

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

The Assembly met in the Assembly Chamber, Shillong, at 2 P.M., on Friday, the 12th March, 1943.

PRESENT

The Hon'ble Mr. Basanta Kumar Das, Speaker, in the Chair, the nine Hon'ble Ministers and forty-six Members.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(to which oral answers were given)

Government Agents for purchasing food-stuffs inside and outside the Province.

Mr. BAIDYANATH MOOKERJEE asked :

*11. Will Government be pleased to state—

- (a) Who are the local Agents of this Government for purchasing food-stuffs inside the Province ?
- (b) Who are the Agents of this Government for purchasing food-stuffs outside the Province ?
- (c) Who are the Agents of this Government for distributing the imported food-stuffs inside the Province ?
- (d) What are the terms of agreement of the above mentioned three classes of Agents ?
- (e) Whether Government propose to lay on the table a list of all the tenders received by them from the above mentioned three classes of Agents ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: Sir, as Sir Muhammad is in the Upper House, may I reply on his behalf ?

The Hon'ble the SPEAKER: Yes.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI replied :

- 11.(a)—Messrs. Steel Brothers and Company, Limited.
- (b)—Messrs. Shaw Wallace and Company, Limited.
- (c)—Messrs. Steel Brothers and Company, Limited in Assam Valley only, elsewhere Deputy Commissioners.
- (d)—As for (a) and (c) the terms are not fixed and will be decided after receipt of the full Government of India Scheme. As for (b) a commission of 1 per cent. is charged.
- (e)—No tenders were called for (b) and (a) originally. Tenders were subsequently asked for (c), but final decision has not been arrived yet, so tenders cannot be placed on table.

Srijut ROHINI KUMAR CHAUDHURI: Sir, may I know why no tender was invited for purchasing food-stuffs outside the Province ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: Because the present agency from which the Government are making these purchases was satisfactory.

Srijut ROHINI KUMAR CHAUDHURI: But did not the Government give an assurance that tenders would be invited in respect of (b) in the last November Session ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: I do not think, Sir, that any definite assurance was given that tender with regard to this would be invited but with regard to distribution of food in the Province tenders have been invited.

Srijut ROHINI KUMAR CHAUDHURI: I was asking as regards question 11(b) as to why in spite of the assurance given in this House no tender was called for ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: I am not quite sure, Sir, that assurance was definitely given to this effect.

Maulavi ABDUR RAHMAN: Was not that fact fairly demonstrated on the floor of this House that so far as possible people of the Province would be given facilities to take contract of this food-stuff ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: Sir, it was in pursuance of that policy that tenders were invited for distribution of food-stuff.

Maulavi ABDUR RAHMAN: Was it not opposed by this House during the last session that no contract should be given to the Steel Brothers ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: Therefore, tenders were called for, Sir.

Maulavi ABDUR RAHMAN: Is it a fact, Sir, that the same company is being again repeated ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: As I said, Sir, that matter has not yet been finally decided.

Maulavi ABDUR RAHMAN: To which of the companies the contract of imported goods have been given for the coming year, Sir ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: It has not yet been finally decided, Sir.

Maulavi ABDUR RAHMAN: Is it a fact, Sir, that the Hon'ble Mr. Chaudhuri formed a Company over-night and his Company has been selected as one of the parties ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: As I said, Sir, no final decision has been arrived at.

Mr. BAIDYANATH MOOKERJEE: Sir, may we know when the tenders so far as (c) is concerned will be finally decided ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: Very soon, Sir, as soon as the session is over.

Election of Chairman to newly Constituted Municipal Board of Habiganj.

Maulavi ABDUR RAHMAN asked :

*12. (a) Will Government be pleased to state why the date for holding the election on the 20th January, 1943 of the Chairman of the newly constituted Municipal Board of Habiganj as notified in the *Assam Gazette* was deferred ?

(b) Will Government be pleased to state whether the first meeting of a Municipal Board for election of Chairman can be adjourned for want of a quorum ?

(c) Is it a fact that the subsequent date for election of the Chairman of the Habiganj Municipal Board was also notified in the *Gazette* by the Deputy Commissioner, Sylhet ?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY replied :

12. (a)—Due to a misunderstanding of the rules on the subject of administering oath by the President appointed for the first meeting.

(b)—Yes.

(c)—Yes.

UNSTARRED QUESTIONS

(To which answers were laid on the table)

Last General election to the Habiganj Municipal Board

Maulavi ABDUR RAHMAN asked :

12. (a) Are Government aware that two public women have been elected to the Habiganj Municipal Board in its last general election ?

(b) Have Government obtained legal opinion as to the legality of election of such public women as members of Municipal Boards ?

(c) If not, will Government do it ?

(d) Do Government propose to remove them from the membership of the said Board ?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY replied :

12. (a)—Yes.

(b) & (c)—No, as the question of eligibility to election has been clearly determined by the Assam Municipal Act.

(d)—No.

Maulavi ABDUR RAHMAN: As regards (b) and (c), Sir, the answer is not clear. Will the Hon'ble Minister enlighten the House with a clear answer to these questions ?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY: I think, the answer is quite clear, Sir. The two candidates were found quite eligible for election. They duly submitted their nomination papers which were in order and they have been duly elected by their constituencies.

Maulavi ABDUR RAHMAN: Are Government aware, Sir, that there are certain provisions in law that certain kinds of candidates cannot be elected ?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY: The rules are quite clear, Sir. There are certain conditions under which a candidate cannot stand for election but these two candidates did not come under those.

Maulavi ABDUR RAHMAN: Does the Hon'ble Minister hold that they are public representatives, *i.e.*, these two women ?

The Hon'ble the SPEAKER: It is a question of opinion. If they are elected, they are public representatives.

Treatment of Muslims of Goalpara District in connection with Civil Disobedience Movement

Maulana ABDUL HAMID KHAN asked :

13. Will Government be pleased to state—

(a) Whether it is a fact that the Muslims as a community have refrained from taking any part in the Civil Disobedience Movement started by the Congress in Assam, particularly in the Goalpara District ?

- (b) Whether any law has been passed authorising the Deputy Commissioner and Police Officers of the District of Goalpara to compel Muslim villagers to watch at night the railway line which passes through their villages ?
- (c) Whether Government are aware that the police officials at Dhubri have been compelling the Muslim inhabitants on both sides of the railway line from Golokganj to Dhubri to watch the line at night in this cold weather ?
- (d) Whether it is a fact that the persons concerned approached the Deputy Commissioner, Goalpara, to exempt them from keeping watch on the railway line at night and their prayer was rejected ?
- (e) Whether Government propose to take immediate steps to exempt the Muslim inhabitants of these villages from watching the railway line at night ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

13 (a)—Yes.

(b)—Where it is necessary to enforce the principle of general responsibility of the public in the neighbourhood for the protection of public property, which is recognised by law, by special orders, powers exist under the Defence of India Rules.

(c)—It is expected that villagers everywhere will in their own interests assist the authorities in this way, and in general, Government have had the co-operation of the public.

(d)—Yes, in the case of a few villages.

(e)—No. Government feel sure that Muslims generally will fully recognize the need for all good citizens to rally to the aid of the authorities to protect property so important for their own interests. Government have taken and are taking measures to make the performance of such duties as little an inconvenience as possible.

Postponement of Local Board elections

Babu KARUNA SINDHU ROY asked :

14. (a) Is it a fact that Local Board election in the Province has been postponed *sine die* ?

(b) If not, do Government propose to fix a date for election at once ?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY replied :

14. (a)—Local Board elections have been postponed for a further period ending not later than the 31st March 1944.

(b)—Does not arise.

**Presentation of the Supplementary Statement of Expenditure
for the year 1942-43**

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: Sir, I beg to present the †Supplementary Statement of Expenditure for the year 1942-43.

The Hon'ble the SPEAKER: The voting on the Supplementary Demands will be coming up on the 23rd March and the hon. Members are entitled to table cut Motions to the Demands and the day by which the cut Motions should be tabled is 18th March before 3 p.m. Now, as to the time to be devoted to the discussion of these Supplementary Grants I have prepared a time table. The hon. Members will please examine the time table and if they have got any suggestion to make they may do so. I shall then consider if any alteration is to be made.

**Discussion on the Appropriation Accounts and Finance Accounts
for the year 1941-42**

Mr. BAIDYANATH MOOKERJEE: Mr. Speaker, Sir, first I shall deal with the audited Appropriation Accounts as placed before us. Sir, thirty-two Demands for Grants amounting to Rs.2,53,66,300 were voted by the Assembly. This amount together with another sum of Rs.78,59,800 being charged on the revenues of the Province were included in the schedule of authorised expenditure ; but ultimately, Sir, the amount of nett aggregate Grant or Appropriation so far the charged amount was concerned rose upto Rs.79,51,422 and the voted amount was Rs.2,75,41,937 and the total of the revised is Rs.3,54,93,359. Sir, it will be found under general comments on the accuracy of budgeting at page 5 of the Report, the aggregate disbursement under voted head was Rs.2,68,47,194 which was in excess to the extent of Rs.14,80,896, *i.e.*, 5.8 per cent. of the original grant. Sir, the actual expenditure was Rs.3,43,95,396. Originally estimated both under voted and charged, was Rs.3,36,26,100. Now, Sir, out of thirty-two voted grants savings occurred under twenty-seven grants and out of twenty-eight charged appropriation, savings occurred under twenty-two heads. In five cases there were excesses over voted or authorised grants amounting to Rs.4,39,046. This will be found on page 4. In five cases there were excesses over charged appropriation amounting to Rs.57,730. On a comparison it will be found that the amount of excesses in both the voted or authorised and charged sections during the year under report, *i.e.*, 1941-42 is the largest in the last five years, which will be quite evident, from the figures supplied before us. Sir, on page 5 of the Audit Report you will find that beginning from 1937-38 up to 1941-42 both under voted and charged the amount was the highest during the last five years. Of the thirty-two heads for which voted or authorised grants were sanctioned eight showed variations of less than one per cent.. Another eight heads showed variations between one and five per cent. and there were five cases where the variation was between five and ten per cent. and in eleven cases out of thirty-two the variation was over ten per cent. There were defective control over expenditure in the Appropriation Accounts under four different heads. First, re-appropriation was made in four cases unnecessarily or in excess of requirements. Secondly, there were six cases of non-surrender of saving. Thirdly, one case of injudicious re-appropriation causing excesses over allotment and lastly, Sir, two cases of unremedied and uncovered excesses. These are only a few instances where the excesses were rather

† Appendices C and D.

important to note. So it appears that the number of Grants and Appropriations which have been exceeded as well as the aggregate amounts of excesses do not compare favourably with those of the preceding years. There were 9 cases of financial irregularities, losses, etc., under seven different heads. This will be found on page 8, Sir. The local audit of the store accounts of A.R.P. equipment showed that the accounts were not maintained in accordance with the instructions issued. The departmental figures of the Public Works Department could not in certain cases be reconciled with those of the audit office.

