



*Proceedings of the Assam Legislative Council assembled  
under the provisions of the Government of India Act,  
1919.*

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The Council met in the Council Chamber at Government House,  
on Wednesday, the 29th March 1922, at 11-30 A.M.

P R E S E N T :

The Hon'ble Mr. J. C. Arbuthnott, C.I.E., *President*, the Hon'ble  
the two Members of the Executive Council, the Hon'ble the Minister of  
Local Self-Government and 36 elected and nominated Members.

QUESTIONS AND ANSWERS.

(UNSTARRED QUESTIONS.)

Haji Muhammad Abdul Ahad Chaudhuri asked :—

1. (a) Will the Government be pleased to re-organise the Subordinate Educational Service in such way that the average prospects and emoluments of the service be the same as those of the executive, police, medical and other subordinate services? Subordi-  
nate Edu-  
cational  
Service.

(b) Is it a fact that the introduction of recent re-organisation of the Subordinate Educational Service (which was prepared in war time) has caused great disappointment and discontent among its members, especially those of the old classes VIII and VII of the service?

MR. A. R. EDWARDS replied :—

1. (a)—The answer is in the negative.

(b) It is understood that the recent re-organisation of the Subordinate Educational Service has not contented the officers of that service. It is not known that the officers of old classes VIII and VII are more discontented than the officers of other grades.

MAULAVI S. IYID NURUR RAHMAN asked :—

Study of Arabic as classic in Government High Schools. 1. (a) Is it a fact that the study of Arabic as a classic from class VI upwards of Government High School for the Matriculation Examination of the Calcutta University has been prohibited by a recent departmental circular except where the number of Muhammadan pupils is over 100?

(b) Will the Government be pleased to do away with such prohibition, if any?

Habiganj Girls' School. 2. (a) Are the Government aware of the fact that the girls of the Habiganj Girls' School have to walk on foot for want of omnibus for 4 or 5 months?

(b) Will the Government enquire what expense is incurred by the Government for maintaining 3 servants, namely, one grass-cutter and 2 syces, for the last 4 or 5 months for the Girls' School?

(c) If so, will the Government be pleased to state why this expense is incurred though there have been no ponies for 4 or 5 months?

(d) Will the Government be pleased to state why the Managing Committee of the Girls' School did not engage local garrics for carrying girls to the school from the money which is spent in maintaining 3 servants for the pony of the omnibus referred to in question (a)?

MR. A. R. EDWARDS replied :—

1. (a) and (b)—The answer is in the negative.

Possibly what the Hon'ble Member has in mind is that there is only one post for an Islamic language master in schools with less than 100 Muhammadan pupils. As two Maulavis are needed if both Persian and Arabic are to be taught for Matriculation, such schools must choose one or other of these languages; they cannot have both. Ordinarily,

Persian is preferred. Arabic is thus excluded. But there is no objection to Arabic being taught instead of Persian, and in case there may have been a misunderstanding on this point, the Director of Public Instruction will issue orders to make it clear to the Headmasters concerned.

2. (a)—Government on enquiry have been informed that the ponies of the omnibus belonging to the Government Girls' School at Habiganj died or were shot in the month of October last and that they have not yet been replaced.

(b)—The menials referred to were paid at the rate of Rs. 11— $\frac{1}{2}$ —15 a month.

(c)—The question of retaining these menials was not referred to Government apparently because it was considered that they occupied permanent posts and could not be discharged except after notice and on payment of compensation.

(d)—The Committee were not in a position to take the action suggested. They could not have done so without the orders of Government. But the Government are not satisfied that the best possible arrangements were made ; and the matter is being further examined.

MAULAVI SAIYID NURUR RAHMAN asked :—

3. Will the Government be pleased to state if it is not the rule, not Posting of executive officers, such as Magistrates, Police Inspectors, to their executive home stations or circles ? officers.

4. Will the Government lay on the table a statement showing the posting of Extra Assistant Commissioners and Police Inspectors in the Surma Valley Division together with the duration for which they have been at their respective stations, and how many of them are posted at stations within the jurisdiction of which they have their home and landed interests ?

5. Is there any rule against the retention of executive officers in one and the same station for more than a certain period ?

MR. A. W. BOTHAM replied :—

3.—There is no hard and fast rule on the subject. Postings are made in accordance with the public interest.

4.—The distribution list of officers employed on district administration and the half-yearly list of Inspectors of Police which are laid on the table give such information as is available.

5.—As regards Police Officers the Hon'ble Member is referred to the reply given to his own question on the subject at the last session of the Council.

As regards Extra Assistant Commissioners and Sub-Deputy Collectors, there is no hard and fast rule on the subject.

MAULAVI SAIYID NURUR RAHMAN asked :—

Kanairghat  
affairs.

6. (a) Has the attention of the Government been drawn to the petition of Upendra Chandra Deb in court of the Additional District Magistrate of Sylhet, published in the *Sylhet Chronicle* of 20th February 1922 ?

(b) Was there any *post-mortem* examination held on the dead body of the deceased constable Banka Behari Deb before it was ordered to be burned ? If the reply be in the negative then under whose orders the body was burned and why ?

(c) Will the Government be pleased to appoint a Committee of two officials and three non-official elected members of the Council to enquire into the circumstances resulting the death of the said constable and the tragedy at Kanairghat ?

THE HON'BLE MR. A. MAJID replied :—

6.—The Hon'ble Member is referred to the replies given to the questions asked by Babu Krishna Sundar Dam on the same subj. et.

REV. J. J. M. NICHOLS-ROY asked :—

Selling of  
pan leaves at  
Muktapur.

1. (a) Is it a fact that the people of Syndai in the Jaintia Hills have been prevented by the Subdivisional Officer of Jowai from selling their *pan leaves* at Muktapur and anywhere between Muktapur and Syndai ?

(b) Is it a fact that there was a *pan leaves* market at Muktapur (about 2½ or 3 miles from Jaintiapur) and that the Subdivisional Officer of Jowai ordered that no such market should be held there and that thus the sellers of *pan leaves* are compelled to go to Jaintiapur Bazar ?

(c) If the answers to questions (a) and (b) be in the affirmative, will the Government be pleased to state the reasons why the said Subdivisional Officer did not allow the people of Syndai to hold their market at Muktapur in their own *Elaka* ?

