৎ কীৰ্তনীয়াই হনুশানৰ নাম পাহৰি গল। (*laughter*) তেতিয়া মাজতে কীৰ্তন ভঙ্গ হলে ওজাৰ বদনাম হব। ই ভয়তে কীৰ্তনীয়াই পদ ঠিক ৰাখিবৰ নিমিত্তে কীৰ্তনৰ পদ ৰাখি কীৰ্তনৰ স্মৰণত পালী সকলক স্মিলে “লক্ষ্মায় যে ডিঙাইয়া গেল সেই বীৰেৰ নাম কি? (*Loud laughter*) যিবিলাক পালী আছিল সিহঁতে মনত ভাবিলে “সি লয় দহ অনা আৰু আশি পাউ ছ-অনা। এই খিনিতে

ইয়াক ঠেকত পেলাবৰ সুবিধা হৈছে”। ইয়াকে ভাবি সিহতে পোনে পোনে উত্তৰ নিদি কলে “দশ আনি, চয় আনি, আনবা বগবাক?” (*Loud laughter*) অৰ্থাৎ তুমি পোৱা দহ খনা আক আমি প শু ছ-অনা; আমি কিয় কম? এইদৰে কেইবা-বাবো উক্ত পদ ছকাকি গোৱাব পিচত কীৰ্তনীগাই ভাবিলে যে মহা বিপদ। তেতিয়া উপায় নাপাই কীৰ্তনীগাই কলে, “আজ হতে হল ভাই সমান সমান”। (*Continuous laughter*) যেতিয়া পালীবিলাকে দেখিলে যে আজিৰ পৰা সমান সমান ভাগ হল, তেতিয়া সিহতেও পদখুৱাই কৈ দিলে “লক্ষ্যৰ বে ডিকাইবা গেল তাৰ নাম বীৰ হুমান।” (*Continuous loud laughter*).

প্ৰজাৰ দৰমহাই মন্ত্ৰীৰ অৱস্থা—অৰ্থাৎ আমাৰ মিনিষ্টাৰ সকলে যেতিয়া দেখিলে যে মন্ত্ৰীদ্বাৰ সকলক যদি ভাগ কিছু বঢ়াই নিদিয়ৈ আক তেওঁলোকেই কেবল সবহীয়া দৰমহা খাই থাকে তেতিয়া মিনিষ্ট্ৰী অব্যাহত বন্ধা কৰা কীৰ্তন অচল হয়—গতিকে পালী সকলে ছেপবুজি হেচা দিয়াৰ দৰে মন্ত্ৰী সভাৰ সমৰ্থক সকলেও তেনে হেচা দিয়াৰ কাৰণেই এট পালিয়েমেণ্টেৰী চেক্ৰেটেৰীৰ ব্যবস্থা কৰা যেন লাগে। এই গল্পটো আবহু কৰাৰেই তেখেত মৌলবী চাহাবে যে কৈছিল যে গল্পৰ লগত কি সংক্ৰ আছে, এতিয়া তেখেতে মিলাই চাব পাৰে যে গল্পটো ইয়াৰ লগত খাপ খায় নে নোখায়।

যি দেশৰ বাস্তবিকতে খেতিয়কৰ গৰুৰ অবস্থা শোচনীয় খেতিয় (agriculture) অবস্থা শোচনীয় আক শিল্প বিভাগত (Industry Department) টকা provide কাৰণ পৰা নাই, সেই দেশৰ অনাববেল মেম্বাৰ সকলক শুধিব খোজো যে ইয়াত ১০ জন পালিয়ে-মেণ্টেৰী চেক্ৰেটেৰীৰ দৰমহাৰ ব্যবস্থা কৰাৰ কিবা দৰ্কাৰ আছেনে? আক অনাববেল মেম্বাৰ সকলক বাইজে ইয়ালৈ পঠিয়াইছে যাতে সূচিন্তা কৰি তেখেত সকলে দেশৰ যি আয় হয় তাক সদ্ব্যবহাৰ কৰিকামত লগায়; আক আয়ৰ সদ্ব্যবহাৰ কৰি যাতে বাইজৰ উপকাৰ কৰে আক দেশ গঢ়ি তোলে সেই কাৰণেই দিব্বিলাকক ইয়ালৈ পঠিওৱা হৈছে। আজি দশত এটা ডাঙ্গৰ ভোলপাৰ হৈছে—নতুন শাসন চলিছে বাইজৰ হাতলৈ শাসনৰ ভাৰ আহিছে। অৱশ্যে এই নকণ্ড যে কেবল কংগ্ৰেছ পাৰ্টিয়েইছে দেশৰ স্বাধীনতাৰ নিমিত্তে চেষ্টা কৰিছে অন্যান্য পাৰ্টিয়েও অৱভাবে সেইটো দাবী কৰে। কিন্তু তেখেত সকলে ভালকৈ বিবেচনা কৰি চাব লাগে যে দেশৰ যি আয় হয় তাকৈ যেন ব্যয় কোনো বৰকমে অনৰ্থক বেচি নহয়। মই সেই কাৰণে এই cut motionটো সমৰ্থন কৰো আক পালিয়েমেণ্টেৰী চেক্ৰেটেৰী যাতে নহয় তাৰ নিমিত্তে যেন অনাববেল মেম্বাৰ সকলেও এই cut motionটো সমৰ্থন কৰে।

Srijut KAMESWAR DAS: Mr. Speaker, Sir, the hon. Khan Bahadur Keramat Ali has admitted that Assam being a small province and its income being poor some consideration should be shown to the depleted condition of the provincial exchequer and he has suggested that it is why a smaller pay of Rs. 300 per mensem has been provided to each of the Parliamentary Secretaries. Now, it is well known, Sir, that after the

resignation of the second Saadulla Ministry, the Congress took up the responsibility of administration and accepted Ministry. But though there was expansion of the Ministry the salary was fixed at only Rs.500 per mensem for each of the Ministers. The total expenditure, therefore, on the 8 Ministers was thus only Rs 4,000 for salaries, which was less than what the previous Ministry was drawing per month. There were then no Parliamentary Secretaries. Now after the resignation of that Ministry, the present new Ministry was expanded from 8 to 10 and we see that a higher scale of pay has been provided for their salaries. On the Ministers' salaries alone there is a great increase in the expenditure and with the increase in the number of Ministers the total expenditure is also bound to grow very high.

With the increase in the number of Ministers there is consequent diminution in their works and I think there should be no need for the appointment of Parliamentary Secretaries. If we take into consideration the cost provided for the Ministers, their Parliamentary Secretaries, the Private Secretary and the consequent establishments under them, the expenditure is really very high. On these considerations, I support the cut motion.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURI: I rise to oppose the motion moved by my friend Babu Dakshinaranjan Gupta Chaudhuri. The mover of the motion referred to the number of Ministers in the present Cabinet. I would like to say that the number of Ministers was increased by the Congress-Coalition Ministry and they obtained sanction from the High Command for a further two more than the eight that actually functioned; but of course they were not appointed. So that contention of my friend falls to the ground.

When the Congress-Coalition Ministry was in power the name of Mr. Dakshina Ranjan Gupta Chaudhuri, the mover of the motion was widely mentioned as one of the prospective Parliamentary Secretaries. But of course they have resigned and now the grapes are sour. My hon. friend Srijut Haladhar Bhuyan gave the analogy of Hanuman who was the follower of Rama and he should know his companion. As regards the Premier, what his duties are is well known to the hon. member Mr. Bardaloi. Sir, after the introduction of Reforms in Assam not only the number of Ministers has increased, but the number of members in the House has increased from 53 which it formerly was to 108 the present size. Mr. Gupta Chaudhuri said that by the amount proposed to be spent on the Parliamentary Secretaries some 150 Primary Schools could be opened. Sir, similar argument can be said that by the amount of money proposed to be spent on the doubtful prohibition scheme of the Congress Coalition Ministry many more Primary Schools could be started.

Now, Sir, the Parliamentary scheme of Government has come to function and there is little doubt that Parliamentary Secretaries are necessary. They are meant for better and efficient working of the Government. So, Sir, I think the sum is provided quite rightly. With these few words, I oppose the motion moved before the House.

Babu HARENDRA NARAYAN CHAUDHURI: Mr. Speaker, Sir. Since the inauguration of the Reforms the number of Ministers has risen up in geometrical progression from 5 to 10. But before I can accede to this demand for appointment of Parliamentary Secretaries, I must be satisfied that the works of the Ministers have also increased. And at the same time I must also be satisfied whether the income of the province has also increased to such an extent that we can have the luxury of having Parliamentary Secretaries. I do not think that the work has increased a bit,

And regarding the finances of the province, I think, the Hon'ble Premier himself knows that this year also we shall have a deficit Budget. So, I think, it is not proper to spend this sum of Rs.36,000 on Parliamentary Secretaries.

Another point is whether the number of Ministers being 10 they require Parliamentary Secretaries also to help them in their work. If I may go into the personnel of this Cabinet, I think, some of the Ministers do not require the help of a Parliamentary Secretary at all. As regards Maulavi Abdul Matin Chaudhuri, the hero of the Central Assembly, I do not think, he will require any Parliamentary Secretary to help him in his work because he being the right hand man of Mr. Jinnah must be very efficient at his work. As regards Maulavi Munawwar Ali, I think, he is also able to do his work alone. As regards Mr. Chaudhuri I am reminded of a couplet in the Ramayana. 'এক বদন বক্ষা নাহি, সুগ্রীব ভদ্র'। He is a host in himself and does not require the help of a Secretary. As regards the Hon'ble Prime Minister, so far as my knowledge goes he is in the Provincial Legislature perhaps from 1910 and so he has served the Province to a pensionable period (laughter). If he could manage so long without a Parliamentary Secretary, I hope, he will be able to carry on these few days without it. (Voices: Regarding Miss Mavis Dunn?) She is a novice. I think, I should not speak anything about her. With these few words, Sir, I support the motion.