Expenditure.—This is the most vital point, Sir, which I am going to point out. An important major work partly charged to repairs was done without obtaining approval of the Legislature which amounted to Rs.16,001. It will be found on page 110 under Note 1 which runs like this:—

“Expenditure on an important major work partly charged to repairs without obtaining approval of the Legislature.—In a certain Division one estimate was originally prepared for flood damage repairs to a road bridge, but subsequently it was split up into two separate estimates for two separate works—one for extending and re-constructing the bridge for Rs.8,451 and the other for flood damage repairs to the same bridge for Rs.7,550. Under the rules one estimate should have been sanctioned for the whole work, and the entire project treated as one original work. Had this been done, the approval of the Legislature would have been necessary, as the cost exceeded Rs.10,000.”

There were cases of additional expenditure due to defective contract; remissions were given outside the provisions of the law or rules having the force of law amounted to Rs.35,329.

The Hon'ble the SPEAKER: Order, order. As I am listening to the discussion started by Mr. Mookerjee, some points strike me and I want an elucidation on these points from the Hon'ble Finance Minister. It appears that the Audit Report on the Finance Accounts of the year 1939-40 and the Audit Report on the Appropriation Accounts of the year 1939-40 were presented before this House after they had been considered by the Public Accounts Committee. That was done on the 4th March 1941, *i.e.*, only, and at that time the Hon'ble Finance Minister pointed out that the Report of the Public Accounts Committee would be placed before the House, when a discussion of these Reports could be held; and now I find Accounts Committee being placed before the House.

Mr. BAIDYANATH MOOKERJEE: Yes, Sir, I referred to that, the other day.

The Hon'ble the SPEAKER: After the Public Accounts Committee had considered those Reports, they were presented before this House on the 1st December 1941, and after the presentation of the Report of the Public Accounts Committee there was the necessity for taking the sanction of the House for excess Demands; and that excess Demand was moved on the 8th December 1941, when a discussion was held. The hon. Members will please notice that that was for the year 1939-40. Now come the Audit Reports for the year 1941-42 and the House is now going to consider these Reports without any Report from the Public Accounts Committee. I want to know

what has become of the Reports for the year 1940-41. The Constitution was suspended on the 25th December 1941 and His Excellency the Governor took up the administration of the Province. I find that the operation of Section 169 of the Government of India Act, so far as it relates to the presentation of the Auditor-General's Reports before the House, was suspended by Proclamation under Section 93 of the Government of India Act. Now, I think, a Public Accounts Committee was formed by His Excellency the Governor. So, it will be a useful information for this House to know from the Hon'ble Finance Minister whether that Public Accounts Committee examined the Audit Reports for the year 1940-41.

Mr. A. WHITTAKER: Sir, to the best of my recollection, that Report has already been published in the *Assam Gazette*. I think 3 officers were appointed by His Excellency the Governor.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: Sir, we do not know what happened during the 93 Administration. So, the contention of Mr. Mookerjee is rather irregular. The Reports of the Public Accounts Committee which examine the Appropriation Accounts are usually discussed in this House. The last Report was examined by a committee appointed by His Excellency the Governor. So, I do not know whether it is for us to review or discuss on the Report of a committee not appointed by the Legislature but appointed by His Excellency the Governor.

The Hon'ble the SPEAKER: May I take it that the Public Accounts Committee which is going to be constituted by this House would consider these Audit Reports for the year 1941-42 which are now placed before the House?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: Yes, Sir.

The Hon'ble the SPEAKER: May I take it that an excess Demand would be necessary to be placed before the House after examination of these Audit Reports by the Public Accounts Committee?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: That of course, necessarily follows, Sir.

The Hon'ble the SPEAKER: It appears from the Audit Report on the Appropriation Accounts, at page 4—“*Excesses over voted or authorised grants.*—A list of excesses over individual grants is given below. These excesses were sanctioned by His Excellency the Governor of Assam”. What does it mean?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: As far as my recollection goes it was this Report that was examined by a committee appointed by His Excellency the Governor.

The Hon'ble the SPEAKER: No, it cannot be, because the Hon'ble Minister will see that these Reports are dated December 1942 and January 1943. The Audit Report on the Finance Accounts is dated 15th December 1942 and the Audit Report on the Appropriation Accounts is dated 16th January 1943, when it was signed by the Comptroller, and the Auditor General of India signed it on the 30th January 1943.

Mr. A. WHITTAKER: The proceedings were reviewed by a committee set up by His Excellency the Governor, to the best of my recollection, and the Report was published sometime in last July.

The Hon'ble the SPEAKER: How the House can know — the Members have not been supplied with any information. That is the difficulty the House is labouring under.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: It is mentioned in paragraph 2 of the Prefatory Remarks in the Appropriation Accounts—

“His Excellency the Governor of Assam assumed to himself by Proclamation on the 25th December 1941 all powers vested in the Provincial Legislature and suspended the operation of certain sections of the Government of India Act, 1935. These Appropriation Accounts and the Audit Report are based primarily on the grants as originally voted by the Legislature; but the final appropriations are those approved by His Excellency the Governor and are in the same form as the original schedule of authorised expenditure authenticated by him. These changes have not affected the usual procedure for the control of expenditure and appropriation audit save to the extent that His Excellency the Governor has taken the place of the Legislature as the proper authority competent to sanction a supplementary grant so far as voted expenditure is concerned. Expenditure which is not ‘charged’ has accordingly been designated as ‘voted or authorised’, in these accounts.”

The Hon'ble the SPEAKER: It cannot be, because the Reports bear dates. The Hon'ble Finance Minister has already stated that if there is any excess to be voted, he would come forward later on

Mr. BAIDYANATH MOOKERJEE: I am definite that the Accounts which were examined by the Committee appointed by His Excellency were for 1940-41.

The Hon'ble the SPEAKER: Because the audited accounts for 1939-40 were presented before the House, but those for 1940-41 have not been presented.

Mr. BAIDYANATH MOOKERJEE: Sir, may I know one thing from the Chair? The Hon'ble Finance Minister remarked that my discussion was irregular. May I know whether this agenda was included at the discretion of the Chair or it was the desire of the Government?

The Hon'ble the SPEAKER: It was at the instance of Government, that this item was put down.

Mr. BAIDYANATH MOOKERJEE: The Hon'ble Minister does not know his own business and still he says that I was irregular which is really a pity.

The Hon'ble the SPEAKER: Therefore, I want to suggest that instead of proceeding with this matter to-day, it would be better for the Hon'ble Finance Minister to make a statement later on explaining the whole position.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: All right.

The Hon'ble the SPEAKER: The Hon'ble Minister will have to specifically state whether these Reports are going to be examined by the Public Accounts Committee; whether there will be any excess Demand placed before the House on the result of examination of the accounts by the Public Accounts Committee.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: I will do that, Sir.

Mr. BAIDYANATH MOOKERJEE: Sir, while on this subject, may I make one request to the Government. Yesterday, we heard that the mistakes in the Budget that were pointed out by me were Comptroller's mistakes. I think according to Section 167 of the Government of India Act, the Provincial Government can pass a Bill for an Auditor General of its own. In that case, the difficulty that is being felt by Government may be removed and we also may get correct figures.

The Hon'ble the SPEAKER: I think this is not the proper time to raise the question of a separate Auditor General. However, the hon. Member may raise a discussion if he likes, on this matter by a cut Motion.

The Assam Court of Wards (Amendment) Bill, 1941

The Hon'ble the SPEAKER : The next item of business is the consideration of the Assam Court of Wards (Amendment) Bill, 1941 clause by clause. As there are no amendments, I would ask the Hon'ble Minister to move at once that the Bill be passed.

The Hon'ble Maulavi MUNAWWAR ALI : Mr. Speaker, Sir, I beg to move that the Assam Court of Wards (Amendment) Bill, 1941, be passed.

The Hon'ble the SPEAKER : Motion moved:

"That the Assam Court of Wards (Amendment) Bill, 1941, be passed."
(after a pause)

The question is: "That the Assam Court of Wards (Amendment) Bill, 1941, be passed."

The question was adopted.

The Shillong Execution of Decrees Bill, 1943

The Hon'ble Srijut RUPNATH BRAHMA : Mr. Speaker, Sir, I beg to introduce the Shillong Execution of Decrees Bill, 1943.

(after a pause)

The Hon'ble Srijut RUPNATH BRAHMA : I beg, Sir, to move that the Shillong Execution of Decrees Bill, 1943, be taken into consideration.

The Hon'ble the SPEAKER : Should not the Hon'ble Minister explain the necessity of bringing this legislation?

The Hon'ble Srijut RUPNATH BRAHMA : Mr. Speaker, Sir, for the purpose of Administration of Justice and Police in the Khasi and Jaintia Hills, certain Rules were promulgated under the Scheduled Districts Act, 1874, by the Governor of Assam in Notification No. 2618-A. P., dated the 29th March 1937. Now in these Rules there is no provision which enables a Court having jurisdiction in the political portion to send a decree for execution to a Court in the non-political portion, and it has been very recently decided by His Excellency that the Civil Procedure Code is not in force in Shillong. So, we have thought it necessary to bring the present Bill in this form to settle the question of jurisdiction. I hope the present Bill will remove that anomalous position.

The Hon'ble the SPEAKER : Motion moved:

"That the Shillong Execution of Decrees Bill, 1943 be taken into consideration."

Babu KAMINI KUMAR SEN : Mr. Speaker, Sir, I do not deny the necessity of this Bill nor do I object to this provision. But I want to know what is the intention of Government with regard to Administration of Civil Justice in Shillong. Is it their intention that the capital town of Assam which is said to be enjoying Provincial Autonomy should still be administered by a set of antiquated rules? Is it not time that the whole Civil Procedure Code, and not only this particular provision, should be introduced here? The introduction of the whole of the Civil Procedure Code, I think, is long overdue, and so I do not understand what is the necessity of such piecemeal legislation. I feel, Sir, that not only for the British portion of Shillong, but also for the partially excluded areas it is time that the Civil Procedure Code should be introduced without any further delay. I do not think, Government should at this stage be satisfied only with introducing only certain sections of the Civil Procedure Code and leave the whole Administration of Civil Justice being administered under some antiquated rules which were made long ago under the Scheduled Districts Act which no longer exists.