(d) Do the Government know (i) that these *pan leaves* markets are held at night whether in Jaintiapur or in Muktapur ; (ii) that generally the women of the villages of Jaintia Hills are the sellers of *pan leaves* ; (iii) that it is very inconvenient, troublesome and dangerous to go to the night bazar down to Jaintiapur which is about 6 miles away from Syndai ; (iv) that it is more convenient for them to sell their *pan leaves* at Muktapur which is only about 3 miles from Syndai ?

(e) Do the Government know that especially in summer when the river between Muktapur and Jaintiapur has to be crossed by boat it is dangerous for women to go to the Jaintiapur bazars, and that it is more acceptable and convenient for the Syndai people to have their market at Muktapur ?

(f) Will the Government be pleased to state the reasons why the people of Syndai are not allowed to hold their own market at Muktapur, and why should they be practically compelled to go to the Jaintiapur night bazars to sell their *pan leaves* there ?

(g) (i) Do the Government know that the people of Jaintia Hills as they do not wear Swadeshi clothes, are afraid now to go to the market at Jaintiapur because the non-co-operationists are quite strong there?

(ii) Under such circumstances will the Government allow the market at Muktapur to be continued so that some relief may be given to some suffering people?

THE HON'BLE MR. W. J. REID replied :—

1.—The facts are that a new bazar was opened by certain persons at Muktapur in the Jaintia Hills with the object of attracting to it the business of the old established Jaintia Bazar in the Sylhet district; that it was ascertained on local enquiry that the object of the establishment of the new bazar was the profit to be made therefrom rather than the greater convenience of the persons attending it, and that the Commissioner has ordered that the establishment of the new bazar should not be permitted. On the information before them Government see no sufficient reason to interfere.

REV. J. J. M. NICHOLS-ROY asked :—

2. (a) Will the Government be pleased to state whether the recording of the names of opium consumers throughout the whole of Assam has been finished or not? If not, when will it be completed? Recording of the names of opium consumers.

(b) Will the Government be pleased to state whether information is available now regarding the number of opium consumers recorded in the whole of Assam and also the amount of opium consumed by each one?

(c) If the answer to question (a) be in the affirmative will the Government be pleased to state (i) the number of opium consumers recorded in the whole of Assam, district by district; (ii) the amount of opium consumed by the consumers recorded in each district.

(d) Will the Government be pleased to state whether information is available now regarding the decrease in the sale of opium and in the revenue from opium up to the latest date? If so, will they be pleased to state the total decrease, and the decrease in each district?

3. (a) Are the Government making any plan for opening a cart and motor road to Jaintiapur from Shillong via Jowai? Road from Shillong to Jaintiapur.

(b) (i) Will the Government be pleased to state whether such a project was once considered or not? (ii) Will they be pleased to consider this matter now?

MR. A. W. BOTHAM replied :—

2. (a) and (b)—The Hon'ble Member is referred to the speech of the Finance Member in the debate on the resolution moved by Sri-jut Nilmoni Phukan on the 17th instant on much the same subject,

(c) and (d)—Statements are laid on the table for what they are worth. Attention is again invited to the Finance Member's speech.

*Statement showing the Census of opium eaters.*

District.	Number of opium-eaters according to		Quantity of monthly consumption according to		Remarks.
	Sarpanch's or Mau-zadar's report.	Vendor's sale registers.	Sarpanch's or Mau-zadar's report.	Vendor's sale registers.	
I	2	3	4	5	6
			Md. srs. ch. t.	Md. srs. ch. t.	
Cachar ...	2,106	2,881	1 15 0 4	2 11 10 1	
Sylhet ...	691	632	0 13 6 0	0 11 9 2½	
Goalpara ...	502	1,411	0 0 6 2½	0 11 12 1½	
Kamrup ...	4,552	14,918	2 14 0 0	8 0 0 0	
Darrang ...	7,661	13,872	3 22 14 0	8 32 11 0	
Nowgong ...	11,341	19,983	13 31 3 2	15 14 6 0	
Sibsagar ...	24,899	36,506	23 20 0 0	20 15 0 0	
Lakhimpur ...	24,561	41,609	25 33 0 0	25 20 0 0	
Khasi and Jaintia Hills.	2,865	3,204	3 14 0 0	2 12 0 0	
Naga Hills ...	1,328	573	1 25 1 1	0 38 1 4	
Garó Hills ...	24	(a)	0 0 7 3½	(a)	(a) No opium shop in the Garó Hills.
Total ...	80,530	133,580	78 3 7 3	82 14 5 3½	

Statement showing the consumption of opium and the revenue from opium during the first three quarters of the year 1921-22 as compared with the corresponding period of the preceding year.

District.	Consumption during 1st three quarters of		Decrease in the consumption of opium during the 1st three quarters of the current year as compared with the corresponding period of the last year.	Revenue during the		Difference of revenue during the 1st three quarters of 1920-21 with that for the corresponding period of 1921-22.		Remarks.
	1920-21.	1921-22.		First three quarters of 1920-21.	First three quarters of 1921-22.	Increase.	Decrease.	
1	2	3	4	5	6	7	8	9
Cachar ...	Mds. srs. 26 1	Mds. srs. 22 20	Mds. srs. 3 21	Rs. 82,563	Rs. 80,864	Rs. ...	Rs. 1,699	
Sylhet ...	6 13	4 39	1 14	22,130	20,475	...	1,655	
Khasi and Jaintia Hills ...	22 14	20 26	1 28	71,234	78,318	7,084	...	
Naga Hills ...	7 18	7 1	0 17	25,947	24,365	...	1,582	
Goalpara ...	4 31	3 38	0 33	12,202	10,710	...	1,492	
Kamrup ...	140 20	81 22	58 38	3,35,425	2,78,203	...	57,222	
Darrang ...	156 29	81 32	74 37	4,18,033	3,30,721	...	87,312	
Nowgong ...	228 17	112 2	116 15	5,35,561	4,80,919	...	54,642	
Sibsagar ...	255 30	197 16	58 14	6,76,891	6,86,310	9,419	...	
Lakhimpur ...	344 24	248 37	95 27	8,94,236	9,26,883	32,617	...	
Total	1,192 37	780 33	412 4	30,74,222	29,17,708	49,150	2,03,804	Net decrease Rs. 1,56,454.



3. (a)—The answer is in the negative.

(b)—(i) Surveys have been prepared in the past with a view to considering the project.