Srijut DEBESWAR SARMAH: Cut motion No.4 stands in my name. I suppose, Sir, you were pleased to rule that it would fall through. Therefore I may be permitted to add a few observation in this connection. The question is whether there is really any necessity for the appointment of 10 Parliamentary Secretaries and whether if appointed, these are likely to function properly. Previous speakers have already said that the finances of the province are too poor and too meagre to maintain 10 Ministers and a burden of 10 Parliamentary Secretaries on the top of this Cabinet is rather ruinously expensive for the province. Sir, I for one would certainly support a motion for appointment of 10 Parliamentary Secretaries even in such a province like Assam if a case is made out for it. If nation-building departments were opened out and if there were plan and scheme for development of the country in various lines, certainly we would have considered the question on its merits. But since the Budget discloses no plan, no policy, no scheme for action save and except what we already had in the beaten path during the last decade, I think, there is no necessity for Parliamentary Secretaries. Only to-day we heard from the Hon'ble Education Minister in reply to a question put by my hon. friend Mr. Talukdar that for paucity of funds Botany classes could not be opened in the Cotton College. Every one knows to what difficulty the guardians are placed to have to send away their boys to Calcutta or Murarichand College to study Botany. For opening the Botany classes, I suppose, we could do with one Lecturer at Rs.150 per month and for the second year we could do with one Lecturer and one Tutor. At any rate we would not require more than Rs 3,600 per annum for opening the Botany classes in the Cotton College. If for want of Rs.3,600 the education of the province is being hampered, what justification there is for appointing 10 Parliamentary Secretaries costing Rs.36,000 annually when we have already had the experience that this province had piloted some sort of administration during the last 10 years without having Parliamentary Secretaries. My hon. friend Maulavi Amjad Ali raised a problem. It leads us to pause and think whether it is proper to disclose on the floor of the House any private conversation that takes place between two members.

It is not for me to say anything, it is for the Chair to give his direction on the matter. To my mind hon. Maulavi Amjad Ali's disclosure on the floor of the House only indicates this that he had lent himself open to approach like that and that it was an attempt to take advantage of his weakness for Parliamentary Secretaryship. Again my hon. friend Mr. Maqbul Hussain Chaudhuri raised a question that permission was sought for two more Ministers by the previous Government. Yes, permission was sought but appointments were not made because the circumstances of the province and the condition of the administration prevailing then did not justify it. Sir, I think at the moment when the question of permission being taken from the High Command was raised, "Assam Herald" came with an interesting leader. We of course have not the advantage of hearing from the whilom Editor of "Assam Herald", I mean my Hon. friend Mr. Abdul Matin Chaudhuri who has chosen to remain silent on this question.

Now as regards the work that these Parliamentary Secretaries have to do, suppose these Parliamentary Secretaries be appointed, would they at all be helpful to the Ministers, or would they be only an impediment to them? To the efficient Ministers, let us not name them, the Parliamentary Secretaries will be worse than useless; and to the less efficient ones—I have not said inefficient because they are adorning a high position—these Secretaries would be found to be positively troublesome. Because if the Minister himself cannot deal with the file properly, how can it be expected that his Parliamentary Secretary will do it more efficiently. If he does, then the Minister will soon acquire complexion and soon there will be ill feeling between the Minister and his Parliamentary Secretary out of spite and race for real power.

Besides, Sir, a salary of Rs.300 has been provided for the Parliamentary Secretary. Now we have already a Bill before the House and the salaries of the Ministers have been enhanced to Rs.1,250 per month each and that of the Prime Minister at Rs.2,000 (*A voice*: no, that is not correct). Very well, Sir, let it be in the round figures Rs.1,000 and Rs.2,000.

The Hon'ble the SPEAKER: The hon. member has exceeded his time limit.

Srijut DEBESWAR SARMAH: I may be given two minutes more, Sir. I am speaking on new points and moreover there is a cut motion in my name. So I pray for some minutes more. If the Hon'ble Ministers want Rs.2,000 and Rs.1,000 to keep them in proper dignity and comfort then is it to be said that the Hon'ble Ministers' colleagues sitting behind them can maintain themselves in proper dignity with a sum of Rs.300? Is it to be taken that the Hon'ble Ministers should flourish on Rs.1,000 and Rs.2,000 and their Secretaries who are of the same status and of the same calibre excepting the difference in name, will be able to pull on in proper dignity with Rs.300 only? If they cannot pull on with Rs.300 in their proper dignity it is shocking to think what result will take place afterwards. Let us not discuss the probabilities of the mischiefs that may occur out of such inequitable state of things. So, Sir, from all these considerations I would submit that this Ministry may withdraw the proposal of appointing Parliamentary Secretaries till they come out with development schemes; otherwise we are constrained to oppose it.

Maulavi MUHAMMAD AMJAD ALI: I want to say a few words on a point of personal explanation, Sir.

My friend Mr. Debeswar Sarmah has referred to my mentioning the name of Srijut Rajendra Nath Barua.

The Hon'ble the SPEAKER: The hon. member is not to deliver a speech. He is to explain.

Maulavi MUHAMMAD AMJAD ALI: Sir, my friend Srijut Debeswar Sarmah has referred to my mentioning the name of Srijut Rajendra Nath Barua on the floor of this House. I see no harm in that. It was his duty to his party and he did it. I on my part cannot, perhaps nobody can, refuse friends like them to enter our rooms and talk things. I do not consider it improper either to talk to or hear friends. If he has taken it otherwise, I am sorry for it.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Sir, I thank my friend, the mover of this cut motion for giving me an opportunity of meeting some arguments which have been advanced on the floor of this House, and I thank him again and congratulate myself that I have heard one good word from him about myself. I have found in his speech an admission that there was good administration during my first term of Ministry in 1937.

Mr. BAIDYANATH MOOKERJEE: You are always good, Sir.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Therefore, Sir, my thanks are due to him and Mr. Mookerjee. The questions raised in this motion refer to two items—(1) Private Secretary, (2) and the Parliamentary Secretaries. Excepting the mover himself none of the speakers in the House has declaimed against the necessity of a Private Secretary for the Premier.

Srijut PURNA CHANDRA SARMA: On a point of information, Sir. It has been found that a sum of Rs.550 has been provided for the Private Secretary making a total of Rs.6,600 although the cadre seems to be from Rs.250 to Rs.850.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Yes I am coming to that, Sir. At the time when this proposal was brought forward, there was absolutely no definite idea of the person who will be taken in the post. In the Cabinet meeting, it was decided that a man from the Provincial Service should be taken up but on account of the dear living in Shillong he should be given an allowance and with a view to economy it was also laid down that if a man from the Provincial Service is brought up to Shillong as Private Secretary, there should not be any addition to the cadre for that. Therefore, the argument of my hon. friend falls to the ground when he says that I am adding an extra expenditure of a sum of Rs.6,600. I told the other day that explanations as far as possible, are given for new schemes and if my hon. friends will not read them and will not refer to them then I cannot help them. So far as the Private Secretary is concerned, at page 87 of Budget Memorandum it is definitely stated that special pay at the rate of Rs.100 per mensem is to be given to a member of the Provincial Service. The officer will not be in addition to the present cadre of Extra Assistant Commissioners. Therefore, the extra expenditure on account of the entertainment of a Private Secretary will not mean more than Rs.2,000 as estimated.

Now as regards Parliamentary Secretaries, three factors led me to bring up a proposal and to provide funds for it amongst the new schemes.

- (1) This is an admitted principle of Parliamentary System of Government,
- (2) it is an admitted fact that even in Congress administered provinces the necessity of Parliamentary Secretaries was felt and they were entertained,
- (3) to train up a set of people to be the future administrators of the province. A Bill for removal of disabilities allowing members of Legislature to become Parliamentary Secretaries was brought up and it was passed when the

Congress-Coalition Ministry was functioning. Therefore, they also adopted the principle of taking Parliamentary Secretaries. Now it is needless for us to go into the conversation between the friends. The fact that Parliamentary Secretaries were entertained in almost all the Congress Provinces clearly shows that the Opposition realised the necessity of having Parliamentary Secretaries. Sir, some of my hon. friends say that it is much better to go back to the days before this present Provincial Autonomy. I think my hon. friends will remember that though there were at that time two Executive Councillors and two Ministers only, but they had official Secretaries sitting behind them to help them with facts and figures, but here we have got no such Secretaries in the House. The number of Ministers has increased to ten but the principle for this increase was laid down by the previous Government. We were obliged to follow their principle in the matter of increasing the number of Ministers. I agree with my hon. friend Mr. Harendra Narayan Chaudhury when he says that some of us in the Cabinet are old stagers and they need not have any further Secretaries. I state on the floor of the House that although provision has been made for ten, for the present, the Ministry will take only six Parliamentary Secretaries.

The Hon'ble the SPEAKER: The question is:

"That the provision of Rs 42,600 under Grant No. 11, Major head—25.—General Administration, Minor head—H.—Ministers, Sub-head—1.—Pay of Officers (total), at page 71 of the Budget, be refused, *i.e.*, the amount of the whole grant of Rs. 21,07,100 do stand reduced by Rs. 42,600."

The motion was negatived.

Babu RABINDRA NATH ADITYA: I beg to move, Sir, that the provision of Rs. 1,12,908 under Grant No. 11, Major head—25.—General Administration, Minor head—H.—Ministers (total), at page 72 of the Budget, be reduced by Rs 36,000, *i.e.*, the amount of the whole grant of Rs. 21,07,100 do stand reduced by Rs. 36,000.

The object with which I move this cut motion is that this amount is in excess of what the Ministers are entitled to under the Ministers' Salaries Act. Much discussion has already taken place over this item. So I do not think it is necessary for me to speak further on it. It may be due either to a mistake in calculation or it may be a deliberate inclusion of this amount to which the Ministers are not at present legally entitled. Otherwise, I cannot see how this excess of Rs. 36,000 can be accounted for. If the Hon'ble Prime Minister had in mind an amendment of the present Ministers' Salaries Act, even then the figure does not coincide with the amount included in the Budget. I hope, the Hon'ble Prime Minister will give a satisfactory explanation of the position. Even if the charged amount is included by His Excellency in his discretion, still we cannot persuade ourselves into the belief that the Ministry had no hand in the matter. Certainly it is on the advice of the Ministers that His Excellency has lent himself to the inclusion of the amount in the charged list. So long as the present Ministers' Salaries Act is in force, the Ministers are not entitled to get anything more than what they are entitled to under the Act. After the present Act is amended, they can surely come in with a supplementary demand and have it voted by this House. So long as the present Act is in force, legally they are not entitled to more than Rs. 60,000, and in that view of things I have sought to reduce the amount by the cut I have proposed.

The Hon'ble the SPEAKER: Cut motion moved:

"That the provision of Rs. 1,12,908 under Grant No. 11, Major head—25.—General Administration, Minor head—H.—Ministers (total), at page 72 of the Budget, be reduced by Rs. 36,000, *i.e.*, the amount of the whole grant of Rs. 21,07,100 do stand reduced by Rs. 36,000."

So far as this motion is concerned, it appears that it is intended to make a protest against the inclusion of Rs. 36,000 in the charged amount of Rs. 96,000. Of course what the hon. mover has said leads us to think that it must have been done by some mistake. But the amount has been shown as charged under the amount of Rs. 96,000 and of course no cut motion can be allowed on that amount. It appears that this incorporation of Rs. 36,000 in Rs. 96,000 is not in consonance with the provisions of the Ministers' Salaries Bill. If that Bill is rejected, the fact that this is shown as charged will not entitle the Ministers to draw the salaries simply because His Excellency the Governor has shown that amount as charged. Therefore, I allow this motion to be discussed with a view to give an opportunity to the House to register their protest in an effective manner.