As early as in the year 1939, a conference was held to decide about the administration of justice in the Excluded and the Partially Excluded Areas and that conference made certain recommendation but I don't know what has happened about the proceedings of that conference. Any way, Sir, we feel that the Civil Procedure Code should at once be introduced in Shillong. It is a disgrace to the Province that the civil justice even in its capital is still administered by a set of antiquated rules. I would therefore urge upon the Government to come forward with a comprehensive Bill introducing the whole of the Civil Procedure Code instead of such piecemeal legislation. The provision of the Civil Procedure Code is necessary for all sections of the public and I feel that the Government should not make any further delay in bringing forward this important legislation for the administration of civil justice in the capital town of Shillong.

Maulavi MABARAK ALI: Mr. Speaker, Sir. The present Bill aims at the application of the particular provision of the Civil Procedure Code, relating to the transfer of a decree from one court to another court. We fail to understand, if in execution, the question relating to the discharge or satisfaction of that decree arises, how the Executing Court will meet that case, we find no provision of that nature in the Bill. Again, if a claim is preferred against the attachment made in that execution case, then we don't know how that question will be decided by the Executing Court when there is no provision like that in this Bill. It may also happen that the judgment-debtor may appear and say that the decree has been obtained fraudulently in the original suit, in that case we don't know which court will be the competent court to decide that question. So, we want to hear from the Hon'ble Minister whether that provision of transferring the decree from one court to another court is sufficient. In my opinion, it will not serve the purpose; the Hon'ble Minister will have to bring forward another Bill after a few days for the application of the other provisions. So, in my opinion, it is better to apply all the provisions of the Civil Procedure Code in the area in question.

Mr. BAIDYANATH MOOKERJEE: Mr. Speaker, Sir. It is quite clear from the Statement of Objects and Reasons that the Hon'ble Minister has himself admitted that this Bill is necessary because the Civil Procedure Code is not in force in the British portion of Shillong and there are no provisions in the Rules also for the administration of justice in the Khasi and Jaintia Hills which enable every court having jurisdiction there to send decrees for execution to a court having jurisdiction in a Khasi State or to execute the decree received from the Khasi State. Sir, the Hon'ble Minister himself feels it and realises that this Bill is one of the several steps which should be taken up and the present one is only to provide a machinery which is considered essential. So, Sir, he himself thinks that steps should be taken to remove the difficulties which are being experienced at present. Sir, as suggested by my hon. Friend Mr. Kamini Kumar Sen that instead of coming in this way and legislating in piecemeal, it would have been better and prudent on the part of the Government to bring into force the provisions of the Civil Procedure Code in British portion of the capital town of the Province. Sir, it has already been referred to that there was a Committee to consider over this matter as far back as 1938. This Committee also submitted a report but we don't know as yet what was the report of the Committee and whether the present Bill is also a part of the recommendation of the report of that Committee. Sir, when Government have admitted that there are anomalies and difficulties, I think, it is high time that they should remove all these difficulties so that the administration of justice may be imparted in the capital town of the Province without any further delay.

The Hon'ble Srijut RUPNATH BRAHMA: Mr. Speaker, Sir. I quite appreciate the suggestions made by the three hon. Members. This question is a very intricate one and from the Statement of Objects and Reasons, it is quite clear what is in the mind of the present Ministry and that this Bill is only one of the steps going to be taken by the Government. The subject matter requires very careful consideration and we will have to examine the whole matter very closely. We shall see whether any further Bill should be introduced or not in future. For the present, I hope, the present Bill will serve the purpose.

Mr. BAIDYANATH MOOKERJEE: Sir, if the Hon'ble Premier can give us some light in this matter, then I think, it will be of great help to us because the Minister-in-charge of the Bill could not really satisfy us. He simply said that the question is very intricate but according to my humble opinion, I don't think it is intricate. It is a long standing grievance and on many occasions at many places these grievances have been ventilated. So, I think, if the Hon'ble Premier has got no objection, he may kindly state before the House the intention of the Government with regard to the application of the provisions of the Civil Procedure Code in Shillong.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir. This Bill is really an enabling Bill and it does not want to substitute the Civil Procedure Code for the Rules of Administration of Justice in Shillong. The Magistrates and the Judicial Officers of the Shillong Court have dual function to perform, one administering justice on cases arising within the British area of Shillong and the other administering justice on cases arising in the States of the Native Princes, either wholly or partially. So long no one thought of clearly defining this but recently on an appeal to the Crown Representative in the person of His Excellency the Governor of Assam, he held that these two functions are quite distinct and unless there is a specific power given to these officers to deal with decrees from cases arising out of the Native States, they cannot transfer these cases and execute these decrees on property that is in non-native part of Shillong and *vice-versa*. It is on account of that there has been a deadlock, and this Government have taken the very first opportunity to remove the disability by this enabling Bill. The point which Mr. Sen as well as Mr. Mookerjee have raised is a bigger one, *i.e.*, whether the old Rules of Administration of Justice in the Khasi and Jaintia Hills should not be done away with, and that part of Shillong Court which function under the Crown Representative may not be included in the administered areas where the Civil Procedure Code is applicable. The recommendations on this matter, which were made to Government for consideration, by the Partially Excluded Areas Committee could not be considered before the Congress Coalition Ministry resigned. And when we took over, we wanted to accept certain of the recommendations, but we were confronted with two difficulties. One recommendation was as regards certain areas called Saru Pathar and Bor Pathar of the Mikir Hills which were to be brought within the "included" areas of the Golaghat subdivision. This could not be done without the consent of the Secretary of State as it had to go to the British Parliament. It has been thought that it would not be the proper time to disturb His Majesty's Government who are pre-occupied by the war. Then there is the question of applying the whole body of the Acts, promulgated for the Administration of Justice in British India for dealing with cases arising in the Khasi Native States. That question requires extensive correspondence with the Foreign Department of the Government of India,

So, we have not been able to come to a definite conclusion of these recommendations. There was a question in the Upper House regarding this very matter, and if the hon. Member takes the trouble of reading the proceedings of the Upper House, he will see my reply printed therein.

The Hon'ble the SPEAKER: The question before the House is :

“That the Shillong Execution of Decrees Bill, 1943, be taken into consideration”.

The question was adopted.

The Shillong Attachment of Salaries Bill, 1943

The Hon'ble Srijut RUPNATH BRAHMA: I beg, Sir,

(a) to introduce the Shillong Attachment of Salaries Bill, 1943, and

(b) to move that the Bill be taken into consideration.

It will appear to the hon. Members from the Statement of Objects and Reasons that the Bill is designed to give protection to the debtors just in the line of the proviso of section 60 (1) (i), of the Civil Procedure Code. According to the amended section 60 of the Civil Procedure Code, the basic salary exempted is Rs.100 but that could not be included in the Rule which was promulgated for the Administration of Justice and Police in British portion of Shillong. So, in order to give this relief in the non-political portion of Shillong, we have brought this Bill. I may point out to the hon. Members here that there is another proviso to section 60 (1)(i). With regard to that proviso also, I am going to bring another amendment to the Bill to add that proviso. I may point out to the Hon'ble House that there is a slight mistake in the Statement of Objects and Reasons, that is, in place of the Government of India it should be read the Crown Representative.

The Hon'ble the SPEAKER: Motion moved :

“That the Shillong Attachment of Salaries Bill, 1943, be taken into consideration”.

Babu KAMINI KUMAR SEN: Mr. Speaker, Sir, with regard to this Bill, excepting what I have said on the previous Bill, which applies equally in respect of this piece of legislation, I beg to submit that the Bill now under our consideration is defective in its drafting. From the nomenclature it seems that this Bill is intended to be a self-contained one and I do not think it can be otherwise. But from the preamble and the provision it appears that the real intention is to amend certain rule framed under Section 6 of the Scheduled Districts Act for the purpose of Administration of Justice in Khasi and Jaintia Hills District. Sir, I doubt whether those Rules can at all be amended now or at any rate in this way, now that the mother Act is no longer operative. These Rules are executive orders made under the authority conferred by section 6 of the Scheduled Districts Act. Though the validity of these Rules was continued by an Order in Council even after the Act ceased to exist from the 1st of April 1937, the only opportunity for amendment was given by a proviso which, if I remember aright, enjoined that the Provincial Government may, by a notification, amend them within six months from the cessation of the operation of the Act only to make them consistent with the Government of India Act, 1935. But there is no other proviso that they may be amended later on or if so by whom.

But Sir, I do not deny that this Legislature has got the right to repeal those Rules or to substitute them by other provisions. But if that is to be done, I hope, Sir, the Ministry ought to come with a self-contained Bill and not a Bill whose preamble and provision can not be applied except without reference to those Rules. Then Sir, I do not know what will be the position when this Bill will become an Act, whether the clause will become a part of those Rules or it will be a provision of a self-contained Act. To make my position clear I better read the preamble and the provision. In the preamble it is said "Whereas by Notification No. 2618-A. P., dated the 29th March 1937, the Governor of Assam was pleased, under the powers vested in him by section 6 of the Scheduled Districts Act, 1874, to prescribe certain Rules for the Administration of Justice and Police in the Khasi and Jaintia Hills District (hereinafter called "the said Rules"); and whereas it is expedient to amend a provision of the said Rules so far as they apply to the British portion of Shillong;" then I come to clause 3 which reads: "So far only as it applies to Shillong, for clause (i) of the proviso to sub-rule (1) of rule 34 of the said Rules, the following shall be substituted, namely: (i) the salary or allowances equal to salary of any such public officer or servant as is referred to in clause (h), while on duty, to the extent of the first hundred rupees and one-half the remainder of such salary or allowances."

So, it is clear that it is an amending Bill though the name indicates otherwise. I think, Sir, that these Rules can not be amended in this way and if there is to be a new provision it must be provided by a self-contained Act. I therefore, submit that the drafting of the Bill is defective. If the Ministry is not prepared to introduce the whole of the Civil Procedure Code all at once and if they are eager to make this provision to meet any emergency, I think that the Bill should be drafted so as to make it a self-contained Act.