(ii)—The financial position precludes any practical consideration of such a project at the present time.

SRIJUT BEPIN CHANDRA GHOSE asked :—

Number of serious crimes.

1. Will the Government be pleased to lay on the table a statement in tabular form showing, year by year, the number of serious crimes committed in the Goalpara subdivision during 1919, 1920, 1921, and the first two months of 1922 with the following particulars :—

- (i) How many of these crimes were in charge of Police officers and how many of Criminal Investigation Department officers ?
- (ii) How many of these were detected by the Police officers and how many by the Criminal Investigation Department officers ?
- (iii) How many of these remained undetected and for what reasons ?
- (iv) How many are still under enquiry by either department ?

THE HON'BLE MR. A. MAJID replied :—

1.—A statement is laid on the table.

*Statement showing police work in connection with serious crime in the Goalpara subdivision.*

Year.	Number of cases reported.	Number of cases dealt with		Number of cases detected		Number of cases remaining undetected.	Number of cases still under enquiry		Remarks.
		By District Police.	By Criminal Investigation Department.	By District Police.	By Criminal Investigation Department.		By District Police.	By Criminal Investigation Department.	
1	2	3	4	5	6	7	8	9	10
1919	10	10	...	2	...	(a) 8	...	...	(a) No clues forthcoming.
1920	5	6	...	1	...	5	...	...	
1921	6	4	2	2	1	2	1	...	
1922 (up to 28th February 1922).	4	4	...	...	...	...	4	...	

RAI BAHADUR AMARNATH ROY asked :—

1. Will the Government be pleased to lay on the table a statement furnishing the following particulars :—

Dacca  
Training  
College.

(a) The number of seats in the Dacca Training College reserved for officers from this province ?

(b) The total number of seats in that College ?

(c) The number of Bengal divisions supposed to be served by that College ?

(d) The number of officers sent to that College from Assam, year by year, during the last five years ? And

(e) The percentage of failures among these officers, year by year, during the same period ?

2. Will the Government be pleased to state how long, judging by the present rate of successful training, it is likely to take to have a full complement of trained teachers in all Government and Aided Secondary schools in this Province ?

3. (a) Will the Government be pleased to state the annual cost of training educational officers from Assam at Dacca during the last five years showing separately (1) the proportional cost of the staff and other recurring charges of the College and (2) the allowances of officers deputed ?

(b) Is the whole of the cost borne by the Government of Assam ? If not, what part of it is borne by the Government of Bengal and on what conditions as to the continuance of the privileges now conceded to this province ?

(c) In view of the very strong recommendations of the Sadler Commission in regard to the urgency of increasing the speed of professional training of teachers in Bengal, have the Government considered the desirability of making provision for the contingency that so many seats will not much longer continue to be reserved for Assam officers at the Dacca Training College ?

4. (a) Will the Government be pleased to state if Assam makes any contribution to Bengal for the maintenance of the aforesaid College and if the Government of Assam has any voice in the management and direction of its affairs ?

(b) If not, will the Government be pleased to state if Assam officers are receiving at Dacca the kind of training required for this Province ?

5. (a) Will the Government be pleased to state if the Dacca Training College has very nearly discarded the "Direct method" of teaching English whereas the Assam Education Department is vigorously pursuing it ?

(b) Is it a fact that the Dacca Training College has no provision for training in manual work whereas in Assam very great importance is attached to the subject ?

6. (a) Do the Government contemplate arranging for the training of Assam officers elsewhere than in Dacca and is there in this country any College which satisfies the requirements of Assam more closely than does Dacca?

(b) If not, will the Government be pleased to expedite the opening of the proposed Provincial Training College at Sylhet?

7. (a) Will the Government be pleased to lay on the table a statement showing separately—

(1) The approximate annual charges on account of the staff and establishment of the proposed Training College at Sylhet?

(2) The average annual charges on account of travelling and deputation allowances of the present average number of teachers (now deputed to Dacca) if they were trained at Sylhet?

(b) Limiting officers to the present average number how many outside candidates would it be possible to train in the proposed College?

(c) Making allowances for probable failures what is the additional number of trained men that we expect to get annually from amongst the outside candidates?

(d) Compared with the present average expenditure incurred for granting allowances to each of the successful officers among those deputed to Dacca, what would be the annual savings if outsiders could be trained previous to appointment in the manner indicated in clause (b) above?

(e) Deducting probable savings under (d) what would be the net additional cost under (a)?

8. (a) Do the Government propose to arrange for "Refresher" courses for trained teachers in the colleges where improved methods are known to have been specialised in?

(b) Do the Medical and Veterinary Departments arrange for similar courses for their officers?

9. Will the Government be pleased to state separately—

(a) The total number of Government Aided and Unaided High Schools in the Province which have got trained Headmasters?

(b) What steps are being taken to train the rest?

(c) Is any preference shown to trained men in filling up vacancies in Aided and Government schools?

(d) How many vacancies in Headmasterships occurred during the last 5 years and how many of these were filled up by the appointment of trained men?

MR. A. R. EDWARDS replied:—

1. (a), (b) and (c)—The numbers asked for are 19, 60 and 3.

(d) and (e)—The particulars are not readily accessible. If after considering the answer to question 2, the Hon'ble Member still wishes to have them, they will be collected and laid on the table in due course.

Meantime it may suffice to state that full advantage is ordinarily taken of the reservation and that few of the officers deputed from Assam are unsuccessful.

2.—Government regret that they are not in a position to make this arithmetical calculation. The collection of the figures would involve much labour, apparently to no very useful purpose. The task of providing a full complement of trained teachers in all Government and aided secondary schools in the province is beyond the scope of the existing arrangements.

3. (a)—If the particulars under (2) by themselves will be of use to Hon'ble Member they will be collected and laid on the table in due course. Government cannot however furnish the other particulars asked for.

(b)—The Government of Assam bear only the cost of the pay and allowances of the teachers and inspecting officers deputed from this province.

The college is maintained entirely at the cost of the Government of Bengal.

No conditions have been attached to the continuance of the privilege now conceded to this province.

(c)—Government trust that the present number of seats will continue to be reserved for Assam until this province is in a position to make other arrangements.

4. (a)—The answer to both parts of the question is in the negative.

(b)—Government are assured that the Dacca College is in good hands and that the instruction given produces excellent results.