Motion No. 3 is also the same motion and also 6, 7 and 12 will fall through, as those motions also relate to the same question.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Sir, my hon. friend the mover of this motion has said that this sum of Rs. 96,000 has been put as 'charged' in the Budget Estimates and that it was not legal so long as the present Act is in force. I said, Sir, the other day on the floor of this House that this was due to a mistaken notion on the part of the Finance Department that the salary of the same officer cannot be shown under two different heads 'charged' and 'uncharged'. I am perfectly willing to take up the position that, out of this amount, only Rs. 60,000 should be under 'charged' and the rest under 'uncharged'. If any amendment of the figures is wanted by hon. members we shall do it with the permission of His Excellency the Governor. As I have already stated with full responsibility, I will take the reduction proposed by my hon. friend as a vote of no-confidence and there will be no quibble of this sum being shown as 'charged'. Again, as you have yourself said, Sir, whatever may be the provision made here, so long as the Ministers' Salaries Bill is on the tapis of this House—and it has already been discussed—there is no gainsaying the fact that the salaries will be regulated by that Bill if it is passed into an Act. (*A voice:* Why was the provision made beforehand?)

That was due to a mistake made by the Finance Department and it was due to an audit ruling that the salary of the same man cannot be shown under two heads.

Babu RABINDRA NATH ADITYA: My point was that any excess amount ought not have been shown now. The Ministry should come to the House with a separate demand for any excess required afterwards.

The Hon'ble the SPEAKER: If the Salaries Bill is passed, there will be no supplementary demand; there will be only a supplementary statement of charged amount.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: What will happen to this excess amount, if the Salary Bill is not passed?

The Hon'ble the SPEAKER: The Ministers will not draw this amount. It is already excluded from 21 lakhs and odd.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: I submit, Sir, that this Rs. 36,000 should have formed part of a votable amount. If this amount were shown as not charged, it would have formed part of a votable amount.

The Hon'ble the SPEAKER: If the Government want to spend that amount, they may come forward with a supplementary demand in respect of this amount for other items of expenditure.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: As I have already said the whole thing depends on the verdict of the House on the Salaries Bill. If the Salaries Bill is rejected, there is absolutely no necessity for this Rs.36,000 or for the Government to come before the House again.

The Hon'ble the SPEAKER: The question is:

"That the provision of Rs.1,12,908 under Grant No. 11, Major head—25.—General Administration, Minor head—H.—Ministers (total), at page 72 of the Budget, be reduced by Rs.36,000, *i.e.*, the amount of the whole grant of Rs.21,07,100 do stand reduced by Rs.36,000."

Babu DAKSHINARANJAN GUPTA CHAUDHURI: I beg to say.....

The Hon'ble the SPEAKER: When I have put the question the hon. member should not say anything.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: Sir, in view of the statement that the amount will not be spent unless the Salaries Bill is passed, it is useless for us to go to vote on this question. Therefore, Sir, in view of the statement of the Hon'ble Premier, I beg leave of the House to withdraw the motion.

The motion was, by leave of the House, withdrawn.

Adjournment

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

After lunch

Babu RABINDRA NATH ADITYA: Mr. Speaker, Sir, I beg to move that the provision of Rs.36,000 under Grant No. 11, Major head—25.—General Administration, Minor Head—H.—Ministers, Sub-head—1.—Pay of Officers, Detailed head—Parliamentary Secretaries, at page 71 of the Budget be reduced by Rs.100, *i.e.*, the amount of the whole grant of Rs.21,07,100 do stand reduced by Rs.100.

Sir, the object of tabling this motion is to criticise the policy and principle of appointment in the public services.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Does this question arise, Sir, under the head in which it has been placed? We have already finished discussion about Parliamentary Secretaries.

The Hon'ble the SPEAKER: But the motion aims at criticising the policy and principle of appointment in the public services.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: But the head referred to by my hon. friend is "Pay of Officers, Detailed head—Parliamentary Secretaries". We have already discussed about Parliamentary Secretaries.

The Hon'ble the SPEAKER: In connection with that motion the particular question that was sought to be discussed was the appointment of Parliamentary Secretaries, but here the motion involves appointment of public services generally. There is some distinction between appointment to public services generally and appointment of Parliamentary Secretaries, and in that view I think the motion is in order.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: This cut motion has been moved to an amount which is under "Parliamentary Secretaries", and the question of policy and principle of appointment in the public services has got no connection with that.

Babu RABINDRA NATH ADITYA: If I remember aright, Sir, the object of the previous cut motion was to invite Government's attention to particular appointment of Parliamentary Secretaries. This motion is really a cut on the whole amount of Rs.21,07,100. We are required to select some items in which we move the cuts in order to draw the attention of the Hon'ble Ministers to particular subjects. This is a matter which is connected with the policy and principle followed by the Cabinet, and as such I thought it fit that my motion should be connected with the head "Ministers". In that view, I have placed my cut motion under the detailed head "Parliamentary Secretaries" because I cannot place any cut motion with respect to the salaries of Ministers. We must place our cut motions in connection with some other votable source under that head.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Any other item could have been taken up, *e.g.*, "Pay of Establishment" is there.

The Hon'ble the SPEAKER: Of course, but ultimately it is a reduction of the whole amount of Rs.21,07,100. The hon. member could of course achieve his object without mentioning the sum of Rs.36,000, but his view is that even if the sum of Rs.36,000 has been mentioned, it is because the Ministers have got certain power with regard to appointments in public services, and the Parliamentary Secretaries, who will be attached to the Ministers, will also be to a certain extent responsible for them. Therefore, I think the motion may be discussed.

I may also point out that motion No. 10 too aims at the same object. So, even if this motion is disallowed No. 10 will come in.

Babu RABINDRA NATH ADITYA: Sir, the question of appointment in the public services had always engaged the earnest attention of the public as well as of Government. Sir, efficiency in public services has always been essential for the success of any Government. Here with regard to this question the grievances of the public have been agitated in the press for a long time past. The other day, in reply to a question put by my hon. friend Mr. Lalit Mohan Kar, the Hon'ble Premier referred to a circular of the year of grace 1935, and, it seems, from that time onward the policy enunciated by the previous bureaucratic Government is being pursued even after the advent of our so-called provincial autonomy. Sir, the principle enunciated at that time does not certainly suit the demands of the present day, and moreover, in the interest of the efficiency in services, there has been a continuous demand from the public for the withdrawal of that circular and for issuing fresh orders enunciating the policy of Government with regard to the appointments in public services.

Sir, there are some artificial divisions or units of representation in the public services, for example, the Surma Valley Hindus, the Assam Valley Hindus, Muhammadans, Scheduled Castes, Tribals and others. Sir, these divisions have not been made with the approval of the public. There is a demand from the Surma Valley Muhammadans to have separate representation. Similarly, there is demand from the Scheduled caste people to have their separate representation on the valley basis, if that basis is desired to continue even now. Then there are others, Sir, the domiciled community in which I include the immigrants also. Their claim is that they should have a fair representation in the public services. So far as my information goes at the present time the domiciled communities have no share in the recruitment for public services because no importance is attached to the domiciled communities, although they form an important section of the population of the province.

Then, with regard to certain services, we think, that efficiency and merit should be the sole consideration, for example in the Educational Service, the Engineering Service and the Medical Service, and also in the Technical Departments, we would like that merit shall be the sole criterion for appointment. It is not so much for the persons who are to be appointed that I am making this appeal; I am making this appeal in the interests of the education of our children; it is in the interests of medical relief and technical education of our people that I suggest that in these departments merit should be the sole criterion. In other Departments, any over representation may well be compensated, as for instance in the Co-operative Department, the Registration Department and the Excise Department, we do not mind if the vacancies are filled up by members of a certain community or locality, although we think that a certain percentage of the posts should always be reserved for qualified men to maintain a proper standard of efficiency. Some of the best boys with a brilliant academic career having put in some years of service have been thrown aside and their claims have been ignored in favour of new-comers with far inferior merits and qualifications. It is of course gratifying to know that although the door has been closed to them in their native province, the sister province of Bengal has been magnanimous enough to find provision for them, and some of the boys have been appointed in Colleges at Dacca and other places of Bengal. The trouble is that, these rules of appointment have been made to take retrospective effect, whereas in Bengal the recently introduced rules fixing the principles of appointment will take effect with regard to future recruitment. My submission to the Government, therefore, is that they should not penalise our younger generation for the fault of alertness and education of the preceding generation. I have got a high regard for the administrative qualities of the Hon'ble Sir Muhammad Saadulla, and I hope, that he will take up this matter in right earnest and call a conference of all the representatives of the different communities and localities, so that a common understanding may be arrived at as regards principle and policy of appointments.

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

The Hon'ble the SPEAKER: Cut motion moved:

"That the provision of Rs. 36,000 under grant No. 11, Major head 25—General Administration Minor Head—H.—Ministers, Sub-head—1. Pay of Officers, Detailed head—Parliamentary Secretaries, at page 71 of the Budget, be reduced by Rs. 100, *i.e.*, the amount of the whole grant of Rs. 21,07,100 do stand reduced by Rs.100".

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: Mr. Speaker, Sir, I rise to oppose this motion. My hon. friend the mover of the motion has found fault with the policy of the Government followed in the appointment of officers from the sections of the different communities. Sir, it is not unknown to the members of this House that until this policy was followed by Government some classes remained excluded from service. As for instance, I may mention the name of Scheduled Class people. Only the other day they have got entry into the public services. Only Government had not adopted this policy this class would have remained outside Government service. Sir, only the other day the Congress Coalition Government was in power and what did they do? Did they always recognize merit? The hon. Mr. Bardoloi, the then Premier, recognised this principle even in the appointment of Ministers and he considered the claims of the Sylhet Hindus, the Sylhet Muhammadans, the Scheduled Castes, the tribals, etc. (*laughter.*) The interests of the different groups of the people cannot

be recognised without following this policy, otherwise some particular class will be holding a monopoly of all the public services as they had done some 10 years ago. To me, minimum qualification is sufficient to hold a service.

With these few words, I oppose the motion.

Babu NIRENDRA NATH DEV: Mr. Speaker, Sir, in rising to support the motion of my hon. friend Babu Rabindranath Aditya I would like to draw the attention of the hon. House to at least two cases of gross injustice done to innocent individuals. Mr. S. Majid who was till recently the Economic Botanist attached to the Farm at Habiganj, has been appointed Deputy Director of Agriculture — though his services were under the Imperial Council of Agricultural Research — in supersession of the claims of senior and qualified people of the Agriculture Department. Although he is posted temporarily in that Department, this has created a feeling of great dissatisfaction in the Service, and I draw the attention of the Hon'ble Premier to this instance of injustice to the present incumbents.