The Hon'ble Srijut RUPNATH BRAHMA: Sir, I think, the Legislature is competent enough to amend the Rules which have been promulgated under the Scheduled Districts Act, so far the British portion is concerned. They are still operating and in rule 34 almost all the provisions of section 60 of the Civil Procedure Code has been embodied. This is an amendment to certain provision of rule 34, Sir.

The Hon'ble the SPEAKER: Mr. Sen has raised a very important point and it must be considered very carefully. This is a sort of legislation for the purpose of amending a rule. It appears to be a bit irregular and confusing. I think, there is some substance in his contention. The real way of drafting the Bill should not have been like this. A Bill containing a substantive self-contained provision for achieving the object of the legislation contemplated and a provision for repealing the rule that is sought to be amended by this Bill would have been a better procedure. Rules under the Scheduled Districts Act are executive legislation and a Bill to be passed by the Legislature to amend that executive legislation is, I think, open to criticism as not being in the proper form. However, I am putting the question.

These two Bills would come up again for consideration, clause by clause, on the 22nd March and the amendments to the Bills are to be tabled by 3 P.M. on 18th March 1943.

140 THE ASSAM SPEAKER'S AND DEPUTY SPEAKER'S [12TH MAR
(SALARIES AND ALLOWANCES) BILL, 1940

The question is :—

“That the Shillong Attachment of Salaries Bill, 1943, be taken into consideration”.

The question was adopted.

**Message from Assam Legislative Council re: the Assam
Speaker's and Deputy Speaker's (Salaries and
Allowances) Bill, 1940.**

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, I beg to move the following Motion, *viz.*, that whereas the Assam Legislative Assembly having disagreed with the amendments made by the Assam Legislative Council on the Bill to repeal the Assam Speaker's Salary Act, 1937, and the Assam Deputy Speaker's Salary Act, 1937, and to provide for the salaries and allowances of the Speaker and Deputy Speaker of the Assam Legislative Assembly, known as the Assam Speaker's and Deputy Speaker's (Salaries and Allowances) Bill, 1940, and the Assam Legislative Council having insisted on the amendments made by it in the said Bill, it is hereby resolved that the Hon'ble Speaker be authorised to communicate this disagreement between the two Houses to His Excellency the Governor on behalf of this Chamber, under rule 138(5) of the Assam Legislative Assembly Rules.

I already explained yesterday the necessity for this Motion, Sir.

The Hon'ble the SPEAKER: Motion moved is :

“That whereas the Assam Legislative Assembly having disagreed with the amendments made by the Assam Legislative Council on the Bill to repeal the Assam Speaker's Salary Act, 1937, and the Assam Deputy Speaker's Salary Act, 1937, and to provide for the salaries and allowances of the Speaker and Deputy Speaker of the Assam Legislative Assembly, known as the Assam Speaker's and Deputy Speaker's (Salaries and Allowances) Bill, 1940, and the Assam Legislative Council having insisted on the amendments made by it in the said Bill, it is hereby resolved that the Hon'ble Speaker be authorised to communicate this disagreement between the two Houses to His Excellency the Governor on behalf of this Chamber, under rule 138(5) of the Assam Legislative Assembly Rules”.

The question was adopted.

Adjournment

The Assembly was then adjourned till 11 A. M., on Saturday, the 13th March, 1943.

SHILLONG,

The 10th April 1943.

A. K. BARUA,

Secretary, Legislative Assembly, Assam.

SUPPLEMENTARY DEMANDS FOR GRANTS FOR 1942-43

(To be discussed and voted by the Assembly on the 23rd March 1943.)

No. 1.

The Hon'ble Maulavi MUNAWWAR ALI to move :

On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that an additional sum of Rs.26,700 be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending the 31st March 1943, for the administration of the head "7.—Land Revenue".

	Rs.
Grant originally voted by the Assembly ...	16,93,700
II. Sub-heads under which the supplementary grant will be accounted for :—	
Charges for Administration—	
A.—General Establishment—	
	Rs.
(1) Pay of Establishment	4,000
(2) Allowances and Honoraria	9,200
(3) Contingencies	1,600
	14,800
C.—Management of Government Estates—	
Colonisation Schemes	1,600
G.—Land Records—(b) District charges—	
Allowances and Honoraria	9,390
1. Works—(a) Original Works—Land Records ...	265
(b) Repairs—Land Records	645
Total	26,700

EXPLANATORY NOTES

- A.—(1)—Due to entertainment of temporary establishment for loan realisation and requisitioning work.
- (2)—Due to increased provision for dearness allowance the rates of which have been raised from the 1st January 1943.
- (3)—Due to increased expenditure on service postage and telegram charges owing to increased work and general rise in the prices of stationery.
- C.—Due to the entertainment of temporary mandals to complete the survey of the Dalgaon and Nowgong Colonisation areas and also increased contingent expenditure.

G.—The total estimated expenditure for the grant of dearness allowance to low-paid Government servants comes to Rs.39,950 against the Budget grant of Rs.24,000 and thus an additional sum of Rs.15,950 is required, of which Rs.6,560 can be met by reappropriation from savings in the Survey Department Budget within the same major head and a supplementary grant of Rs.9,390 is, therefore, asked for.

1. (a) Required for the construction of a mandals' barrack at Kamalpur.
- (b) Required for repairs to Mandals' barracks at Kalaigaon and anticipated excesses in other districts on account of rise in prices of building materials.

No. 2.

The Hon'ble Maulavi MUNAWWAR ALI to move :

On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that an additional sum of Rs.7,99,272 be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending the 31st March 1943 for the administration of the head "10.—Forests" :—

	Rs.
Grant originally voted by the Assembly	10,48,500
II. Sub-heads under which this supplementary grant will be accounted for by the Forest Department—	
A.— <i>Conservancy and works</i> (non-excluded areas)—	
(i) Timber and other produce removed from forests by Government agency	1,25,622
(ii) Timber and other produce removed from forests by consumers and purchasers.	9,940
(iii) Communications and buildings	18,800
(iv) Organisation, improvement and extension of forests.	5,650
(v) Miscellaneous	3,590
(vi) Suspense	6,00,000
Total A	7,63,602
B.— <i>Establishment</i> —	
	Rs.
(a) Pay of Officers	9,525
(b) Pay of Establishment	9,720
(c) Allowances and honoraria	9,890
(d) Contingencies	6,535
Total B	35,670
Total Demand	7,99,272

EXPLANATORY NOTE

(i) The extra amount is required mainly to meet the cost of Departmental operations for supply of war timber and minor forest produce and for purchase of firewood for the charcoal kiln at Khowang in the Lakhimpur Division.

(ii) This excess expenditure is mainly due to the entertainment of extra temporary establishment in connection with the supply of war timber and special pay sanctioned by Government for establishment serving in the Ledo-Bogapani, etc., areas.

(iii) The extra money is mainly required for improvement of roads and bridges for extraction of war timber. This also includes Rs. 4,000 sanctioned by Government for relief works in the Kachugaon division.

(iv) This is a part of the provision of Rs. 8,200 subsequently sanctioned by Government for cinchona cultivation in the Khasi and Jaintia Hills. This extra expenditure is partly met by reduction of expenditure under other detailed heads.

(v) This excess expenditure is partly due to dearness allowance sanctioned by Government and partly due to the purchase of 1,600 yards of Mazri cloth for forest subordinates' uniform. The cost of such cloth has risen.

(vi) The actual expenditure to end of December 1942 was Rs. 9,56,987, Debit Rs. 14,41,076 *viz.*, Credit Rs. 4,84,089 and it is expected that before 31st March 1943 this amount will come down to about Rs. 6,00,000 by adjustment of the recovery of the value of sleepers and war timber supplied to Sleeper Controller and Military authorities. This amount of Rs. 6,00,000 is therefore provided. The unrecovered amount of the current year will be recovered and adjusted in the accounts of the next year and will increase the revenue of that year.

(a) The excess expenditure is mainly due to entertainment of 3 Burma Officers, extension of service and grant of compensation to Mr. L. J. Delanougerede, and grant of special pay at Rs. 100 per mensem to Mr. C. S. Purkayastha. The total excess under this head is Rs. 27,525 of which Rs. 18,000 will be met from savings.

(b) This is mainly due to entertainment of extra temporary establishment to cope with increased work in connection with the supply of war timber.

(c) The excess is mainly due to dearness allowance which alone amounts to Rs. 25,455 offset by a deduction in travelling allowance demand.

(d) This is mainly due to increase in the cost of service postage on account of increased correspondence, rates of postage, increase in the price of kerosine oil, orderlies' uniforms, dearness allowance to contingency menials and in rates and taxes.

No. 3.

THE HON'BLE SRIJUT RUPNATH BRAHMA to move:—

On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that an additional sum of Rs. 7,573 be granted to the Minister-in-charge to defray the charges which will come in the course of payment during the year ending the 31st March 1943 for the administration of the head "11.—Registration":—

Grant originally passed by the Assembly ...	Rs.
...	1,56,200

II.—Sub-heads under which the Supplementary Demand will be accounted for by the Registration Department :—

A.—District Charges—

	Rs.
(a) Pay of Establishment	2,450
(b) Allowances and Honoraria	2,168
(c) Contingencies	1,200

B.—Works—

(d) Repairs	1,755
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Total	7,573
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EXPLANATORY NOTE

(a) The additional sum of Rs.2,450 under the head "Pay of Establishment" is required to meet expenses for the staff sanctioned on account of increase in Registration work and entertainment of night Chowkidars in Sub-Registry Offices owing to the present political situation.

(b) The additional sum of Rs.2,168 under the head "Allowances and Honoraria" is required for (1) transfer of officers (2) encashment of pending travelling allowance bills of last year and (3) the original provision under "Dearness Allowance" proving inadequate.

(c) The additional sum of Rs.1,200 under the head "Contingencies" is required for (1) meeting the arrear rent of Chunarughat Sub-Registry Office building (2) meeting extra expense due to increase in the price of service stamps, money order commissions (3) shifting of Kazis' old Records from Jorhat to Sylhet and (4) loss of printing of Muslim Registrar and Kazis' Hand Book.

(d) The additional sum of Rs.1,755 under the head "Repairs" is required for essential repairs to the Dhubri Sub-Registry building.

No. 4.

THE HON'BLE SRIJUT RUPNATH BRAHMA to move :—

On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that an additional sum of Rs. 2,27,179 be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending the 31st March 1943, for the administration of the head "28.—Jails and Convict Settlements".