5. (a)—The direct method of teaching English is in general use in Government High Schools in Assam. Government are not aware whether or not it has been nearly discarded in the Dacca Training College.

(b)—It is understood that manual training classes have not yet been established in connection with the Dacca Training College. In Assam considerable importance is attached to this subject.

6. (a)—The answer is in the affirmative. Government contemplate training Assam officers in a provincial College when funds permit.

As regards the second part of the question, Government are not prepared to express an opinion.

(b)—The Hon'ble Member is referred to the reply given to the question asked by Maulavi Rukunuddin Ahmad during the present session of the Council.

7.—As there is no certainty of the form which the proposed Training College will ultimately take, Government regret that they cannot answer this question.

8. (a)—The answer is in the negative. The Government of Assam have no claim upon the Training College in other provinces.

(b)—There are "refresher" courses for some members of the Medical and Veterinary Departments.

9. (a)—The particulars will be obtained and communicated.

(b)—No steps are being taken.

(c)—The answer is in the affirmative.

(d)—Government are not in a position to furnish this information except in regard to the High Schools under its own control. Of five vacancies occurring during the period, two have been filled by trained men.

MAULAVI ABDUL KHALIQUE CHAUDHURI asked :—

Reply to questions.

1. Is it not the duty of the Government to enquire and report elaborately when any question is asked by any member of the Council for the purpose of securing an enquiry or report ?

THE HON'BLE MR. A. MAJID replied :—

1.—The Government must reserve discretion as to the amount of detail into which they enter in answering questions, and as to the enquiry which they think it necessary to make for the purpose.

BABU KRISHNA SUNDAR DAM asked :—

Kanairghat affairs.

With reference to the Communiqué issued by the Government of Assam regarding what is now known as the Kanairghat tragedy, will the Government be pleased—

1. To state for what purpose, under what provision of law and by whom was the order for firing upon the people given ?
2. To state what kinds of shot were supplied to the armed police and what were actually used in firing ?
3. To state the number, names and addresses of the persons who were either killed or wounded as the result of the aforesaid firing ?
4. To state whether from among the dead or wounded on the side of the people any person was picked up by the police and any inquest on the dead body or examination of the wounds of the living, were done by the Government ?
5. To state whether the aforesaid firing was directed on the group of persons inside or outside the pandal ?
6. To state whether Mr. Webster, the Commissioner, took part in the firing, and, if so, with what weapon and under what circumstances ?
7. To state whether it is a fact that a constable named Banka Bihari De died on that day from effects of shooting, and if, so, whether the said Banka belonged to the armed or unarmed band of policemen ?
8. To state under the authority and direction of what officer then on the spot was the said Banka acting ?
9. To state at what distance from the position taken up by the armed police force as well as from the dead and the wounded on the side of the people, was Banka's body found lying ?

10. To state how long after the "cease fire" order was given was the said Banka picked up and by whom?

11. To state whether Banka died on the spot where he was shot or after his removal to some other place?

12. To state whether Banka was placed under any medical treatment, and if so, to lay on the table a report of the medical officer attending him up to the point of his death?

13. To state whether Banka made any statement during the time he was alive?

14. To state whether any attempt was made to obtain any statement from him by any official about his death?

15. To state the time when the Additional District Magistrate and the Additional Superintendent of Police of Sylhet arrived at Kanairghat?

16. To state whether the dead body of Banka was burnt at Kanairghat, and if so, when and under whose orders?

17. To state whether it is a fact that no information was given to Banka's relatives and that no attempt was made to inform them of the decision to burn Banka's dead body at Kanairghat?

18. To state whether it is a fact that *post-mortem* examination on the dead bodies of the two other constables have been held at Karimganj and Sylhet, and that no such examination was held on Banka's dead body?

19. To state the distance of the station nearest from Kanairghat where medical officers competent to report results of *post-mortem* examination are available?

20. To state if any action was taken with regard to Banka's death or his dead body in accordance with the provision of section 174, Criminal Procedure Code, and if not, to state reasons for such omission?

21. To state whether the Government is aware that Banka's brother Upendra filed a petition to the Additional District Magistrate of Sylhet, and if so, what action, if any, has been taken?

22. To state whether it is a fact that in the aforesaid petition it has been mentioned that the cause of Banka's death was rumoured to be firing by a Saheb (European)?

23. To state whether the attention of the Government has been drawn to the article headed "The Kanairghat tragedy" in the issue of the "Sylhet Chronicle" of the 27th February 1922, and to the suggestion contained therein for a public enquiry about the incident of the 15th February at Kanairghat, and, if so, whether the Government contemplate any such enquiry?

THE HON'BLE MR. A. MAJID replied:—

1.—The order "disperse by force" was given by the Magistrate. The Commissioner and the Indian officer in charge of the Armed police also gave the order to fire. The purpose of the order was self-defence and the preservation of the public security. The provisions of the law are sections 97 and 100, Indian Penal Code, and section 129, Criminal Procedure Code.

2.—Both ball and buckshot were issued to the Armed police. Twenty cartridges of ball and 31 cartridges of buckshot were fired.

3.—So far as is known 6 were killed and 22 wounded. The names and addresses are as follows:—

**KILLED—**

Musa of Durlavpore.  
 Ajijur Rahman of Ujanipara.  
 Jahur Ali of Sardaripara.  
 Abdul Rahman of Joolai,  
 Abdus Salam of Bayampore.  
 Somed Ali of Munnagar.

**WOUNDED—**

Mujon Ali of Bishnupur.  
 Wasir of Dalairchar.  
 Abdul Hosson of Birdhal.  
 Arjad *alias* Nadu of Dharampore.  
 Yakubali of Durlavpur.  
 Hamid Raja of Radhanagar.  
 Masraf Ali of Sunapore.  
 Masraf }  
 Arjoo Mia } of Gouripore.  
 Yakub Ali }  
 Suruj } of Lalarchak.  
 Hamid Ali }  
 Nimar Ali } of Nunnagar.  
 Abbas Ali of Sibnagar.  
 Yasin of Chatigam.  
 Golam Akbar of North Govindpur.  
 Abdul Jabbar of Gossaipore.  
 Kurban Ali of Chotadosh.  
 Abdul Hamid of Kangla.  
 Hasan Raja of Lantirmati.  
 Eusuf Ali }  
 Abdul Karim } of Kalibari.