The next instance is well known to the people of this province, it has attained the proportions of a scandal with the Assam Government, in fact it has drawn the attention of Calcutta Press also—I mean the discharge of Mr. Promode Ch. Goswami, Lecturer in English of the Sylhet College. Sir, this innocent individual has been thrown out of the office after 7 years' service of conspicuous ability. Sir, I would like to request the Hon'ble Education Minister to have a confidential report from the Director of Public Instruction and from the Principal of the Sylhet College about the teaching ability of the gentlemen who have been recently appointed as Lecturers. It is a public talk in Sylhet how one of the Lecturers misdirected a correct sentence, and when his attention was drawn by one of the senior Lecturer, this Lecturer in question got confused and said that it must have been through oversight. Sir, is that the sort of staff we are going to supply our colleges with, from where we expect future leaders of society to come out? Whatever may be done with other departments, I submit, Sir, at least in three departments, Education, Medical and Public Health, officers should be appointed on merit alone? Does not a student of the minority community suffer, Sir, when he is asked to take his lessons from a Lecturer who is thoroughly incompetent to take up the task? Do not the members of minority community suffer, Sir, when public health and medical activities are thrown on the shoulders of incompetent persons? It is a very serious question, Sir, and I appeal to the hon. members of this House, I appeal to the members of the Cabinet to save at least these three departments from the clutches of this obnoxious system of communal representation. I make an appeal to the Hon'ble Premier and to the Hon'ble members of the Cabinet to revise their policy in this matter because three-fourths of democracy depend upon skilled administration.

With these few words, I support the motion and would again request the Hon'ble Premier to give his most serious attention to the matter and to see that no more instances of such injustice recur again.

Maulavi ABDUR RAHMAN: Sir, certain concrete examples have been put forward before the House by my hon. friend Mr. Dev. From the original mover of the motion we have heard remarks on the general quality of the public services and he did not give the House any particular case. I am, therefore, glad that my hon. friend Mr. Dev has cited two concrete examples. Hon. members are aware that in the matter of appointment of public services communal representation is the criterion which

had been followed and which is being followed for some time past. Well, Sir, the province of Bengal, which is admittedly the most advanced province has got this communal representation which it follows. Even in our politics we are following on communal lines and it is needless to cry, therefore, that communal representation should not be followed in public services.

This point has just been touched by my hon. friend Mr. Maqbul Hussain Chaudhuri and he made it clear that if it is not done, certain communities would never get a chance for generations to come into the services. He has also said that in this province of Assam, particularly this being full of heterogenous elements and there being so many communities and small classes, the need for communal representation in Government services is really great. If we simply go by merit it will really take away the chances of so many backward communities. Even in making appointments to public services on the communal representation, I make bold to say that the best qualified candidates are given preference. The case of Mr. P. C. Goswami was mentioned and I fully realise that his case is one of the most deserving ones. But it is well known to hon. members that the community from which Mr. Goswami comes is one of the over-represented communities in different services. In that view can we say that another man from another community should not get the chance?

Babu NIRENDRA NATH DEV: Even if incompetent or inferior?

Maulavi ABDUR RAHMAN: Certainly not incompetent. The policy of Government now pursued is communal representation and it is only proper that qualified men from the most backward communities, the Schedule Castes and the tribal people will get a chance and they should also get preference. If this policy is not pursued there will be no chance for our friends who are educationally backward to come to the forefront and they will have to wait for many years to come.

My hon. friend Mr. Aditya has made an appeal to the Hon'ble Premier that henceforth he should take a reasonable outlook and appoint men with better brains. On this point, I may say that there is a cry particularly from the Surma Valley caste Hindus that many departments have been closed for them for the reason that they are over-represented. I would also say that Government may henceforward frame some kind of rules so that the Hindus of the Surma Valley, I mean the caste Hindus, may in future get their opportunity along with others.

One more point I may say. In reply to a question, the Hon'ble Premier said that Government is contemplating to revise the policy of making recruitment in the public services. In this connection, I may request the Government to take into consideration the fate of these Surma Valley caste Hindus.

Mr. BAIDYANATH MOOKERJEE: I like to say a few words in support of this cut motion, but not in the sense of censuring the Government, but to draw their attention to the matter. Sir, during the last Budget Session I asked a question and in reply to that I heard that the Government was considering to fix certain percentage of appointments for merit and merit alone. More than a year has elapsed and I do not know what is the fate of that file. Now, Sir, I have got the opportunity and I draw the attention of the Hon'ble Premier who has always been found in reply very sympathetic in all these matters, May I enquire whether he has done anything in this connection? So far as the Education and Medical Departments are concerned, as it has been rightly

said by my hon. friend Mr. Dev, if practicable, the question of communal representation should go. But in other cases, I hope that the Hon'ble Premier will find some way so that a certain percentage may be fixed for merit and merit alone. In that case no community will have any grievance against this policy of the Government. As regards the case of Professor Goswami, when it has been raised on the floor of the House, I will make a personal appeal to the Hon'ble Premier. So far as I can remember once I heard him remarked that this was really a deserving case. If he really thinks so up till now, I fervently appeal that he will find out some means so that this gentleman who has served for about 11 years so faithfully and creditably could be provided for in some way or other.

With these words, Sir, I support the motion and draw the attention of Government to the points I have raised.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: Mr. Speaker, Sir, for 14 months the Congress-Coalition Government were in power and during that period if my hon. friends had come with a resolution or an amendment, I think, with a stroke of pen this policy could have been changed. Sir, I think, there was difficulty with that Government and that difficulty possibly confronts this Government too. May I remind my friends over there that efficiency was not the only guiding factor in the appointments made during the time of the last Congress Government? May I remind them of several instances? One is with regard to the appointment of Superintendent of Excise. So far as Surma Valley was concerned I can name one Muhammadan gentleman who on the last occasion stood first in the M. A. Examination of the Calcutta University. In the B. A. Examination also he stood first in the University. And notwithstanding the fact that candidate secured the highest marks in the competitive examination for the Provincial Excise Service, his case had to be neglected and as there was no representation of the Scheduled Community in the service, a gentleman from that community was given the appointment and I do not think that any national paper raised any protest against that appointment. But, Sir, there are certain practical difficulties. Several candidates may come forward with diplomas from different Universities and it is very difficult to say whether the most qualified man would prove to be the best teacher or lecturer. In fact, if I can just remind my hon. friends who are talking about efficiency, when we were in college some 18 or 20 years back we had our Lecturers and Professors mostly having second class Diploma. Now that we have first class M. As. we cannot say that in every case the man with the highest qualification would be the best lecturer. Now we know some communities are over-represented in service and for their interest we cannot alter the policy at once. Of course, time will come when every community may like the system of open competition and I am sure before long we will all feel that efforts should be made to take the best man but this is not possible till every community has secured a proportionate ratio in the service.

Maulavi MUHAMMAD AMJAD ALI: Mr. Speaker, Sir, I preface my remark by saying that example is better than precept. As I speak on this motion, I quite feel that 14 months of long life of the Congress-Coalition Ministry have given us some examples as to how the present motion should be treated. To the long list of cases that have been already cited I

would add a few. First of all I would mention the case of one Rajkumar Sureswar Gobain. He is a neighbour of the former Education Minister and the Premier. (Srijut Gopinath Bardoloi:— No, Sir, that is an untruth.) His house is at least a mile away from the house of the ex-Premier. I do not know what particular efficiency he showed. At least all members know that.....

Srijut GOPINATH BARDOLOI: Shall I be able to submit a personal explanation, Sir? It was a subject which was taken up by the previous Government. The decision was based on the recommendation of the Head of the Department.

Maulavi MUHAMMAD AMJAD ALI: I deny that. I know it will pain them very much if I dilate on this point. He was an outsider and straightway he was appointed on a salary of Rs. 151 whereas the pay of the teachers at the beginning should be Rs. 75. I would like to know from the Leader of the Opposition who was the Education Minister then? What particular merit he showed to justify his appointment at a scale of pay beginning with Rs. 151 superseding the claim of as many as 25 teachers who are already in service. I would cite the case of some executive appointments. Three posts of Extra Assistant Commissioners were advertised—one for the scheduled community, one for the Muslim and the third for a tribal. One Dhirendralal Das who is a member of the Scheduled community applied for the Extra Assistant Commissionership. He had all the qualifications of an Extra Assistant Commissioner and was a practising lawyer. Moreover he was a man from the Scheduled community and the advertisement was that a candidate from the scheduled community would be taken. But contrary to that, we have come to know that the last Government had appointed a man from Jorhat who happens to be a Pralmin in preference to the scheduled community. There is another instance in the School Department. One Surendranath Das—in whom my hon. friend the Leader of the Opposition must have personal interest because I find from the last question which was answered in the House the other day which I put that the then Hon'ble Education Minister by his own writing directed the Director of Public Instruction to appoint this gentleman in preference to other Honours graduates he being only an ordinary B. Sc. These are the instances. So I prefaced my remark with saying that example is better than precept. Last of all I would come to the appointment of the Advocate General.

The Hon'ble the SPEAKER: No, no. This cannot be discussed here. What is the use of discussing all these particular questions? If the hon. member wants to suggest any policy to the Government, he can straightway do that. What is the good of criticising the conduct of the last Government? It will not be at all helpful.

Maulavi MUHAMMAD AMJAD ALI: Sir, these are the instances. The hon. member just said that...

The Hon'ble the SPEAKER: I think, the hon. member is exceeding his time limit.

Maulavi MUHAMMAD AMJAD ALI: Yes, Sir, I finish. With these words, I oppose the motion.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: My hon. friend Maulavi Amjad Ali came forward with a long catalogue of attacks upon the Congress-Coalition Government. I could not understand from his speech whether he was supporting or opposing the motion, but his long catalogue of supersession of appointments led me to believe that he was supporting the motion which was moved to-day. Sir, the principle of appointments on communal basis has been accepted in almost all the provinces in India but, Sir, it is only peculiar to this province that all the appointments in every department are given on communal principle. In Bengal and other provinces certain appointments are reserved for merits and there is no retrospective effect with regard to communal representation. Sir, even recently in Bengal though the Hindus are a minority community, the ratio of appointments has been divided between the Hindus and Muhammadans as 50 and 50. But here in this province every appointment has to be made on communal basis. This sort of things cannot be found in any other province except in this province. Sir, so far as my knowledge goes, the Congress-Coalition Government was examining the whole question of appointments to the Public Services and referred the whole matter to other Congress and non-Congress Provinces of India and in the light of informations received by them they were going to make certain adjustments by which every community could have some scope in public services. The fact that the forefathers of a particular community were in most of the services does not justify that that particular community should be altogether debarred from getting any service under the Government. This is unheard of in any other Province. I, therefore, appeal to the Hon'ble Premier and other Members of the Cabinet that while revising the policy of appointment to the Public Services which the Hon'ble Premier referred to the other day, they will take into consideration the case of that community which is over-represented. Some concession should be made for the new generations that will be coming up for services. Some considerations should at least be given to merits specially in Medical and Education Departments as my hon. friend Babu Nirendra Nath Dev has said. With these words, I take my seat.