Grant originally voted by the Assembly Rs.5,51,500.

II.—Sub-heads under which this supplementary grant will be accounted for—

A. --District Jails—	Rs.
1. Allowances and Honoraria	2,389
2. Contingencies (non-contract)	1,92,810
3. Contingencies (contract)	8,950
B.—Charges for Police Custody—	
Contingencies	5,380
D.—Jail Manufactures—	
1. Contingencies (non-contract)	17,550
E.—Works—Repairs—	
Charges for Police Custody	100
Total	2,27,179

EXPLANATORY NOTE

A.—1. Mainly due to grant of dearness allowances at the increased rates.

2. Due to purchase of food-stuffs such as paddy, dal, etc., at the prevailing market rate which is very high, rise in prices of clothing and bedding and uniform, etc., admission of security prisoners and prisoners convicted under Defence of India Rules in excess of anticipated Jail population.

3. Due to rise in prices of almost all the articles particularly kerosine oil, sagoo, etc.

B.—Increase in diet and conveyance charges of under-trial prisoners the number of whom has increased and general rise in the prices of all commodities.

D.—I. Necessitated by rise in the prices of raw materials such as iron, yarn, etc., purchased for the Manufactory Department.

E.—The increased cost of repairs to lock-ups.

No. 5.

THE HON'BLE MAULAVI ABDUL MATIN CHAUDHURI to move:—

On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that an additional sum of Rs. 42 be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending the 31st March 1943, for the administration of the head "36—Scientific Department".

Grant originally voted by the Assembly	...	Rs.	5,600
II.—Sub-head under which the supplementary grant will be accounted for—			
B.—Museums—			
Contingencies	... ..	Rs.	42
Total	... ..		42

EXPLANATORY NOTE

The additional grant is required to meet the contingent expenditure of the Assam Coin Cabinet.

No. 6.

THE HON'BLE MISS MAVIS DUNN to move:—

On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum of Rs. 29,485 be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending the 31st March 1943, for the administration of the head "38.—Medical."

Grant originally voted by the Assembly ... Rs. 11,78,400

II.—Sub-heads under which the supplementary grant will be accounted for—

1. A.—Medical Establishment—			
(a) Superintendence—			Rs.
Contingencies (contract)			6,000
2. B.—Hospitals and Dispensaries—			
(c) Leper Hospital, Sylhet—			
Contingencies (non-contract)			2,180
3. Ditto—			
(d) Leprosy Survey, etc.—			
Leper Colony (Tura)—			
Contingencies (non-contract)			800
4. E.—Mental Hospitals—			
(a) Mental Hospital, Tezpur—			
Contingencies (non-contract)			15,500
5. Ditto—			
Contingencies (contract)			2,000
6. C.—Grants for Medical purposes			2,925
7. H.—Charges in England			80
			<hr/>
	Total		29,485
			<hr/>

EXPLANATORY NOTE

1. Due to more use of service postage stamps in the Emergency Branch in the Inspector General of Civil Hospitals' Office in connection with war work and also due to incidental expenditure in shifting the office of the Inspector General of Civil Hospitals under the dispersal scheme.

2. Due to rise in prices of food stuffs, etc.

3. Due to rise in prices of all dietary articles.

4. Due to rise in prices of all articles for "Diet of patients".

5. Due to purchase of utensils such as iron "degchies", pans and plates, etc.

6. The Honorary Secretary, Tuberculosis Association of Assam, constructed A.R.P. surface shelters at the Shillong Tuberculosis Sanatorium at an estimated cost of Rs.2,925. These were constructed in October 1942 on the verbal sanction of the Controller of A.R.P. and under a genuine misunderstanding that the cost will be met from the Civil Defence Budget. It will however be irregular to meet the cost from the said Budget as the Institution belongs to a private association. The Tuberculosis Association are not in a position to meet the cost from their own resources. In the circumstances and in view of the nature of the Institution Government propose to give the Association a compensatory grant to cover the cost of construction of the A.R.P. shelters.

7. Due to publications supplied by the High Commissioner.

No. 7.

THE HON'BLE MISS MAVIS DUNN to move:—

On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that an additional sum of Rs.1,53,506 be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending the 31st March 1943, for the administration of the head "39.—Public Health".

Grant originally voted by the Assembly ...	Rs.
	8,16,300

II.—Sub-heads under which the supplementary grant will be accounted for—

A.—Public Health Establishment—

	Rs.
(a) Superintendence and other Establishment—	
Contract contingencies	1,300

C.—Epidemic diseases—

(b) Other epidemics—	
Contingencies	25,000

E.—Pasteur and Vaccine Institute—

Pasteur Institute—

1. Allowances and Honoraria	4,100
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2. Contingencies	1,22,400
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H.—Charges in England	706
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Total	1,53,506
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EXPLANATORY NOTE

A.(a) Public Health Establishment—Superintendence and other Establishment—Contract Contingencies :—

The additional amount is mainly due to the increased rates of service postage and increased prices of miscellaneous articles.

C.—Epidemic diseases—

(b) Other epidemic—

Contingencies :—

The extra amount is required mainly to meet the increased expenditure incurred on account of cholera vaccine and bacteriophage owing to wide-spread and prolonged outbreaks of cholera epidemic in the districts of Sylhet and Nowgong.

E.—Pasteur Institute :—

(1) Allowances and Honoraria :—

The extra amount is mainly due to the payment of travelling allowance to Dr. S. R. Pandit on his appointment as Director of Pasteur Institute and to the sanction of overtime allowances to employees of the Pasteur Institute who were required to work extra hours to cope with the unprecedented demand for cholera vaccine and 'phage brought about mainly by the influx of refugees from Burma.

(2) Contingencies :—

The excess amount is due to the abnormal and unprecedented demand for cholera vaccine and 'phage brought about mainly by the influx of refugees from Burma. It is also due to the abnormal rise in prices of articles used in the manufacture of vaccine and 'phage. The expenditure will, however, be covered by receipts from the sale.

H.—Charges in England —Due to cost of publications supplied by the High Commissioner for which a provision of Rs. 400 only was made in the Budget.

No. 8

THE HON'BLE KHAN BAHADUR MAULAVI SAYIDUR RAHMAN to move:—

On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that an additional sum of Rs. 91,311 be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending the 31st March 1943, for the administration of the head "50.—Civil Works (Excluding Tools and Plants and Establishment)."

	Rs.
Grant originally voted by the Assembly	38,68,100
II. Sub-heads under which this supplementary grant will be accounted for—	
A.—Original Works—Buildings—	
	Rs.
(i) Jails and convict settlements	87,311
(ii) Civil Works	4,000
	<hr/>
Total	<u>91,311</u>

EXPLANATORY NOTE

(i) The military authorities have requisitioned the Jorhat Jail and it has been decided to make over the jail free of rent temporarily to the Army on condition that the Government of India, War Department reimburse this Government with the additional cost that may be necessary to accommodate the prisoners and undertrials. For this purpose temporary construction has been constructed in the Tezpur Jail at a cost of Rs. 64,000 and a temporary lock-up has been undertaken at Jorhat at an estimated cost of Rs. 17,335. Of the later amount Rs. 10,000 will be required during the current year. Construction of temporary accommodation has also been undertaken in the Gauhati and Nowgong Jails at an estimated costs of Rs. 11,000 and Rs. 2,311 respectively to meet the increased number of prisoners due to recent disturbances. In all a sum of Rs. 87,311 is necessary. This Government have already applied for reimbursement of the cost of construction at Tezpur and Jorhat Jails.

(ii) The office building of the Executive Engineer at Dhubri was burnt down on the 18th October 1942 and had to be reconstructed. A sum of Rs. 4,000 will be required this year against an estimated cost of Rs. 8,552.

No. 9

THE HON'BLE KHAN BAHADUR MAULAVI SAYIDUR RAHMAN to move:—

On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum of Re. 1 be granted to defray charges which will come in the course of payment during the year ending the 31st March 1943, for the administration of the head "50.—Civil Works—Provincial (Establishment and Tools and Plant Charges)".

	Rs.
Grant originally voted by the Assembly	5,45,600

II—Sub-heads under which the supplementary grant will be accounted for by the Public Works Department :—

	Rs.
A.—Direction Charges—	
<i>(a) Chief Engineer and Secretary, Public Works Department—</i>	
(i) Pay of officers	4,034
(ii) Pay of Establishment	9,375
(iii) Contingencies	5,491
C.—Medical—	
(iv) Pay of officers	9,900
(v) Pay of Establishment	9,700
(vi) Allowances and Honoraria	4,800
(vii) D. Charges in England	4,100
Total	47,400
F. Deduct on account of Establishment for services rendered to—	
(viii) Military Works and Other Central Departments.	—4,04,000
(ix) H.—Deduct Recoveries from other Central Departments.	—18,800
Total recoveries	—4,22,800
Net total	—3,75,400

EXPLANATORY NOTE

- (i) Due to leave salary of Registrar, Public Works Department, and appointment of a Special Officer in the Public Works Department Secretariat for which there was no Budget provision.
- (ii) Due to entertainment of additional staff in the Public Works Department Secretariat to cope with increased work in connection with the war.
- (iii) Due to increased consumption of stamps necessitated by war conditions and rise in prices of stationery, etc.
- (iv), (v) & (vi) The sums are necessary to meet probable requirements on account of Medical Officers and staff employed to look after the Public Works Department staff and labourers engaged on the India-Burma, Gauhati-Shillong and Shillong-Sylhet Roads. There was no budget provision for the purpose.
- (vii) The sum is required to meet charges on account of the Overseas pay of some officers of the Burma Government employed temporarily in Assam for which there was no Budget provision.
- (viii) & (ix) Due to anticipated increased recoveries from the Military Department for services rendered to in connection with the Defence works carried out by this Department.

It is anticipated that there will be an excess of Rs. 47,400 under the heads detailed above but recoveries from the Military Department on account of various Defence works will be much greater than was anticipated in the original Budget resulting in a net saving of Rs.3,75,400 after adjustment towards the close of the year as detailed above. The Assembly is, therefore, asked to vote a token supplementary grant of Re. 1 only.

No. 10

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA to move:—

On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that an additional grant of Rs.46,22,379 be granted to the Minister-in-charge to defray certain charges which will come in course of payment during the year ending the 31st March 1943, for the administration of the head—"Capital outlay on provincial schemes connected with the war".