4.—No dead body from the side of the crowd was picked up by the police. Some 6 wounded persons attended hospital at Kanairghat the same day, and others were subsequently examined and treated by a Sub-Assistant Surgeon from Sylhet. Two also attended the Sylhet dispensary.

- 5.—The firing was directed on persons outside the pandal.
- 6.—Yes. The Commissioner fired three shots from his revolver (.38 bore), in the exercise of the right of private defence, when he was attacked.
- 7.—Yes. Constable Banka Behari De belonged to the Unarmed branch.
- 8.—Under the orders of the Sub-Inspector in charge of the Kanairghat thana.
- 9.—Banka's body was found about 15 yards from the position which the Armed police had taken up; and the body of one of the crowd was noticed three or four yards from Banka's. The rest of the dead and wounded were removed so quickly by the people that the distances were not noticed.
- 10.—Banka's body was brought to the dispensary by some villagers about half an hour after the "cease fire." They went away after leaving the body and their names are not known.
- 11.—Banka died in the dispensary.
- 12.—He is reported to have been dying and almost senseless when brought to the dispensary. He was treated by the Local Board doctor.
- 13.—No.
- 14.—He was almost dead and no attempt could be made to obtain a statement from him.
- 15.—About 2 A.M. on the 16th February 1922.
- 16.—Yes, on the 16th February, under the orders of the Additional Superintendent of Police with the approval of the Commissioner, who was under the impression that Banka had a relation there as one of the constables spoke to him of Banka as his "bhai."
- The other Hindu constables of Kanairghat and Karimganj thanas wished to burn the body which could not be kept longer than a day. No information was sent direct to Banka's relatives, but a telegram was sent to the officer in charge, Sylhet, to inform the relatives of the three deceased constables of their deaths. The relatives of Banka could not have arrived at Kanairghat within a day.
- 18.—Yes.
- 19.—The nearest station where a medical officer competent to hold a *post-mortem* examination was available was Karimganj. The distance is 24 miles by road or 14 miles across the *haor*.
- 20.—Yes. An inquest was held by the officer in charge of Kanairghat thana. No *post-mortem* was hold, as there was no suspicion as to the cause of death. The death was found to be caused by buckshot wounds, and an ante-mortem examination had been made by the Sub-Assistant Surgeon. The Additional Superintendent of Police also personally examined the wounds and was satisfied that they were buckshot wounds.
- 21.—Yes. A judicial enquiry was held by Babu Guru Charan Chaudhuri, Extra Assistant Commissioner. It was found that the death was accidental and was due to buckshot wounds.



22.—The rumour referred to was mentioned in the petition.

23.—Yes. Government are in possession of all the facts, and do not contemplate any further enquiry into the death of Banka Behari De.

MR. RAJENDRA NARAYAN CHAUDHURY asked :—

Non-co-operators.

1. (a) Will the Government be pleased to state the number of imprisonments of non-co-operators in the province, district by district, till the end of January 1922?

(b) How many of them have been set free either on or without conditions?

THE HON'BLE MR. A. MAJID replied :—

1. (a)—The Hon'ble Member is referred to the reply given to a similar question asked by Srijut Dalim Chandra Bora at this session.

(b)—Thirty-two persons have been released on giving an undertaking that they will not in future be concerned in activities tending to the subversion of law and order and of the Government by law established.

MR. RAJENDRA NARAYAN CHAUDHURY asked :—

Realisation of rent.

2. (a) Are the Government aware that the zemindars of Goalpara district are experiencing great difficulties in realising rents from their tenants owing to non-co-operation propaganda in the Province?

(b) If so, do they contemplate to take up any emergency legislation to empower zemindars for facilitation of recovery of such rents by them.

THE HON'BLE MR. W. J. REID replied :—

2. (a)—Yes.

(b)—The Hon'ble Member is referred to the Landlord and Tenancy Procedure (Amendment) Bill published in the *Assam Gazette*.

RAI BARADUR KRISHNA CHANDRA CHAUDHURY :—

Maintenance of ancient temples.

1. (a) Are the Government aware that there are large number of temples in Kamrup and they have not been given any facility of realising rent from their under-tenants except by the tardy procedure of a civil suit?

(b) If so, will the Government be pleased to make an enquiry on this point and take some steps to give facility to the temple to collect rents from under-tenants by summary process?

(c) Are the Government aware that many temples are asking the Government help for realising rent this year, but the Deputy Commissioner is refusing to do so on the ground that he has no such power?

(d) Do the Government propose to instruct the Deputy Commissioner to help the temples in realising rents considering the special circumstances of this year?

THE HON'BLE MR. W. J. REID replied :—

1.—Government will ascertain whether the difficulties referred to exist, and if so, will consider whether any assistance can be given.

RAI BAHADUR KRISHNA CHANDRA CHAUDHURY asked :—

2. (a) Are the Government aware that the Municipal limits of the town of Gauhati have been greatly extended of late and that the existing waterworks are not sufficient for supply of adequate quantity of water? Gauhati Municipality.

(b) Will the Government be pleased to state whether they have received an application from the Gauhati Municipality for loan and grant of Rs. 1,09,628 in accordance with the estimate of the Sanitary Board for remodelling the Gauhati Waterworks, and if so, what decision has been arrived at by Government?

THE HON'BLE RAI BAHADUR GHANASYAM BARUA replied :—

2. (a)—The Government are aware that the limits of the Gauhati Municipality have been extended and understand that augmentation of the supply of water is desirable.

(b)—The Gauhati Municipality applied to the Government for a grant and a loan for remodelling the water-works but the Government regret that owing to financial conditions the application could not be considered.

RAI BAHADUR KRISHNA CHANDRA CHAUDHURY asked :—

3. Will the Government be pleased to state the number of cases of violence committed by the people in the different villages of the Sibsagar district where punitive police have been ordered to be stationed? Violence in Sibsagar district.

4. Will the Government be pleased to state if there is any truth in the allegation that there have been cases of violence committed by the punitive police at Boko in the Kamrup district? If so, will the Government be pleased to cause an enquiry to be made into the matter? Violence in Boko thana

THE HON'BLE MR. A. MAJID replied :—

3.—Additional police were quartered in certain villages of the Simoluguri, Teok, Chowkhat and Hatigarh mauzas of the Sibsagar district, principally owing to the continued occurrence of seditious meetings, the collection of funds in aid of unlawful associations, the intimidation of villagers wishing to attend garden *hâts* and the sending of gangs of volunteers into Jorhat town where serious disturbances occurred. In addition a Police Inspector had been assaulted in the Teok area.