Srijut GOPINATH BARDOLOI: Sir, I want to speak a few words on a point of personal explanation to what has been said by my friend Maulavi Amjad Ali. He has referred to three appointments; the first was in reference to Mr. S. Gohain. As the Hon'ble Premier may very well know, these appointments rest with the Head of the Department. It may be known to the Hon'ble Ministers that this subject was being dealt with by the previous Government and recommendation was being sent time after time by the Head of the Department for his appointment. He was holding an appointment on Rs.120 per month as a Head Master of a particular school, the Sonaram Aided High School, and probably the Head of the Department thought that he would be an acquisition to his department if he could take him in the higher service. That being the case, he was appointed on a higher pay. He is a man from Sibsagar and I live at Gauhati. Then, Sir, he referred to the case of Dharendra Lal Das. In that case I had to do nothing; only the recommendation of the Public Service Commission was accepted by me. He can take it from me that the Public Service Commission did not send his case and if Dharendra Lal Das has suffered he has suffered not at my hands but at the hands of the Public Service Commission.

Maulavi MUHAMMAD AMJAD ALI: Was there no other candidate from the Scheduled-caste community?

Srijut GOPINATH BARDOLOI: Sir, that does not arise at all. Perhaps there was no fit candidate at all from the Scheduled caste. It was not my duty to pick up a candidate from the scheduled caste community and ask him to appear before the Public Service Commission. I had to do nothing with that.

The Hon'ble the SPEAKER: The point was whether merit was considered or not. He did not say anything whether the merit was taken into consideration or not. He only gave certain instances.

Srijut COPINATH BARDOLOI: Then, Sir, I come to the appointment of Surendra Nath Das. Probably he was not a man with distinction or Honours but it has been pointed out by the Hon'ble Minister in-charge of Education himself that there were other candidates who were without distinction or Honours. This case, Sir, was also sent up by the Head of the Department. In this case I did not do anything else but had to act on the advice of the Head of the Department. I had no personal interest, nor could have any in his appointment.

Then, Sir, in regard to the whole question of service, I should say that this is one of the knottiest questions to be solved by any Ministry and I really sympathise with any Government in the difficulty that they receive in the matter of making appointments. But I should say that we acted according to the policy that was laid down in 1935. We did not do anything that was not supported by the policy. But we were considering the revision of that policy. We thought that where merit alone was called for, and they were necessary for some appointments referred to by hon. members, in the interest of such services, we should not limit appointments merely to the province alone; we should go far beyond that. If proper men are necessary to be appointed as experts in any department we should not confine ourselves to our province only; we should be prepared to go to any part of India, any part of the world even beyond the seas. So, Sir, these were the questions which were looked into during those fourteen months when we were in office. Of course, I really feel that some encouragement should be given to the minorities, I mean the tribal and Scheduled-caste people and the tea garden-labourers and I definitely feel that we should be able to do something for them. But so far as the Hindus and the Muslims of the province are concerned we have arrived at a stage when we can bring in the test of merit into our appointments.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, in pursuance of my policy of not discussing the merits of individual officers on the floor of this House, I will refrain from making any observations with regard to the cases that have been placed before us, but I cannot withstand the appeal made from three different parties as regards the hard case of Mr. Promode Chandra Goswami. This gentleman was in service in the Education Department for nearly ten years, though in a temporary capacity, and at the time of the last permanent vacancy—thrown out. His case was represented to me.

Srijut GOPINATH BARDOLOI: May I correct one statement, Sir? We had appointed Mr. Promode Goswami as Assistant Lecturer. I challenge the Hon'ble Minister to place the file before the House.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURY: May I reply to this, Sir?

The Hon'ble the SPEAKER: I can give an opportunity to the Hon'ble Education Minister to speak, after the Hon'ble Premier has finished.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Sir, the sad case of Mr. Promode Goswami was brought to my notice by the gentleman himself as well as by certain hon. members of this House. Not only that, his case was also recommended by his colleagues in the Education Department. I, therefore, promised to look into his case but as he has now applied for the post of a Tutor in the Education Department, and in view of the fact that his case is now before the Public Service Commission, we should not discuss its merits or demerits here.

I am very glad to hear from my hon. friend, the Leader of the Opposition, that he found the question of representation in the services one of the knottiest problems of administration. The policy which has guided the Assam Government is not a recent one. As I replied to a question the other day, the policy is laid down in our Executive Manual, and it is more than thirty years old. But there have been various modifications from time to time, and the last order on the subject was issued in 1935. During all this time it was pressed upon the Government that the different communities living in this province should get fair representation in the services if they can produce suitable candidates. This policy has held the field so long, and as my hon. friend, the Prime Minister of last year, has said, he followed that policy scrupulously. I have also been compelled to follow on the same lines. I cannot join issue with those friends of mine who say that there is, on account of the following of this policy, a deterioration in the services, notably in Medical or Education Department. I cannot understand how that charge can be levelled. As regards Medical Service, there is a minimum standard of a degree qualification of our University for our Assistant Surgeons and a Licentiate's Diploma of our Medical Schools for Sub Assistant Surgeons and any one who holds such a degree or diploma is eligible for appointment and no question of under-qualification arises.

So far as the Education Department is concerned, the only grievance I have heard is in the sphere of collegiate education, and as regards colleges, we have only a few vacancies off and on. Our main branch of educational activities lies in the sphere of secondary education and there also the minimum qualification has been laid down as the Degree Standard. It will be surprising to many to hear that when I appeared before the Saddler Commission—the one that preceded the Simon Commission—and I mentioned that in Assam, even for Sub-Inspector of Schools we had made the holding of a Degree the minimum qualification, it astounded the members and specially no less a person than Sir John Anderson, who was then Director of Public Instruction in the Punjab. He said that, even in advanced Province like Punjab they had I. A. or F. A. as the minimum standard of qualification for this post. He said that these Sub-Inspectors of Schools, who had to inspect village schools, if they are highly qualified, generally dislike the idea of wading through mud or passing through the dirt of country roads, where these schools are located. Therefore, they kept the standard low so that they may not get chances elsewhere and join the Education Department. When we have kept the Degree standard as the minimum qualification, I cannot conceive that such a man with such academic qualification, will fail to render good service either as a Sub-Inspector of Schools whose duty is to inspect primary schools or to function as teachers of our students in our High Schools.

The only question, therefore, as regards the Education Department that can arise is in connection with collegiate service. Now here also, Sir, as some hon. members have already spoken, the question is whether we should entertain only "first class first M. A.". If we insist upon that standard, then probably we cannot man our institutions from our own people. For

how many candidates possess first class first Degrees? Also, Sir, first class M.A. is a very wide term. There may be some people who are on the border land of the first class and there might be also others who, though they have actually secured a second class, may nevertheless have secured a very high place almost equal to the bottom of the first class. Therefore, it is very difficult to keep the demarcation of first class M.As only being eligible for collegiate appointments. Therefore, not only the previous Governments, but also the previous Congress-Coalition Government, had sometimes agreed that even second class M.As are eligible for collegiate posts. I doubt, Sir, whether the minimum qualification as a second class has deteriorated our collegiate education. As I have said often, it is not an invariable rule that the highest mark-getter is the best educator or administrator.

Then again, Sir, the question of academic efficiency is one which lies in the judgment of the Public Service Commission. It is they who judge about the qualifications. The Government only lays down the proportion and the communities from which candidates should be selected.

Sir, there was a full-dress debate in the Upper House on an allied question, *viz.*, the revision of the nationality statement which shows the proportion in which services should go to the different communities. During that discussion, the question mainly referred to the domiciled communities, and the complaint was that the domiciled communities were not shown as a unit or rather that it was shown as a unit of less than 1 per cent. Any how I stated then, as I state now, that the question of revision of this form will be taken up, which, incidentally, will be a revision of the policy under discussion. Probably my hon. friend Mr. Bardoloi knows that just at the time while I was dealing with this matter—as a matter of fact there were as many as seven Cabinet meetings on this question—it was in September 1938—my Ministry resigned. Now I have to take up the question again. I was requested by members of the Upper House that at the time of revision I should take them into confidence. I have heard the same suggestion from the hon. mover. I have taken note of these suggestions, Sir, and I shall see if it is possible to have a small conference in which this question may be discussed. I hope in view of this assurance my hon. friend will withdraw his motion.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: I am afraid, Sir, a lot of inaccuracies have crept into the speech of my hon. friend Mr. Bardoloi, about Babu Promode Chandra Goswami and I take this opportunity of correcting his statement. Babu Promode Chandra Goswami was one of the candidates for Lecturership. There were two posts of Lecturers vacant and these two posts were filled up by my predecessor. The policy of communal representation was followed and Srijut Chandranath Kalita, a Hindu of the Assam Valley, and Maulvi Golam Ehiya, a Muhammadan of the Surma Valley, were appointed. These two appointments were not made by me. As regards Babu Promode Chandra Goswami, he left a note saying that he may be appointed a tutor.

Srijut GOPINATH BARDALOI: When these appointments were made I passed orders that they should be taken as Assistant Lecturer. So there were three appointments. The Hon'ble Minister will not read my orders and will mislead the House.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: But I thought this matter must be referred to the Public Service Commission and the Public Service Commission will in due course make their recommendations. All that I can say on behalf of this Government is, as this is hard case, Babu Promode Chandra Goswami's case will be taken into special consideration.

Babu RABINDRA NATH ADITYA : In view of the assurance given, I beg leave of the House to withdraw my motion.

The motion was, by leave of the House, withdrawn.

Babu RABINDRA NATH ADITYA : I beg, Sir, to move that the provision of Rs.22,523 under Grant No.11, Major head—25.—General Administration, Minor head—H.—Ministers, Sub-head 2.—Pay of Establishment, Detailed head—Clerks, at page 71 of the Budget, be reduced by Rs.100, *i.e.*, the amount of the whole grant of Rs.21,07,100 do stand reduced by Rs.100.

The object of the motion is to criticise the policy of the Ministry with regard to transfer, posting, promotion, extension of service of officers, in consideration of party interest and the inducement given to them to meddle in party politics.

Sir, it is rather a very delicate question, and it has been a matter of policy with me not to go into details of particular officials. But, I think, I shall have to illustrate my proposition by a mere reference to some of the postings and transfers made by this Ministry.