Grant originally voted by the Assembly Nil.

II. Sub-heads under which this supplementary grant will be accounted for—

	Rs.
A. Food Purchase scheme	10,00,000
B. Motor Transport organisation	6,22,379
Total	46,22,379

EXPLANATORY NOTE

A.—The provision for food-stuffs, etc., was made in the current year's original Budget under the major head "57.—Miscellaneous" but under a recent ruling of the Government of India it has now been shown under this major head outside revenue account. In the original Budget a gross expenditure of Rs.1,68,43,000 was estimated of which Rs.1,42,20,000 was to be recovered by sale to merchants, etc., the sale proceeds being taken in reduction of expenditure. Experience has, however, shown that the time lag between the date of purchase and the date of sales is much longer than was originally anticipated and so a carry forward of Rs.40,00,000 instead of Rs.26,23,000 as originally estimated is likely. This accounts for the net increase of Rs.13,77,000. A supplementary grant of Rs.40,00,000 is, therefore, required under this scheme. The provision of Rs.26,23,000 under "57.—Miscellaneous" will be a saving and will be surrendered.

B.—This head shows the capital expenditure on the Motor Transport organisation scheme which was approved by the Legislative Assembly in the November 1942 session. It is proposed to spend Rs.6,65,441 during this year of which Rs.43,062 will be spent from revenue for which a separate demand has been asked for under the head "63.—Extraordinary charges." The net expenditure under this sub-head is Rs.6,22,379 and the Assembly is asked to vote this amount.

No. 11

THE HON'BLE SRIJUT RUPNATH BRAHMA to move :—

On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum of Rs. 35,000 be granted to the Minister-in-charge to defray certain charges which will come in course of payment during the year ending 31st March 1943, for the administration of the head "56.—Stationery and Printing".

	Rs.
Grant originally voted by the Assembly	4,13,600
II.—Sub-heads under which the supplementary grant will be accounted for :—	
	Rs.
(i) Printing at Private Presses	35,000

EXPLANATORY NOTE

The additional grant is required for payment of Contractors' bills and price of paper and binding materials required for forms printing. The excess expenditure is due to increased demand for forms owing to increase in work, opening of new offices in connection with war and abnormal rise in price of certain stationery articles.

No. 12

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA to move :—

On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that an additional grant of Rs.43,062 be granted to the Minister-in-charge to defray certain charges which will come in course of payment during the year ending the 31st March 1943, for the administration of the head "63.—Extra-ordinary charges".

Grant originally voted by the Assembly.....	nil.
(II) Sub-head under which the supplementary grant will be accounted for—	
	Rs.
A. Charges in India.	
Motor Transport organisation	43,062.

EXPLANATORY NOTE

No provision could be made in the original Budget for the current year for the motor transport organisation scheme which was accepted by the Legislative Assembly on a motion moved at the November, 1942 session. As the scheme will be worked on a commercial basis all expenditure connected with its normal working will be a charge against the revenue account while the expenditure on the purchase of transport vehicles will be debited to the capital head. A sum of Rs.43,062 will be spent from revenue during this year and the Assembly is asked to vote the amount.

No. 13.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA to move:—

On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that an additional sum of Rs.1,90,190, be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending the 31st March 1943 for the administration of the head "25.—General Administration".

	Rs.
Grant originally voted by the Assembly ...	20,63,200
II. Sub-heads under which this supplementary grant will be accounted for—	
	Rs.
M. (a)—Civil Secretariat—Contingencies ...	3,850
District Administration—	
S. 1. General Establishment—	
(i) Pay of officers	84,181
(ii) Pay of Establishment	14,592
(iii) Allowances and Honoraria	18,115
(iv) Contingencies	61,140
T.—Subdivisional Establishment	4,266
L.—Elections for Legislatures	4,046
Total	1,90,190

EXPLANATORY NOTE

M. (a)—Due to higher outlay on postage and telegram charges owing to increase of work and to expenditure incurred in the dispersal of Secretariat as a measure of safety.

S. 1. (i)—The excess is due to acting promotions of provincial service officers to the senior scale and re-employment of retired officers to cope with the increased work due to war.

(ii)—With the approach of the war to the borders of Assam a tremendous burden has been thrown on the district executive and clerical staffs with the result that it was necessary to provide for fairly substantial increases in staff as a temporary measure to cope with the work.

(iii)—The increase is due to more touring and to the increase in the rates for dearness allowance.

(iv) Due to larger outlay on postage and telegram charges owing to increase of work and general rise in the prices of stationery.

T.—Same as (ii) and (iii) above.

L.—For preparation of electoral rolls for the Legislative Council and Assembly and for holding triennial election to the Council.

No.14

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA to move :—

On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that an additional sum of Rs. 3,88,168 be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending the 31st March 1943, for the administration of the head "29.—Police." Rs.

Grant originally voted by the Assembly 26,56,700.

II—Sub-heads under which the supplementary grant will be accounted for—

B.—District Police—

	Rs.
1. Pay of Officers	11,560
2. Pay of Establishment... ..	2,83,595
3. Allowances	1,35,500
4. Contingencies	2,51,917

F.—Railway Police—

(a) Supervising Staff—

1. Pay of Officers	6,364
2. Pay of Establishment... ..	1,401
3. Allowances	814

G.—Criminal Investigation Department—

1. Pay of Officers	989
2. Secret Service Expenditure	2,500

K.—Works—

(a) Original Works	25,362
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M.—Charges in England—

1. Expenditure of the High Commissioner for India— Stores.	16,166
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Total	7,36,168
<i>Deduct</i> —Recoveries from Defence Department	—3,48,000

• Grand total	3,88,168
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EXPLANATORY NOTE

B.—*District Police—Pay of officers.*—The excess is due to the fact that some posts in the Imperial Police cadre have been filled up by officers of the Provincial Service whose pay is debitable to this head.

Pay of Establishment.—The excess is due to increase of the force owing to the necessity for the internal security of the province, for the protection of railways, for the guarding of railways and aerodromes now under construction, etc.

Allowances.—The excess is due to increased rates of travelling allowance, more touring and drawal of house rent, etc., by the increased force during the year and grant of dearness allowance.

Contingencies.—The excess is partly due to increase in the prices of clothing and other articles, purchase of clothing for the additional force, service stamps on account of increase of correspondence and purchase of motor vehicles for making the force more mobile.

F.—*Railway Police—Supervising Staff—*

Pay of Officers.—The excess is due to the fact that the post of the Superintendent of Railway Police was held by an officer of the Provincial cadre for sometime against Budget provision for an officer of the I. P. cadre.

Pay of Establishment.—The excess is due to increase of force during the year.

Ditto ditto—Allowances.—The excess is due to increase of travelling allowance of officers and increased rates of permanent travelling allowance.

G.—*Criminal Investigation Department—Pay of officers.*—The excess is due to drawal of leave allowance by the permanent Deputy Superintendent of Police.

Secret Service Expenditure.—The excess is due to more expenditure under this head on account of the disturbances.

K.—*Works—Original Works.*—The excess is due to rise in the price of building materials and unforeseen expenditure in connection with the accommodation of the additional force recruited for the protection of central property.

M.—*Charges in England—Expenditure of the High Commissioner for India—Stores (voted).*—The excess is due to the purchase of felt hats for Police from England.

Deduct Recoveries from Defence Department.—This represents a part of the cost of the additional staff entertained for Defence works, etc., as explained against "Pay of Establishment".

No.15

THE HON'BLE KHAN BAHADUR MAULAVI SAYIDUR RAHMAN to move:—

On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that an additional sum of Rs.77,688 be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending the 31st March 1943, for the administration of the head "37.—Education (other than European and Anglo-Indian Education)".

Grant originally voted by the Assembly ... 42,01,000

II.—Sub-heads under which the supplementary grant will be accounted for—

(i) University Education—

B.—Grants to non-Government Arts Colleges ... 16,720

(ii) C.—Government Professional Colleges—Earle Law College, Contingencies—Non-contract. 1,112

(iii) General Charges—R.—Inspection—

Allowances and Honoraria ... 6,000

Government Secondary Schools—

	Rs.
(a) Secondary Schools for Boys—	
(iv) (A)—Contingencies—	
Other non-contract contingencies ...	11,945
(B)—Ditto	
Contingencies—Contract ...	10,200
(v) (E)—Direct grants to non-Government Secondary Schools.	25,558
(vi) Special Education—	
M—Government Special Schools—	
(a) Normal or Training Schools—	
Contingencies—Non-contract ...	5,847
(vii) V.—Charges in England ...	306
Total ...	77,688

(i)—An amount of Rs.10,000 is required for giving six months' advance grant-in-aid to non-Government Colleges in order to give relief to certain colleges who have suffered a heavy fall in fee income owing to the abnormal situation created by the war and a sum of Rs.6,720 is required for giving a grant-in-aid to the St. Anthony's College, Shillong.

(ii)—This amount of Rs.1,112 is required for hiring of houses for accommodation of Earle Law College, Gauhati, as the Government buildings of the College have been taken over by the Military Department.

(iii)—This amount of Rs.6,000 is required for meeting the increased mileage allowance, fixed travelling allowance and dearness allowance to the Inspecting Officers.

(iv) (A).—This amount of Rs.11,945 is required for hiring of houses for accommodation of Secondary Schools, whose buildings have been taken over by the Military Department.

(iv) (B).—The amount of Rs.10,200 is required for A.R.P. measures in Government offices and institutions. The total requirement for this purpose is Rs.24,857, of which Rs.14,657 will be met from the savings in the Education budget under different heads and a supplementary grant is necessary for the balance of Rs.10,200.

(v)—An amount of Rs.2,040 is required for giving grants to certain Secondary Schools in the Goalpara district maintained by the Scandinavian Mission, as the Mission finds it extremely difficult to meet the expenses during the war.

An amount of Rs.32,230 is required for giving six months' advance grant-in-aid to certain non-Government Secondary Schools in order to give them relief to tide over the difficulty of paying salaries to their staff due to war emergency. As however Rs.8,712 can be met from the existing provision under this head, the total amount required would be Rs.25,558.

(vi) The amount of Rs.5,847 is required for hiring of accommodation of the Normal Schools at Silchar and Jorhat, whose buildings have been taken over by the Military Department.

(vii) The expenditure represents costs of books and publications supplied by the High Commissioner.