In the Golaghat subdivision, certain villages have also been notified owing to their activities in furtherance of unlawful associations, as well as the boycott of established *hâts* and the intimidation of Government servants and loyal subjects. In one of these villages a mauzadar's house was burnt down, and the inhabitants of four others were responsible for a riot in which two special Sub-Inspectors of Police were assaulted.

4. Government are not aware of the allegation in question and do not propose to institute an enquiry. Any persons aggrieved have their remedy in court.

## SUPPLEMENTARY DEMANDS FOR GRANTS.

THE HON'BLE MR. W. J. REID :—Sir, before we ask the Council to vote on the individual demands for grants I should like to make a general statement. We have tried to give a full explanatory note on each of these demands. The great majority of them are purely formal, moved mainly by reason of changes in accounts classification, and in these cases there is clearly no objection to our anticipating the vote of the Council. That is to say, if we spend money on the purposes for which it was voted it is a matter of indifference to all except the Accounts Department under which head the expenditure is classified. That is the real test. Was the money spent on the purposes for which it was given? What I mean will be understood by a reference to Demands Nos. 1 and 5. We shall have a similar case early next year in the Murarichand College project. Provision for that is at present made in the Education budget, but to enable the project to be carried out the sum provided must be transferred to the Civil Works budget, and at some stage I shall have to ask the Council to sanction the transfer. Then, Sir, we have certain emergent demands which could not be foreseen and have to be met. Instances of this are Demand No. 8 which relates to Railways, Demand No. 9 which relates to relief works in Jaintia, Demand No. 11 which relates to Agricultural Loans. As for Demand No. 4 about the cost of stamps we simply have to pay the bill which is presented to us by the Government of India and have no option.

There are, Sir, however, three demands as regards which the Council is entitled to an explanation. These are Demand No. 14 which concerns 'Jails,' No. 15 which concerns 'Police' and the first part of Demand No. 18 which relates to the head "37.—Miscellaneous Departments." In the case of Jails, Sir, we did foresee that there would be increased expenditure but it was not until late in the year that we had any real idea of what the amount would be. We might have asked the Council at the last session, the February one, to vote the increased grant but our figure would have been more or less guesswork then, and the Finance Department decided to wait until we could put fairly accurate figures before the Council. Even so the figures are not quite accurate. We had of course to incur increased expenditure owing to the very large increase in the number of prisoners admitted, but we should have noticed earlier that more money was being spent under item (11) on jail manufactures. However I can tell the Council, having now made my apology, that this particular sum will not be spent, that the grant required will be actually less by some Rs. 4,000 than the amount demanded. There was no time to modify the demand. This Rs. 4,000 will simply not be spent this year even if it is voted. The note against Demand No. 15 explains why we had to incur extra expenditure under "Police," and here also the reason why the demand is presented so late is that we wished to give the most accurate figures possible to the Council.

As for Demand No. 18, the first part, our only excuse is that the excess is a very small one. We realise that that is not a real excuse, because we have no right to spend in anticipation of the vote of the Council except in cases of sheer emergency, and we undertake, Sir, that as far as possible nothing of this kind will occur again.

I now, Sir, move formally that an additional sum of Rs. 975 be granted to the Governor in Council to defray certain charges which will come in the

course of payment during the year ending on the 31st March 1922 for the administration of the head '2.—Taxes on Income.'

The motion was put and adopted.

THE HON'BLE MR. W. J. REID :—I beg to move, Sir, that an additional sum of Rs. 55,435 be granted to the Governor in Council to defray certain charges which will come in the course of payment during the year ending on the 31st March 1922 for the administration of the head '5.—Land Revenue.'

The motion was put and adopted.

THE HON'BLE MR. W. J. REID :—I beg to move, Sir, that an additional sum of Rs. 49,000 be granted to the Governor in Council to defray certain charges which will come in the course of payment during the year ending on the 31st March 1922 for the administration of the head '6.—Excise.'

The motion was put and adopted.

THE HON'BLE MR. W. J. REID :—I beg, Sir, to move that an additional sum of Rs. 35,700 be granted to the Governor in Council to defray certain charges which will come in the course of payment during the year ending on the 31st March 1922 for the administration of the head '7.—Stamps.'

The motion was put and adopted.

THE HON'BLE MR. W. J. REID :—I beg, Sir, to move that an additional sum of Rs. 83,575 be granted to the Governor in Council to defray certain charges which will come in the course of payment during the year ending on the 31st March 1922 for the administration of the head '22.—General Administration.'

The motion was put and adopted.

THE HON'BLE MR. W. J. REID :—I beg Sir, to move that an additional sum of Rs. 1,100 be granted to the Governor in Council to defray certain charges which will come in the course of payment during the year ending on the 31st March 1922 for the administration of the head '41.—Civil Works.'

The motion was put and adopted.

THE HON'BLE MR. W. J. REID :—I beg, Sir, to move that an additional sum of Rs. 807 be granted to the Governor in Council to defray certain charges which will come in the course of payment during the year ending on the 31st March 1922 for the administration of the head '42.—Waterways and Embankments'.

The motion was put and adopted.

THE HON'BLE MR. W. J. REID :—I beg, Sir, to move that an additional sum of Rs. 74,000 be granted to the Governor in Council to defray certain charges which will come in the course of payment during the year ending on the 31st March 1922 for the administration of the heads '10.—State Railways' and '13.—Construction of Railways'.

The motion was put and adopted.

**THE HON'BLE MR. W. J. REID** :—I beg, Sir, to move that an additional sum of Rs. 10,000 be granted to the Governor in Council to defray certain charges which will come in the course of payment during the year ending on the 31st March 1922 for the administration of the head '43.—Famine Relief and Insurance—A—Famine Relief.'

The motion was put and adopted.

**THE HON'BLE MR. W. J. REID** :—I beg to move, Sir, that an additional sum of Rs. 62,000 be granted to the Governor in Council to defray certain charges which will come in the course of payment during the year ending on the 31st March 1922 for the administration of the head '47.—Miscellaneous.'

The motion was put and adopted.

**THE HON'BLE MR. W. J. REID** :—I beg to move, Sir, that an additional sum of Rs. 15,000 be granted to the Governor in Council to defray certain charges which will come in the course of payment during the year ending on the 31st March 1922 for the administration of the head 'Provincial Advance and Loan Account.'