As I have said on the earlier motion, public services should be above our party politics. Whichever party may come into power officers must give efficient and able services and carry out the policy enunciated by the party government in all faithfulness and earnestness. But recently, we have found that some of the transfers and postings have been arranged in such a way as to give the irresistible impression to the public at large that it is not efficiency in service, but some other consideration which pays the officers, and this is why our officers take the indulgence of meddling with party politics. Even to-day in reply to a question about an Executive Engineer in the Khasi and Jaintia Hills we learn that he has been granted an extension for one year because suitable people are not available in the cadre to fill up the vacancy that will be caused by his retirement. Such a queer argument, coming as it does, from an Hon'ble Minister is ludicrous. A service is manned generally by qualified people. How is it that the service is now in dearth of qualified men? If another vacancy occurs will not some one of these people be lifted to fill up the post? Such arguments that there are no suitable person below in the cadre are therefore bad for justifying an extension of service. Then, Sir, an hon. member was reported to have been escorted by this officer from the Manipur Road Station in a car belonging to an Extra Assistant Commissioner in Nowgong. Sir, the public impression will be that this help in winning one member from the Opposition has been rewarded by this extension.

The Hon'ble the SPEAKER : The hon. member is introducing a controversial question.

Babu RABINDRA NATH ADITYA : This may be correct or this may not be correct. It is for the Hon'ble Minister to refute the reports. I am always open to correction. There is another report that another member of the College staff at Gauhati was brought by the Education Minister himself in order that a member of this Assembly might be set right as his allegiance to the Government party was considered shaky. This gentleman, whose services in connection with I.A. Examination were necessary at Gauhati, was requisitioned here at Shillong by an Hon'ble Minister for his party mission.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI : Absolutely false.

Babu RABINDRA NATH ADITYA : Everybody knows what is true. Then, Sir, another Mikir Sub-Inspector of Schools was found escorting one hon. member of the House to the Assembly.

One Inspector of Police at Maulvi Bazar was transferred by wire while he was in the midst of an investigation of a murder case—a very important murder case. His mother was in death bed. But that was no ground for granting him some time. The result was that his mother died on the way at Sylhet.

Then, Sir, the Subdivisional Officer of Karimganj was related to some zeminders of the subdivision whose tenants were not pulling on well for sometime past with the landlords. The tenants in a body made a representation to the Deputy Commissioner for his transfer. However, he took leave and was posted elsewhere, but has again been transferred to Karimganj. I personally do not mind this transfer. This Subdivisional Officer of Karimganj is otherwise an able and intelligent officer.

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

Babu RABINDRA NATH ADITYA: I am finishing, Sir. But the spirit which is suspected to be working behind these transfers is what we object to.

The Hon'ble the SPEAKER: Cut motion moved:

“That the provision of Rs.22,523 under grant No. 11, Major head—25—General Administration, Minor head—H.—Ministers—Sub-head—2.—Pay of Establishment—Detailed head—Clerks, at page 71 of the Budget, be reduced by Rs.100, *i.e.*, the amount of the whole grant of Rs.21,07,100 do stand reduced by Rs.100.”

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: Mr. Speaker, Sir, I rise to oppose this motion. My hon. friend has found fault with Government with regard to certain transfers and postings of some officers. Sir, I think he stands self-condemned by these accusations. When the Congress Government took over charge, they at once asked the experienced Excise Commissioner to make over charge to some other officer selected by them. They transferred the Excise Superintendent of Lakhimpur district to Sylhet as soon as they took over charge and placed another man there. Another officer was transferred to Karimganj only to give the officer the benefit of enjoying home life and to please a particular Minister. Sir, it is not known to this House that some Inspector of Police was able to keep some members to that side (*A voice:*—Absolutely false). My friend may say “false” but only saying false cannot prove a proposition false. I see he knows many secrets of Government office. I think, all these transfers were made in the interest of public service. I do not know why he is so much attached to this officer or that officer. What the Congress Government did, they thought that they were done in the interest of public service. This Government also think that transfers and postings made by them are made in the interest of public service. I may or may not like them, but that does not mean that they were wrong. My friend was only trying to bring insinuation against the Government, and it is my firm conviction that he stands self-condemned by his accusations. With these few words, Sir, I oppose this motion.

Mr. JOBANG D. MARAK: Mr. Speaker, Sir, I had no mind to say anything on this motion, but since I was touched by the hon. mover of this cut motion I have to say a word or two.

The Hon'ble the SPEAKER: I do not understand how the hon. member was touched.

Mr. JOBANG D. MARAK: He was accusing the Hon'ble Srijut Rohini Kumar Chaudhuri that he was instrumental in bringing my son here for his birthday celebration. Well, this is absolutely false. I thought the hon. mover was a dignified gentleman, but now I find that he is very shallow. He should not have brought these dirty matters in this hon. House because we are hon. members and we do not play any dirty trick. The birth-day

celebration of my son was absolutely a private affair. And the Hon'ble Srijut Rohini Kumar Chaudhuri was on tour and he was absent from Shillong during those days.

Then, Sir, with regard to the cut motion, I agree with the hon. mover that old hands should retire, after expiration of their term, in favour of younger generation, because unemployment question is so acute and a bone-fight question. Even if an ordinary vacancy occurs, say of a petition-writer or vendor, 60 or 70 candidates turn up. This means that the case is a very serious one. The object of the hon. mover is to bring these things to the notice of Government only. So, I think after hearing the reply of the Hon'ble Minister-in-charge the hon. mover will see his way to withdraw his motion.

Mr. NABA KUMAR DUTTA: Mr. Speaker, Sir, I rise to support the motion. It is absolutely true that this Ministry is trying to influence members of this House through Government servants. I know it for certain that the Hon'ble Mr. Rohini Kumar Chaudhuri recently visited Makum Junction, where his brother is posted.....

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Another piece of absolute lie.

Mr. NABA KUMAR DUTTA: No, it was rumoured that the Hon'ble Minister went there one night and tried to influence Mr. Bideshi Pan Tanti through his brother there. The place was full of this rumour and I heard it myself.

The Hon'ble the SPEAKER: Order, order, that does not come in, having regard to the object of this motion, which is to criticise the policy of the Ministry with regard to transfers, postings, etc.

Mr. NABA KUMAR DUTTA: I am trying to show, Sir, what interest the Ministry has in the posting of particular officers in particular places. It was rumoured all over the Dibrugarh town that Mr. Chaudhuri had gone to Makum Junction and tried to influence Mr. Bideshi Pan Tanti through his (Mr. Chaudhuri's) brother, who is posted at Makum.

Sir, another thing to which I wish to draw the attention of the House is this. On the day on which Mr. Terang came to Shillong, I went to Post Office and found Mr. Terang near the Post Office in a car which belongs to Mr. Chandra Kanta Bhuyan, Extra Assistant Commissioner and followed by Mr. Rai Giri.

So, Sir, it seems that this Ministry is trying to influence members of this House through Government servants.

Srijut GOPINATH BARDOLOI: I think, Sir, a state of excitement has arisen and I think, I should make a statement, clearing the position of my Party. I appeal to the hon. members on this side of the House not to participate further in the discussion of this motion.

I want to make it clear to the House that we do not associate ourselves with any personal remarks made by one hon. member against another hon. member of this House. I would therefore request that this kind of things should not be allowed to go on in this House.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Sir, as my name has been mentioned I would like to say a few words. It is absolutely untrue that I visited Makum recently. I think the last time I visited Makum was in 1930, and since then I have never put my foot in that place, and I have never gone there to see Mr. Bideshi Pan Tanti. My brother is in the Forest Department and is working at Makum, but I can definitely say that my brother does not even know the precious gentleman whose name has been just mentioned. It is an absolutely false statement which Mr. Dutta is making and if this statement had been made outside this Hall I would have called him a downright liar.

Srijut GOPINATH BARDOLOI: Mr. Speaker, Sir, I am really sorry that the debate should have taken this turn, and I would request my party not to take any further part in this debate.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, I would like to associate myself with the observations which have fallen from the lips of the hon. Leader of the Opposition. It is really not a matter of satisfaction or even of dignity of the House if members were to make statements on the floor of the House which they would not dare make outside. Here we enjoy a privilege that the statement we make here cannot be based for bringing a suit for damages or libel.

My hon. friend, the mover of the motion, has mentioned why he has tabled this cut motion, and the instances he has cited are only his impressions—they are neither facts nor true to his knowledge. Sir, my hon. friend has fallen foul of one particular extension of service. I, therefore, in spite of the fact that I do not like to discuss the merits of the case or the considerations which led to the extension to this gentleman, would like to make a statement. From the year 1932, extensions have been almost rare—I remember since then only three extensions have been given for unavoidable causes. This year the Assam Government has undertaken to spend as much as 16 lakhs of rupees on road development, but at the same time on account of the fact that one senior I. S. E. officer has to be deputed for Irrigation Division and another senior Officer has gone on war duty there is a shortness of experienced officers, and therefore an extension for only one year has been given to this officer on account of his experience of road development work and also on account of the fact that he comes from the tribal community.

Srijut DEBESWAR SARMAH: But you have taken in two more officers.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Yes, Sir, but they are quite new men. I am not giving way.

The unfortunate question of the Subdivisional Officer of Karimganj has been mentioned, although the mover does not care who the Subdivisional Officer be. I am here to take all the responsibility for this posting. Whatever may be the state of affairs elsewhere, we know that the Subdivisional Officer of Karimganj was transferred because one particular member of the then Cabinet insisted on it. In order to vindicate that the officer was not guilty of any defect in service for which he merited transfer before his time, we reinstated him. Then the case of an Inspector of Police has been mentioned. Sir, I am fortified in what I say by the reports that I have received that this officer instead of being the guardian of law and order was himself taking leading part in a political movement at a particular place within his jurisdiction in which a big personage from Calcutta had come to preside and whose creed is to foster subversive movement. Therefore, he had to be transferred by wire. I must repudiate the idea that transfers and postings have been done in party interests. This is no place for recriminations here, otherwise I could mention several acts of the previous Government and I have an exhaustive list of these. Therefore, I feel extremely loath to go into details. I would conclude by saying that if the posting or transfer of a particular officer is questioned and is alleged to have been done in the interests of a particular party, and the hon. member refers the matter to me outside this House, I will be able to show him that that transfer or posting has been necessary in the interests of the public service.

Babu RABINDRA NATH ADITYA: Sir, after all that has been said, I do not think that I should proceed further with this motion. I am sorry that it has given rise to unpleasantness and heat in the House. My object was to impress on the Government that postings and transfers should be made only in the interests of the public service, so that the public may not form any impression that party interests have any relation with them. With these words, Sir, I beg leave of the House to withdraw my motion.

The motion was, by leave of the House, withdrawn.

The Hon'ble the SPEAKER: I find from the statement of the object of tabling this motion* is to criticise the action of the Ministers in undertaking frequent and unnecessary tours at public expense. I am afraid that in this instance also unpleasant matters may come up, and I would therefore request the hon. member not to move his motion.