No.16

THE HON'BLE SRIJUT RUPNATH BRAHMA to move :—

On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that an additional sum of Rs.86,901 be granted to the Minister-in-charge to defray the charges which will come in the course of payment during the year ending on the 31st March 1943, for the administration of the head "27.—Administration of Justice".

Rs.

Grant originally voted by the Assembly 7,50,000

II—Sub-heads under which the supplementary demand will be accounted for—

Rs.

D.—*District and Sessions Judges*—

(i) Pay of officers	...	...	...	...	31,900
(ii) Pay of Establishment	...	...	...	...	1,850
(iii) Allowances and Honoraria	...	...	...	...	2,000
(iv) Contingencies	...	...	...	...	7,500

I.—*Criminal Courts*—

(v) Pay of Establishment	...	...	...	...	3,500
(vi) Contingencies	...	...	...	...	35,750

B. (C)—*Mufassil Establishment*—

(vii) Allowances	...	...	...	...	3,386
(viii) Contingencies	...	...	...	...	1,015

Total 86,901

EXPLANATORY NOTES

D. (i) Excess due to continuance of certain posts of temporary Judges for which no budget provision was made, posting of officers on higher pay than expected and appointment of an officer whose pay is voted in place of one whose pay is charged.

(ii) Entertainment of temporary staff to cope with increased work.

(iii) Excess due mainly to increase in rates of dearness allowance.

(iv) The excess represents loss of cash by fire in Sunamganj Munsifi office, cost of a fireproof iron safe for that office, pay of temporary chowkidars and higher outlay on "Allowances to Assessors and Jurors" and "Diet and Road money to witnesses" owing to rise in prices of all commodities.

I. (i) Excess is due to entertainment of temporary staff to cope with increase of work.

(ii) Higher expenditure on "Diet and Road money to witnesses" due to the rise in prices of all commodities, increased expenses on motor hire in connection with the maintenance of law and order and increased expenses on postage, is responsible.

B. (vii) & (viii) Due to increase in the number of cases the provisions for fees to Government and other pleaders have proved inadequate.

No.17

THE HON'BLE KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI to move:—

On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that an additional sum of Rs.87,224 be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending the 31st March 1943, for the administration of the head "64B.—Civil Defence".

	Rs.
Grant originally voted by the Assembly	14,83,000.
II.—Sub-heads under which supplementary grant will be accounted for—	
	Rs.
A.—Expenditure on A. R. P.	5,500
B.—Expenditure on Civic Guards	8,667
G.—Fire-service	2,53,811
H.—Mortuary	21,000
I.—Staticdams	50,000
Total	<u>3,38,978</u>
Deduct share payable by Central Government	—2,51,754
Net (voted)	<u>87,224</u>

EXPLANATORY NOTE

A.—The additional grant is required to meet the expenditure for the payment of allowances to the increased number of candidates sent to the Civil Defence School at Lahore.

B.—The additional grant is required to meet the expenditure on account of the extension of Civic Guards' activities in the Province.

G.—To keep pace with Military developments, a regular fire-service has been established in certain towns of the province to cope with any outbreak of fire due to enemy action. This expenditure was not anticipated before and therefore a supplementary demand is necessary.

H & I.—These represent arrangements for the burial of the dead due to the enemy action and the storage of water for fire-service respectively. Owing to Military developments, certain towns had to be given strategic importance and it is necessary to incur expenditure on these items. A supplementary demand is therefore necessary.

Deduct—Share payable by the Central Government. This represents the proportionate share of cost payable by the Central Government. An increase of Rs.2,51,754 is anticipated owing to increase in the total cost under the head "64 B.—Civil Defence".

Statement showing by major heads the amounts of Supplementary Grants which the Assembly are asked to vote in the present session

Heads	Grant originally voted by the Assembly and authenticated by H. E.	Grant asked for in present session	Grant as it will finally stand	Number of supplementary demand
1	2	3	4	5
	Rs.	Rs.	Rs.	
7.—Land Revenue	16,93,700	26,700	17,20,400	1
10.—Forests	10,48,500	7,99,272	18,47,772	2
11.—Registration	1,56,200	7,573	1,63,773	3
25.—General Administration	20,63,200	1,90,190	22,53,390	13
27.—Administration of Justice	7,50,000	86,901	8,36,901	16
28.—Jails and Convict Settlements.	5,51,500	2,27,179	7,78,679	4
29.—Police	26,56,700	3,88,168	30,44,868	14
36.—Scientific Departments ..	5,600	42	5,642	5
37.—Education (other than European).	42,01,000	77,688	42,78,688	15
38.—Medical	11,78,400	29,485	12,07,885	6
39.—Public Health	3,16,300	1,53,506	9,69,806	7
50.—Civil Works (excluding Tools and Plant and Establishment charges).	38,68,100	91,311	39,59,411	8
Ditto—Tools and plant and establishment charges.	5,45,600	1	5,45,601	9
Capital outlay on Provincial schemes connected with the war outside revenue account	..	46,22,379	46,22,379	10
56.—Stationery and Printing	4,13,600	35,000	4,48,600	11
63.—Extraordinary charges ..	..	43,062	43,062	12
64B.—Civil Defence	14,83,000	87,224	15,70,224	17
Total	2,14,31,400	68,65,681	2,82,97,081	

SUPPLEMENTARY STATEMENT OF EXPENDITURE CHARGED
ON THE REVENUES OF THE PROVINCE DURING 1942-43,
LAID BEFORE THE ASSEMBLY UNDER SECTION 81 OF THE
GOVERNMENT OF INDIA ACT.

(To be discussed by the Assembly on the 23rd March 1943.)

Charged—non-excluded Areas.

		No.1	
25—General Administration—			
			Rs.
Amount included in the authenticated schedule	...		9,78,200
Additional amount now required	... ..		65,631
II. The sub-heads under which the additional appropriation will be accounted for—			
F. Secretarial staff of Governor—			
			Rs.
1. Pay of Officers	... ..		26,124
2. Pay of Establishment	... ..		6,482
3. Allowances and honoraria	... ..		823
4. Contingencies	... ..		7,290
			40,719
H.—Ministers—			
Allowances and honoraria	... ..		2,750
M. (a)—Civil Secretariat—			
Pay of officers	... ..		4,000
Allowances and honoraria	... ..		1,500
R.—Commissioner—			
			5,500
1. Pay of Officer	... ..		4,960
2. Allowances and honoraria	... ..		102
			5,062
S.—General establishment—			
1. Pay of officers	... ..		10,920
2. Allowances and honoraria	... ..		680
			11,600
		Total	65,631

EXPLANATORY NOTES

The additional amounts are required for—

- F. 1. } Due to appointment of additional officers and staff to cope with
 2. } increased work due to war.
 3. Due to drawal of joining travelling allowance by E. S. Hyde, Esq.,
 I.C.S. (C. P.), as Special Officer and Mr. Nlomo Lhota as clerk in
 Governor's Secretariat and grant of dearness allowance.
 4. Mainly due to movement of office, rise in prices, grant of dearness
 allowance and increased use of service postage and telegrams, etc.
 For these no provision could originally be made in the budget.

H.—Represents travelling allowance of Hon'ble Ministers. The attendance of Hon'ble Ministers at more conferences than usual outside the province is responsible for the excess.

M. (a) Due to the appointment of special and additional officers to cope with the increased work.

R. Mr. Walker, Commissioner of Divisions, was on leave and the increase is due to leave salary being drawn in India.

S. (1) The excess is due to the employment of one Burma I. C. S. officer and re-employment of three retired Deputy Commissioners.

(2) Due to travelling allowance, etc., that had to be allowed to the above mentioned officers.

27.—Administration of Justice— No.2

	Rs.
Amount included in the authenticated Schedule	2,50,300
Additional amount now required	60,000
II—Sub-head under which the additional amount will be accounted for—	
A. Share cost for the maintenance of the Calcutta High Court (Charged).	60,000

EXPLANATORY NOTE

The revised estimate reported by the Government of Bengal under this sub-head is Rs.1,93,400 against the existing provision of Rs.1.32,000. According to the Auditor General's award, the proportionate contribution by the Assam Government is to be paid on estimates, the figures of such estimates being corrected in due course with reference to actuals. Bengal Government reported a saving of Rs 1,400 under the sub-head—Contribution for Services rendered by law officers of Bengal. Consequently, Rs.60,000 is necessary to meet the Bengal's demand including the arrear of Rs.58,907 which is under correspondence with the Government of Bengal.

No.3

50.—Civil Works (Establishment, Tools and Plant)

	Rs.
Amount included in the authenticated schedule	... 89,400
Additional amount now required	... 1
II—Sub-heads to which the supplementary grant will be accounted for by the Public Works Department:—	
A—Direction charges	
(a) Chief Engineer and Secretary, Public Works Department—	
(i) Pay of officers (Charged)	... 31,500
C—Medical—	
(ii) Pay of officers (Charged)	... 9,300
(iii) Allowances and Honoraria (Charged)	... 1,900
D.—(iv) Charges in England	... 4,813
Total	... 47,513

F.—Deduct on account of Establishment for services rendered to—

	Rs.
(v) Military works and other Central Departments (Charged) ...	—1,90,000
(vi) H.—Deduct Recoveries from other Central Departments (Charged) ...	—2,500
Total Recoveries ...	—1,92,500
Net Total ...	—1,44,987

EXPLANATORY NOTE

(i) Due to the appointment of an additional Chief Engineer and Secretary to Government in the Public Works Department to cope with Defence and other works connected with the war, for which there was no budget provision.

(ii) and (iii) The sums are required to meet the cost of medical officers employed on the India-Burma Road to look after Public Works Department staff and labourers, for which there was no provision in the budget.

(iv) Due to overseas' pay drawn by officers employed on Defence Works.

(v) and (vi) Due to anticipated increased recoveries from the Military Department for services rendered to in connection with the Defence works carried out by this Department.

It is anticipated that there will be an excess of Rs. 47,513 under the heads detailed above but recoveries from the Military Department on account of various Defence works will be much greater than was anticipated in the original budget resulting in a net saving of Rs. 1,44,987 after adjustment towards the close of the year as detailed above. A token supplementary grant of Re.1 is, therefore, asked for.