The motion was put and adopted.

**THE HON'BLE MR. W. J. REID** :—I beg to move, Sir, that an additional sum of Rs. 3,000 be granted to the Governor in Council to defray certain charges which will come in the course of payment during the year ending on the 31st March 1922 for the administration of the head '30.—Scientific Department.'

The motion was put and adopted.

**THE HON'BLE MR. A. MAJID** :—I beg to move, Sir, that an additional sum of Rs. 14,500 be granted to the Governor in Council to defray certain charges which will come in the course of payment during the year ending on the 31st March 1922 for the administration of the head '24.—Administration of Justice.'

The motion was put and adopted.

**THE HON'BLE MR. A. MAJID** :—I beg to move, Sir, that an additional sum of Rs. 64,375 be granted to the Governor in Council to defray certain charges which will come in the course of payment during the year ending on the 31st March 1922 for the administration of the 'Jail Department.'

The motion was put and adopted.

**THE HON'BLE MR. A. MAJID** :—I beg to move, Sir, that an additional sum of Rs. 87,000 be granted to the Governor in Council to defray certain charges which will come in the course of payment during the year ending on the 31st March 1922 for the administration of the 'Police Department.'

The motion was put and adopted.

**THE HON'BLE RAI BAHADUR GHANASYAM BARUA** :—I beg to move, Sir, that an additional sum of Rs. 200 be granted to the Governor and his Minister to defray certain charges which will come in the course of payment during the year ending on the 31st March 1922 for the administration of the Lead "34.—Agriculture." The explanation is given in the last note of the explanatory notes and relates to a refund in that Department of which of course a very accurate estimate is to be made. The Comptroller has now reported that this extra sum will be necessary.

The motion was put and adopted.

THE HON'BLE RAI BAHADUR GHANASYAM BARUA :—I beg to move, Sir, that an additional sum of Rs. 1,67,363 be granted to the Governor and his Minister to defray certain charges which will come in the course of payment during the year ending on the 31st March 1922 for the administration of the Department of Public Health.

The motion was put and adopted.

THE HON'BLE RAI BAHADUR GHANASYAM BARUA :—I beg to move, Sir, that an additional sum of Rs. 3,712 be granted to the Governor and his Minister to defray certain charges which will come in the course of payment during the year ending on the 31st March 1922 for the administration of the head "37.—Miscellaneous Departments."

The motion was put and adopted.

THE HON'BLE RAI BAHADUR GHANASYAM BARUA :—I beg to move, Sir, that an additional sum of Rs. 28,156 be granted to the Governor and his Minister to defray certain charges which will come in the course of payment during the year ending on the 31st March 1922, for the administration of the Medical Department.

The motion was put and adopted.

*The Assam Landlord and Tenant Procedure (Amendment) Bill, 1922.*

THE HON'BLE MR. W. J. REID :—I beg, Sir, to move that the Assam Landlord and Tenant Procedure (Amendment) Bill, 1922, be taken into consideration.

I do not move, Sir, for leave to introduce the Bill because it has already been published in the Gazette and therefore under Rule 18 of the Assam Legislative Council Rules it is not necessary again to move for leave to introduce it. I need hardly explain to the Council that in taking the course we did we had no desire to bring the matter a stage further than it would ordinarily have reached. Our only reason was that of the urgency of the measure if it is to be passed at all.

The Bill, Sir, has been introduced to meet an emergency, the nature of which will I think be sufficiently clear from the statement of objects and reasons. It applies to only two districts in the province, Goalpara and Sylhet. We were approached by certain zemindars of the Goalpara district who found that there was a general refusal on the part of tenants to pay their rents. I am not talking, Sir, of disputed rents. It was a refusal to pay any rents at all. In fact the attitude of the tenants was practically the attitude of the Government raiyats of certain districts in the Assam Valley in respect of the Government revenue, an attitude which I am glad to say they have almost entirely abandoned. At about the same time that we received these representations we got from the Government of India a copy of a brief Act amending one or two sections of the Oudh Rent Act. This is mentioned in the statement of objects and reasons, and our Bill follows, in fact it is reproduction of the Oudh amending Act with merely the few verbal alterations required to make the measure applicable to the two districts of our province.

I said, Sir, that the Bill is frankly an emergency measure, and it is our hope that if it is passed by the Council the necessity of using it will arise very seldom if indeed it arises at all. The Council will see that before the provisions of the Bill can be used the Local Government has to notify an area.

I think the Local Government may be trusted not to take this step lightly. Again there is no intention that the Deputy Commissioner should be empowered to decide ordinary rent disputes in a summary fashion. The Bill deals with a general refusal. It is not concerned with the disputes that occasionally arise even if these are disputes which lead the whole tenants of an estate or a section of them to refuse to pay rent on account of grievances real or fancied that they may possess.

It has been impossible to put all the matters that we should like to put in the Bill itself, but we hope to provide in the rules for anything omitted, to make it perfectly clear that the procedure will apply only to lawful rents about which there is no dispute and which the tenants refused to pay in pursuance of a general policy of refusing to pay rents. To take one example, the Deputy Commissioner would clearly never realise any enhanced rent. In a case where he found that a tenant had for years been paying no rent he would conclude that there was something which it was not in his province to settle. But where he found from the books that tenants had been paying for years at certain rates and that this year for no particular reason they all refused to pay he could then under the provisions of this Bill utilise the provisions of the Assam Land and Revenue Regulation which relate to the realisation of arrears of revenue. That is the scope and object of the Bill.

We have had certain criticisms. It has been said that the term "general refusal" is a very wide one and might cover anything. Well, Sir, I admit that the term is a wide one, but I think we all understand what it means. We have found it impossible to give a more precise definition, but if any Hon'ble Member can suggest a more suitable definition we shall be happy to accept it. I need hardly say that any difficulty in the interpretation will be a difficulty experienced by us and not by the courts below, because as I said before it is the Local Government that must notify an area before the Bill can have any operation in it.

My present motion, Sir, is that the Bill be taken into consideration. If the Council accept this I shall then make the somewhat unusual suggestion that you should temporarily vacate the Chair and that we should then informally in a committee of the whole House discuss one or two provisions in the Bill which are at least open to debate.