Babu RABINDRA NATH ADITYA: Sir, in view of the tense atmosphere prevailing in the House I do not think that it is desirable to move this motion*, so I withdraw it.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: Sir, I beg to move that the provision of Rs.1,12,908 under grant No. 11, Major head—25.—General Administration, Minor head—H.—Ministers (total), at page 72 of the budget, be reduced by Rs.100, *i.e.* the amount of the whole grant of Rs.21,07,100 do stand reduced by Rs 100. My object is to criticise the Ministers' tours. I have used the word indiscriminate, but I do not intend to cite any instance.

Sir, while moving this cut motion I do not like to introduce any matters which may create unpleasantness in the House and any heat in this House in respect of that. We all are respectable people, and we have come here to discuss public affairs and there is no question of individual grievances here. So far as the Gazette Notifications are concerned from the time the present Cabinet has been formed, we have found that in some cases the Hon'ble Ministers have visited certain places 3 or even 4 times within the course of these three months. My object in bringing this cut motion is to impress upon the Government that public money should not be spent on any ground except for public purposes. Everyone likes that the Hon'ble Ministers should tour and visit different places, but there is no meaning when we find that a Minister has visited a particular place twice in a month and again there is no meaning when we find that the tours are not properly planned. Any one who knows the geography of Assam will understand when I say that when a Minister has visited one subdivision at one time and after a week he would go again to the same district to visit another subdivision, there is no meaning. This only means a great loss of public money. My view of the matter is that tours should be undertaken on a planned basis and they should have a definite purpose and object behind. They should not go at random. It has been found that Ministers are touring at random. I mean nothing personal against any individual Minister. But I say that it has been found that Ministers going on tours have asked heads of institutions to organise reception parties. Again also we find that a Minister charged with Industries visiting Forests, that a Minister charged with Forests visiting educational institutions, and schools and again a Minister charged with Agriculture has been

* That the provision of Rs.6,500 under Grant No.11, Major head—25.—General Administration, Minor head—H.—Ministers, Sub-head—3.—Allowances and Honoraria, Detailed head—Travelling allowances of officers, at page 72 of the Budget be reduced by Rs.100 *i.e.* the amount of the whole grant of Rs.21,07,100 do stand reduced by Rs.100. (To criticise the action of the Ministers in undertaking frequent and unnecessary tours at public expense for private and party purposes).

busy in visiting schools (*A Voice*: Is there any bar?). I only want that all these sorts of things should be put an end to and in future we should have a planned system of touring. Public money should not be spent except for a definite purpose and for a definite object.

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

The Hon'ble the SPEAKER: Cut motion moved:

"That the Provision of Rs.1,12,908 under Grant No. 11, Major head—25.—General Administration, Minor head—H.—Ministers (total), at page 72 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.21,07,100 do stand reduced by Rs.100."

I think it would be better for the Hon'ble Premier to speak now.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The policy of the Government is the same as the one enunciated by my hon. friend over there. If he found that a certain Minister had to go to the same district a second time that was on account of my inability to visit that area, when asked. I had to request him to go as deputy in my place. We had laid down the same policy of planned touring with the idea of minimising touring expenses. So far as I know there is no reason to believe that the Hon'ble Ministers have been touring indiscriminately and spending public money. I can assure the hon. mover that there will be no indiscriminate touring by any one of my hon. Colleagues.

Babu DAKSHINARANJAN GUPTA CHAUDHURI: In view of the assurance given by the Hon'ble Premier that there will be only planned touring, I beg leave of the House to withdraw the motion.

The motion was, by leave of the House, withdrawn.

Srijut MAHADEV SARMA: Sir, I beg to move that the provision of Rs.46,451 under Grant No.11, Major head—25.—General Administration, Minor head—Legislative Bodies—K.—Provincial Legislative Council (total), at page 73 of the Budget, be reduced by Re.1, i.e., the amount of the whole grant of Rs.21,07,100 do stand reduced by Re.1.

মাননীয় সভাপতি ডাক্ষৰীয়া, মই যি উদ্দেশ্য লৈ লক্ষ্য কৰি এই motion ইয়াত উপস্থিত কৰিছো, সি অতি সহজ আৰু অতি সৰল। আৰু সেই উদ্দেশ্যৰ কথা নিচেই চমুকৈ মই মোৰ motionৰ লগতে উল্লেখ কৰিছো। মই এই motionৰ দ্বাৰা বৰ্তমান মন্ত্ৰী সভাক সিবিলাকৰ কোনো কাৰ্য্যৰ বাবে সমালোচনা কিম্বা সিবিলাকক গৰিহনা দিবলৈ ইচ্ছা কৰা নাই। মই ইয়াৰ দ্বাৰা আমাৰ এই দেশৰ ব্যৱস্থাপক সভা উঠি যোৱা সম্পৰ্কত সিবিলাকৰ বৰ্তমান মনোভাব আৰু এই ব্যৱস্থা পৰিষদৰ বিভিন্ন দলৰ লোকসকলৰ মনোভাব ১৯৩৭ চনৰ পৰা আজিলৈকে একেদৰে আছেনে নাই তাক জানিবৰ কাৰণেহে মাথোন এই প্ৰস্তাব উত্থাপন কৰিছো। মই এইটো জানো যে মই কোনো নতুন কথাৰ অবতারণা এই প্ৰস্তাবৰ দ্বাৰা কৰা নাই। আমাৰ প্ৰদেশৰ ব্যৱস্থাপক সভা যে অনাৱশ্যক বহুল অৰ্থাৎ তাৰ প্ৰয়োজনীয়তা যে আমাৰ প্ৰদেশত নাই, এই কথাটো আমাৰ এই সভাই প্ৰায় সৰ্ববাদীসম্মতিক্ৰমে ইতিপূৰ্বে সিদ্ধান্ত গ্ৰহণ কৰিছে। কিন্তু বৰ দুখৰ কথা যে আমাৰ প্ৰদেশৰ ৰাজনৈতিক পৰিস্থিতিত এই আৱশ্যকীয় কথাটো সকলোৰে একমতে সিদ্ধান্ত কৰিলেও প্ৰকৃত পক্ষে আমাৰ প্ৰদেশৰ পৰা সেই ব্যৱস্থাপক সভা কেনেকৈ উঠি যাব এই বিষয়ে কোনো কাৰ্য্য পদ্ধতি কোনেও হাতত লবলৈ সুযোগ পোৱা নাই। এই প্ৰসঙ্গত যদি বৰ্তমান মন্ত্ৰীমণ্ডলীয়ে কংগ্ৰেচযুক্ত মন্ত্ৰীমণ্ডলীক দোষাৰোপ কৰে তেনেহলে মোৰ কৰলৈ বিশেষ একো নেথাকে। সিবিলাকে

নিতান্ত কম সময়ৰ ভিতৰত এই ব্যৱস্থাপক সভাখন উঠাই দিবলৈ কাৰ্য্যনীতি হাতত লবলৈ বাধা আছিল—তথাপি সিহিলাকে এই কাৰ্য্য কৰিবলৈ সুযোগ নেপালে। মই ভাৱোঁ যে আজিৰ দিনত এনে সময়ত এই ব্যৱস্থাপক সভাখন যে আমাৰ প্ৰদেশৰ কাৰণে নিতান্ত অনুপযুক্ত আৰু অপ্ৰয়োজনীয়, এই কথা আৰু বৃদ্ধিৰ দ্বাৰা প্ৰমাণ কৰিবৰ প্ৰয়োজন নাই। আমাৰ দৰে দক্ষ এখন প্ৰদেশত—যিখন প্ৰদেশৰ লোক সংখ্যা এতিয়াও এক কোটিও হেৰা নাই আৰু যিখন প্ৰদেশৰ বাজেট মোটেই দুই কোটিৰ অলপমানহে বেচি, সেইখন প্ৰদেশত এখন ব্যয়বহুল উচ্চ পৰিষদ—অতি নিম্প্ৰয়োজন। বিশেষতঃ বোৱা বছৰ জনহিতকৰ কাৰ্য্য কৰিবলৈ হাতত গোৱা বিষয়ত এই ব্যৱস্থাপক সভাই যি প্ৰতিক্ৰিয়ামূলক কাৰ্য্য দেখুৱাই দিলে তাৰ বাবে Joint Session কৰি অনৰ্থক টকা খৰচ কৰি ইম্পিত ফল লাভ কৰিবলৈ সমৰ্থ হৈছিল, সেইটো সকলোৰে জনা আছে। মই আশা কৰোঁ আজি প্ৰধান মন্ত্ৰী য আমাক এনে এটা কাৰ্য্যকৰী পন্থা আমি লব পাৰিম তাৰ দ্বাৰা আমাৰ প্ৰদেশৰ পৰা আঁতৰ এই ব্যৱস্থাপক সভা উঠি যাব পাৰিব।

The Hon'ble the SPEAKER : Cut motion moved :

"That the provision of Rs.46,451 under Grant No.11, Major head—25.—General Administration, Minor head—Legislative Bodies—K.—Provincial Legislative Council (total), at page 73 of the Budget, be reduced by Re.1, i.e., the amount of the whole grant of Rs.21,07,100 do stand reduced by Re.1."

Babu KARUNA SINDHU ROY : This is not the first time when the question of the abolition of the Assam Legislative Council is going to be discussed on the floor of the House. It was the expressed desire of this House even from the time of the Budget Session of the year 1937 that this Council should be abolished. I may here be permitted to quote from what the Hon'ble Maulavi Munawwar Ali said on that occasion. He said: "I support the motion whole-heartedly. As it is well-known since the very beginning of the movement towards this Reform, the Muslim community by an overwhelming majority in this province has been opposed to the institution of a Second Chamber in this province. In their memorandum presented to the Simon Commission, the Assam Muslims strongly opposed the establishment of a Second Chamber." Then he goes on to say: "At the same time I wish to speak one word to the Ministry. As the Leader of the House, it was the incumbent duty of the Hon'ble the Chief Minister to echo the opinions of the people of the province that they do not want a Second Chamber here." In spite of this opinion, Sir, the Upper House is still continuing and is the source of a great deal of harm to the tenants of the province and to the poor debtors who are the worst sufferers. Legislation in their favour was passed and sent from this House to the Upper House but it has been treated with scant courtesy. The Sylhet Town Land Tenancy Bill has been sent up twice and on both occasions it has come back in a mutilated form. The Assam Money Lenders' Bill sponsored by my hon. friend Mr. Aziz has been returned with modifications which has frustrated the very purpose of the Bill. This Bill was for the benefit of the poor debtors. But the Bill as emerged out of the Upper Chamber will benefit the people concerned very little. So, Sir, to save Government from recurring expenditure and also from heavy expenditure due to Joint Sessions and to allow legislations in favour of the peasants, I hope this House will consider the question of abolition of the Assam Legislative Council. With these words, I support the motion,

Upper House

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, the last hon. member has already stated that this matter came before the House on two previous occasions. Once there was a cut motion and again there was a resolution tabled by my hon. friend Mr. Kameswar Das. It was pointed out during those discussions that the procedure for the abolition of the Upper House to be followed, is laid down in section 308 of the Government of India Act. If hon. members will read that section, they will find that we cannot move in the matter within 10 years from the introduction of Part III of the Government of India Act, i.e., April 1937. Therefore, even if we express our opinion to-day about the existence of the Council and unless we proceed in the proper manner, the discussion will be useless. Moreover, the ultimate authority is British Government and with the war going on and with their many pre-occupations, I think, an attempt to influence their decision on this matter at the present juncture will be knocking against stone wall. My personal opinion was expressed on the floor of this House. We have not discussed the matter in the Cabinet. As I think, that it will be useless to take up the matter within 10 years, the suggestion has not been discussed in the Cabinet. If the hon. member again wants to discuss this matter, it should not be by way of a cut motion but by way of a resolution where it can be discussed in detail. In the cut motion it is very difficult to discuss this subject within 7 minutes, the time allotted for a speech. So I request the hon. member to withdraw his cut motion, because Government is not guilty of any laches over the matter. They are to be guided by the procedure laid down in the Act.