No.4

55. Superannuation Allowances and Pensions and 83—Payment of commuted value of pensions :—

Amount originally included in the authenticated Schedule	Rs. 8,78,800
Additional amount now required	Rs. 23,400

II.—Sub-head under which the additional amount will be accounted for :—

83—Payment of commuted value of pensions—

J—Payment of commuted value of pensions ...	Rs. 23,400
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EXPLANATORY NOTE

An additional sum of Rs. 50,000 is required to meet the cost of commutation of a portion of the pensions of some officers of the All-India Services who retired during the year. It is obligatory to sanction the commutation of pensions in such cases when the medical certificate is produced. A saving of Rs. 26,600 is anticipated under other heads within the same grant which will be reappropriated to meet the excess in part and an additional grant of Rs. 23,400 is therefore necessary.

No. 5.

63.— <i>Extraordinary Charges</i> —		Rs.
Amount originally included in the authenticated schedule		Nil
Additional amount now required		4,000
II. Sub-head under which the supplementary demand will be accounted for—		
B. Charges in England—		Rs.
Expenditure by the High Commissioner		4,000

EXPLANATORY NOTE

The additional appropriation is required to meet the overseas pay of Mr. R. E. R. Parsons for whom provision was made under "12—Motor Vehicles Taxation Act" where this sum will be a saving.

No. 6.

64B.— <i>Civil Defence</i> —		Rs.
Amount originally included in the authenticated schedule		39,200
Additional amount now required		3,360
II. Sub-head under which the supplementary demand will be accounted for—		
F. Charges in England		Rs.
		3,360

EXPLANATORY NOTE

This represents the overseas pay of the Director, Civil Defence, for which no provision was made in the original budget.

No. 7

22—Interest on Debt and other obligations—		Rs.
Amount originally included in the authenticated schedule.		5,25,200
II—Sub-heads under which the additional grants will be accounted for:—		
A—Interest on Ordinary Debt—		
(a) 1—Interest on permanent loans		5,180
2—Floating Loans—		
(b)—Discount on Treasury Bills		20,201
(c)—Interest on Ways and Means advances		15,184
4—Other items—		
(d)—Brokerage Commission, etc.		300
(e)—Miscellaneous		225
Total		41,090

EXPLANATORY NOTES

(a) The amount is required for the payment of arrear interest for 1941-42 on the Assam 3 per cent. loan, 1952, as it was not drawn in the year 1941-42 resulting in a saving in that year.

(b) The amount represents discount on Treasury Bills, which had to be issued to repay all outstanding ways and means advances in terms of our agreement with the Reserve Bank of India.

(c) The amount represents interests on ways and means advances taken to finance various schemes, *viz.* :—

1. Purchase of food-stuff.
2. Expenditure on Civil Defence.
3. Motor Transport Organisation scheme.
4. Increase of normal balances in Treasuries in Assam.

(d) The amount represents commission paid to the Reserve Bank of India for the management of Assam Government Treasury Bills which is admissible under the agreement with the Bank

(e) The amount represents charges for the supply of Government of Assam stock certificate Border Forms and Promissory Notes and cost of railway freight.

CHARGED—EXCLUDED AREAS

No. 8

8. Provincial Excise—

	Rs.
Amount originally included in the authenticated Schedule.	14,000
Additional amount now required	2,075
II.—Sub-heads under which the supplementary appropriation will be accounted for—	
E. Cost of opium supplied to the Excise Department.	2,075
Total	2,075

EXPLANATORY NOTE

The reason for the excess is that 4½ maunds of opium was obtained for supply to the Military. They will pay the cost price of a portion of opium issued to them in cash in which case the amount will be credited to "VIII—Provincial Excise". The balance will be replenished by them in kind. The cost of 4½ maunds of opium will be about Rs.3,125 including cost of coloration, etc., but of this amount Rs.1,050 will be met by reappropriation within the grant.

No. 9

25.—General Administration—

	Rs.
Amount originally included in the authenticated Schedule.	3,19,700
Additional amount now required	1,29,489

II.—The sub-heads under which the additional appropriation will be accounted for.

S.—General Establishment—

	Rs.
1. Pay of Officers	64,111
2. Pay of Establishment	15,248
3. Allowances and honoraria... ..	15,688
4. Contingencies	34,442

Total 1,29,489

EXPLANATORY NOTE

The additional amounts under pay of Officers, Establishment and allowances and honoraria are required as no provision was originally made for the expenditure under these heads on account of the additional Officers and staff appointed in the newly created Rangpang Area and in other Excluded Areas. The additional amount under contingencies is required for the above reasons and also for the rise in prices of articles.

No. 10.

28.—Jails and Convict settlements—				Rs.
Amount originally included in the authenticated schedule	...	...	...	7,700
Additional amount now required	...	...	...	1,841
II.—The sub-heads under which the additional appropriation will be accounted for:—				
A.—District jails—				Rs.
Allowances and Honoraria	...	...	...	400
B.—Charges for Police custody	...	...	...	1,441
			Total	1,841

EXPLANATORY NOTE.

A. The additional appropriation is due to the grant of dearness allowance for which there was no budget provision.

B. The additional amount is required to meet the expenditure incurred in the newly created Rangpang Area and also to meet the excess expenditure due to rise in prices of articles and sending of hill prisoners to the jails in plains districts owing to the closure of hill jails. The whole expenditure is of an uncertain nature and cannot be accurately estimated.

No 11.

40.—Agriculture:—				Rs.
Amount originally included in the authenticated schedule	...	...	...	22,500
Additional amount now required	...	...	...	5,026
II. The sub-head under which the additional appropriation will be accounted for:—				
H. Agricultural Demonstration and propaganda—				Rs.
(b) Agricultural Demonstration	...	...	...	5,026

EXPLANATORY NOTE.

The additional amount is required in connection with Grow More Food campaign in the Hills for Terraced Rice Cultivation and Agricultural Demonstration.

No. 12.

50.—Civil Works—(Excluding Tools and Plant and Establishment):—				Rs.
Amount originally included in the authenticated schedule.	...	...	...	3,03,500
Additional amount now required	...	...	...	7,900
II. Sub-head under which the Supplementary grant will be accounted for:—				
A. Original Works—(a) Buildings—General Administration—				Rs.
Excluded Areas.				7,900

EXPLANATORY NOTE

The bungalow of the Assistant Political Officer, Sadiya, was completely destroyed by accidental fire on the 7th December 1942. Immediate reconstruction of the bungalow was essentially necessary and the work has been taken up. A sum of Rs. 7,900 will be required this year against an estimated cost of Rs. 11,328.

No. 13

50.—Civil Works—(Tools and Plant and Establishment Charges):—		
		Rs.
Amount originally included in the authenticated schedule.		1,11,900
Additional amount now required	... ..	30,000
II.—Sub-heads under which the supplementary grant will be accounted for:—		
<i>B.—Charges on Construction—</i>		
(i) 1 Pay of Officers (charged)	... ..	37,000
(ii) 2. Pay of Establishment (charged)	... ..	76,000
(iii) 3. Allowances and Honoraria (charged)	... ..	26,000
(iv) 4. Contingencies (charged)	... ..	4,000
<i>C.—Medical—</i>		
(v) 2. Pay of Establishment (charged)	... ..	11,500
(vi) 3. Allowances and Honoraria (charged)	... ..	500
Total	... ..	1,55,000
F.—Deduct recoveries from Military Departments		—1,25,000
		30,000

EXPLANATORY NOTE

(i) (ii) & (iii) Extra sums will be required to meet actual requirements on account of additional staff employed on the India-Burma Road and other works connected with the war for which there was no provision in the budget.

(iv) The additional sum will be necessary due to opening of new Divisions and Subdivisions, increased consumption of stamps and rise in prices of stationery, etc.

(v) & (vi) The sums will be necessary to meet actual requirement on account of medical staff posted on the India-Burma Road for which there was no budget provision.

It is anticipated that there will be an excess of Rs. 1,55,000 under the above heads but as a sum of Rs. 1,25,000 is expected to be recovered from the Military Department on account of various Defence works the net excess will stand at Rs. 30,000.

No. 14

54-A.—Famine Relief—		
		Rs.
Appropriation originally included in the authenticated schedule.		1,000
Additional amount now required	... ..	145
II.—The Sub-head under which the additional appropriation will be accounted for:—		
(b) Gratuitous relief	... ..	Rs. 145

EXPLANATORY NOTE

The excess expenditure is mainly due to the grant of free distribution of rice in the North Cachar Hills. As the grant is of a quite uncertain nature, this could not be foreseen.

Statement showing by Major heads the amounts of supplementary statement of expenditure charged on the revenues of the Province during 1942-43

Heads	Amount included in the authenticated schedule			Additional amount now required			Amount as it will finally stand			Number of demand
	Non-excluded areas	Excluded areas	Total authenticated amount	Non-excluded areas	Excluded areas	Total amount	Non-excluded areas	Excluded areas	Total amount	
	2	3	4	5	6	7	8	9	10	
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1										11
3.—Provincial Excise .. ..	..	14,000	14,000	..	2,075	2,075	..	16,075	16,075	8
22.—Interest on Debt and other obligations.	5,25,200	..	5,25,200	41,090	..	41,090	5,66,290	..	5,66,290	7
25.—General Administration ..	9,78,200	3,19,700	12,97,900	65,631	1,29,489	1,95,120	10,43,831	4,49,189	14,93,020	1&9
27.—Administration of Justice ..	2,50,300	..	2,50,300	60,000	..	60,000	3,10,300	..	3,10,300	2
28.—Jails and Convict Settlements ..	..	7,700	7,700	..	1,841	1,841	..	9,541	9,541	10
40.—Agriculture .. ..	..	22,500	22,500	..	5,026	5,026	..	27,526	27,526	11
50.—Civil Works (excluding Tools and Plant).	..	3,03,500	3,03,500	..	7,900	7,900	..	3,11,400	3,11,400	12
50.—Civil Works (Tools and Plant and Establishment).	89,400	1,11,900	2,01,300	1	30,000	30,001	89,401	1,41,900	2,31,301	3&13
54A.—Famine Relief .. ..	..	1,000	1,000	..	145	145	..	1,145	1,145	14
55.—Superannuation Allowances and Pensions.	8,78,800	..	8,78,800	23,400	..	23,400	9,02,200	..	9,02,200	4
63.—Extraordinary charges ..	..	..	..	4,000	..	4,000	4,000	..	4,000	5
64B.—Civil Defence	39,200	..	39,200	3,360	..	3,360	42,560	..	42,560	6
Total	27,61,100	7,80,300	35,41,400	1,97,482	1,76,476	3,73,958	29,56,582	9,56,776	39,15,358	