The Hon'ble the SPEAKER: Does the hon. member press his motion?

Srijut MAHADEV SARMA: Sir, I beg leave of the House to withdraw my motion.

The motion was, by leave of the House, withdrawn.

Babu KARUNA SINDHU ROY: I beg to move that the provision of Rs.4,46,000 under Grant No. 11, Major head—25.—General Administration, Minor head—District Administration—S.—General Establishment, Sub-head—1.—Pay of Officers (total), at page 78 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.21,07,100 do stand reduced by Rs.100.

Sir, the war policy of the Assam Government is practically the same with the British Government. Due to difference of opinion regarding this policy the Congress Governments resigned. Ordinances were promulgated even during the regime of the Congress Government by the Viceroy. It is no denying the fact that Congress do not support the war. Ordinances are in existence to check the activities of Congressmen in criticising the war aims of the British Government. Here in Assam a War Officer has been appointed and what is his duty? Is it not for the purpose of watching the movement of the Congressmen through the Criminal Investigation Department officers and the officers subsidised by the Government, that this post has been created? Ordinance V of 1939 may be interpreted in various ways by the zealous officers of the province. Civil liberties of Congressmen have been at stake even now. Censor of public news has already commenced. I find that my letters are also mislaid. One of my letters to Mr. Chanda has been lost. Sir, people will be put to very great difficulty due to the repressive policy of the Government. If the war continues longer, the people will be in trouble. Illegal realisations have already begun in some places. More will follow. There is no arrangement for control of prices. Some merchants are raising the price willingly

to make big profits. And if the war continues longer there will be continuous repression campaign throughout the province. So I request the Government to take steps from now that there should be no unnecessary repression in this province on Congressmen and others. With these words I commend my motion to the acceptance of the House.

The Hon'ble the SPEAKER : Cut motion moved :

"That the provision of Rs.4,46,000 under Grant No 11, Major head—25.—General Administration, Minor head—District Administration—S.—General Establishment, Sub-head—1.—Pay of Officers (total), at page 78 of the Budget, be reduced by Rs.100, i.e., the amount of the whole grant of Rs.21,07,100 do stand reduced by Rs.100".

Srijut PURNA CHANDRA SARMA : Mr. Speaker, Sir, I rise to support the motion. It is known to all of us—whether Congress group or non-Congress people—that the Congress Ministries in India, in pursuance of the policy of the Congress not to support the war or not to submit to India being treated as belligerent country in this war, resigned their offices. Immediately after the declaration of war the Government of India Act was revised and certain sections amended according to which His Excellency the Viceroy and Governor-General of India, could take up the administration of India for emergencies. This power was accordingly extended to all the provinces without consulting the Ministers. In this province too, the Government has extended its provisions and brought within its orbit some of the districts on the border of this province for instance Dibrugarh and Silchar subdivisions. Now, Sir, when these things were done by His Excellency the Governor our Ministers were not consulted so far as my information goes. Digboi has also been declared as a prohibited area. In pursuance of an All-India policy to oppose the extension of this policy in all the provinces, our Ministers had resigned and made room for those who are now there. Sir, our objection now is that the present Government is also a party to that. Sir, it has been brought to our notice only the other day by Mr. Lakshesvar Borooah and some other members as to how our liberty has been curtailed by the promulgation of these Ordinances or the Defence of India Act in the district of Lakhimpur. Now, Sir, another point which has been brought to our notice by lending the support of the present Ministry in this matter is that they are making provisions for some Special Officers in Criminal Investigation Department to help the working of the Defence of India Act. That is also in a way spending the money of our poor raiyats without asking them whether they support this measure. Again, Sir, our information was that during the last year in the Garo Hills, Assam Rifles were to be abolished but now, Sir, we find that extra provision has been made for its retention.

The Hon'ble the SPEAKER : The hon. member will please finish his speech. We have got only five minutes more and the Hon'ble Premier will have to reply.

Srijut PURNA CHANDRA SARMA : Now, Sir, we find that in the Garo Hills, the Assam Rifles are going to be extended. We cannot lend our support to the provision that has been made in the Budget.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Mr. Speaker, Sir, I think, this cut motion is entirely out of order. The short note states that the motion is to criticise "the war policy of the Government of Assam". Every one knows that defensive measure is the concern of Central Government. External affairs, His Majesty's Naval, Military and Air Forces, etc., are included as the Federal subject under the Government of India Act and not under the Provincial or Legislative body.

The Hon'ble the SPEAKER : The main objection is with regard to the appointment of the Special War Officer whose pay is being paid by this Government, and I therefore allowed this.

Mr. FAKHRUDDIN ALI AHMED : There is another cut motion about the Special Officer appointed by the Government for war purposes.

The Hon'ble the SPEAKER : Yes there are three other cut motions on this, such as Nos.*36, 37** and 38†.

Mr. FAKHRUDDIN ALI AHMED : Does the Hon'ble Speaker wish to take those motions ?

The Hon'ble the SPEAKER : How can I ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I find, Sir, that the main objection which is raised in this discussion about the appointment of a Special War Officer. I think, the hon. mover himself made it clear that such an officer was necessary. He complained that the prices of agricultural produce and food-stuffs are going up and that some people are hoarding and trying to sell at a very high price. It is one of the duties of the Special Officer who has been entertained since the war but before we took office, to work as a Controller of Prices. Only the other day we heard from our friend from Jorhat, Mr. Debeswar Sarma, that the prices are going down due to want of control and this has adversely affected the poor raiyats. Now I hear the other complaint that the prices have gone up due to its not controlling. Hence the necessity for a Price Controller. I can assure my hon. friend that any expenditure that is entailed by the war will be met from the defence appropriation and will not fall on provincial budget.

The Hon'ble the SPEAKER : Does the hon. member want to press his motion ?

Babu KARUNA SINDHU ROY : After hearing the Hon'ble Premier, I want to withdraw the motion.

*36. Babu Nirendra Nath Dev to move :—

That the total provision of Rs. 21,07,100 under Grant No.11, Major head—25.—General Administration, at page 69 of the Budget, be reduced by Re.1, *i.e.*, the amount of the whole grant of Rs.21,07,100 do stand reduced by Re.1.

(To criticise appointment regarding Special Officer to deal with War measures).

**37. Srijut Haladhar Bhuyan to move :—

That the total provision of Rs.21,07,100 under Grant No.11, Major head—25.—General Administration, at page 69 of the Budget, be reduced by Re.1, *i.e.*, the amount of the whole grant of Rs.21,07,100 do stand reduced by Re.1.

(To criticise appointment regarding Special Officer to deal with War measures).

†38. Srijut Purna Chandra Sarma to move :—

That the total provision of Rs.21,07,100 under Grant No.11, Major head—25.—General Administration, at page 69 of the Budget, be reduced by Re.1, *i.e.*, the amount of the whole grant of Rs.21,07,100 do stand reduced by Re.1.

(To criticise appointment regarding Special Officer to deal with War measures.)

The motion was, by leave of the House, withdrawn.

The Hon'ble the SPEAKER: Next motion Nos.*24, 25† stand in the name of Maulavi Abdur Rahman, but I wish to point out to the hon. member that his object is to start a debate to discuss very small matters of local importance. He belongs to the Government party and I understand he is the Chief Whip of that party. I think, it would have been better if he could draw the attention of the Government to these small matters as a member of the Government party instead of bringing a cut motion (*laughter*).

Maulavi ABDUR RAHMAN: The cut motion No.25† is an important one.

The Hon'ble the SPEAKER: The object of this motion could have been achieved in the way I have just now suggested.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: This is a matter which should have come under Judicial and not under General.

The Hon'ble the SPEAKER: With regard to cut motion No.26† standing in the name of Maulavi Abdur Rahman, I think, it is perfectly out of order. Now his object is to discuss about the indiscriminate use of section 203 of the Criminal Procedure Code by the Subdivisional Magistrates at Habiganj. Now this matter relates to the judicial duties and, I

*24. That the provision of Rs.8,31,205 under Grant No.11, Major head—25.—General Administration, Minor head—District Administration—S.—General Establishment (total), at page 79 of the Budget, be reduced by Rs.100, *i.e.*, the amount of the whole grant of Rs.21,07,100 do stand reduced by Rs.100.

(To bring to the notice of Government the dilapidated condition of the Habiganj Criminal Court buildings and also to discuss about the erection of a witness shed there.)

†25. That the provision of Rs.4,46,000 under Grant No.11, Major head—25.—General Administration, Minor head—District Administration—S.—General Establishment, Sub-head—1.—Pay of Officers (total), at page 78 of the Budget, be reduced by Rs.5, *i.e.*, the amount of the whole grant of Rs.21,07,100 do stand reduced by Rs.5.

(To raise a discussion about the utilisation of the services of Sub-Deputy Collectors who are graduates in law as Magistrates.)

‡26. That the provision of Rs.1,15,018 under Grant No.11, Major head—25.—General Administration, Minor head—District Administration—T.—Subdivisional Establishment (total), at page 79 of the Budget, be reduced by Rs.50, *i.e.*, the amount of the whole grant of Rs.21,07,100 do stand reduced by Rs.50.

(To raise a discussion about the indiscriminate use of Section 203 of the Criminal Procedure Code by the Subdivisional Magistrates at Habiganj.)

think, no direction in this regard can be given by the Ministry to a Magistrate as to how his judicial discretion can be exercised. Executive Government cannot direct the Judiciary as to what way they are to exercise their Judicial powers.

We have now reached the time-limit and now I shall put the main grant. The question is:

"That a sum not exceeding Rs.21,07,100 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1941 for the Administration of the Head '25.—General Administration'".

The motion was adopted.

Adjournment

The Assembly was then adjourned till 11 a.m., on Tuesday, the 5th March, 1940.

Shillong,
The 11th April 1940.

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