**RAI BAHADUR NALINI KANTA RAI DASTIDAR** :—Sir, I beg to support the Bill. The position of the landholders is very bad now; almost all the estates are in arrears and the tenants are making conspiracies to stop the rents. So it is necessary to pass the Bill.

**KHAN BAHADUR MUHAMMAD BAKHT MAZUMDAR** :—I heartily support this Bill and request the House to pass the Bill without further delay, because the zemindars in Sylhet are troubled very much by the non-cooperators. So I beg the Hon'ble House will unanimously pass the Bill.

**RAI BAHADUR PROMODE CHANDRA DUTTA** :—I regret I cannot support this motion. I oppose it with a full sense of my responsibility as a member of this Council. This is indeed an emergency legislation but is there any reason why it should be rushed through the Council. Bengal has not got it and things here are not any way worse than those in Bengal. The



Bill is modelled on the lines of the United Provinces Tenancy Act but we do not know what the conditions there are, but I am afraid it will be very difficult to work it in the district of Sylhet. Those Hon'ble Members who are lawyers know it perfectly well that since 1793 the legislation has always been directed to make things easier for the tenants, to protect them from the hands of the Zemindars. ✓ This Bill, if enacted into law, will place the tenants at the mercy of the Zemindars.

The basis of the Bill is the general refusal to pay. May I ask the Hon'ble Member in charge of this Bill what the expression means? Supposing 50 per cent. of the tenants refuse to pay rent, is it a case of general refusal? Suppose again those who refuse to pay aggregate 40 per cent. of the tenants. Is it a case of general refusal? We are asked to trust to the Revenue authorities. But may I be permitted to remind the Hon'ble Member that there was a time when rent suits were decided by Deputy Collectors and other Revenue Officers, but that it was found necessary to take away that power from them and vest it in the Civil Courts for no other reason than that the interests both of the zemindars and tenants could be best safeguarded by so doing. We are now asked to revert to the old policy. Before we commit ourselves to a policy which was deliberately abandoned more than half a century ago I propose that the Bill be circulated for public opinion. I do not wish to throw out the Bill at this stage. What I do wish is that the public may be invited to express their views and the matter brought up before the Council in September. A delay of six months will not make things worse.

**BABU BIRAJ MOHAN DUTTA** :—The interests of the tenants of the permanently-settled estates have compelled me to oppose this motion with great reluctance. Land being the only thing which is most highly valued at present there are no tenants who do not fully realize the responsibility of paying rents to their zemindars. Excepting the poorest the tenants are always anxious to remain on the safe side by timely payment of the rents due to the zemindars. I admit that there are tenants who in spite of their being able to pay withhold the payment of their rents and there are substantial causes on their part for doing so. In many cases it is seen that the refusal to pay rents originates from unlawful demands at enhanced rates without any rhyme and reason. The tenants in permanently-settled areas unlike ryots in periodically-settled estates have to labour under great disadvantages which are not unknown to many of us. A tenant in permanently-settled estates has no independent views in most righteous causes and has to bend down his head before his zemindar who when any slightest hitch occurs may ruin a tenant under any pretext. The Bill now before us makes no provision in clear terms empowering the Deputy Commissioner to call for and inspect the records of the zemindars when any dispute arises regarding the amount to be paid in cases in which the zemindar has been permitted to realize rents by securing the assistance of the Deputy Commissioner by the use of Chapter V of the Land Revenue Regulation. In periodically-settled estates such provision has been made as a check against unlawful demands by the Mouzadars. Moreover this Bill is going to be introduced hurriedly. It should have been circulated for eliciting public opinion. The Bill as it is goes against the best interests of the tenants. On these grounds I oppose the motion.

**SRIJUT BEPIN CHANDRA GHOSE** :—Sir I beg to oppose this motion on the ground that it does not satisfy the requirements of Standing Order 40 of the Assam Legislative Council Manual. According to the proviso the Bill ought to have been circulated amongst the members seven days before it is taken up for consideration. Now we received the Bill the other day, on Friday last, the 24th instant and to-day is the 29th, *i.e.*, only six days elapsed and we are going to take this Bill into consideration to-day. So as it does not satisfy the requirements of Standing Order 40 we cannot take this Bill into consideration at this stage.

**THE HON'BLE MR. W. J. REID** :—If I may, Sir, at this stage reply to this point—the Hon'ble Member is perfectly correct in what he says about Standing Order 40 except that you, Sir, have discretion to suspend the Order and allow the motion to remain. I purposely did not ask you, Sir, and I have no intention of asking you now to exercise your special power. I should prefer if the Council agree to let the question be decided by the vote of the Council. I asked that the Bill be taken into consideration. Rai Bahadur Pramod Chandra Datta has practically moved that it be circulated for opinion. The vote I submit will decide which is the wish of the Council.

**SRIJUT BEPIN CHANDRA GHOSE** :—I press for a division.

**THE HON'BLE MR. W. J. REID** :—I merely give this explanation of our procedure. I had no desire to interrupt the Hon'ble Member in his argument.

**SRIJUT BEPIN CHANDRA GHOSE** :—I object to taking up of the Bill on the ground that it is a subject which vitally affects the interest of the tenants in general. Now we should not be in a hurry to discharge such an important matter without inviting public opinion as to its merits and defects.

It is not fair and just that the Government would overlook the interest of the majority of the people that is to say of the tenants for the sake of handful of powerful set of zemindars. It should be the duty of the Government to look to the interest and welfare of the public, *i.e.*, of the tenants. The zemindars are all educated and learned and the ryots are weak and illiterate. These people are ignorant of the ways of the world. They do not know how to ventilate their grievances. So, Sir, it should be our duty to look to their interest first and do our best for their safeguard.

Now, Sir, the subject under discussion is a very important and difficult one and we need not be in a hurry to get it passed without giving the slightest opportunity to the ryots to think over the matter which they are so much interested in.

Now, Sir, the zemindars in the Goalpara district are under the management of the Court of Wards and the remaining the few zemindars are sure to follow the same course sooner or later. These estates under the Court of Wards are directly under the control of the Deputy Commissioner as Collector and as such he is an interested person and he must look to the interest of his wards whose estates are under his direct supervision. Now, Sir, the Deputy Commissioner and the Collector if the same person his views as Collector might stand in his way to do justice to the poor people as Deputy Commissioner. And another striking feature Sir, is that the Deputy Commissioner's order is not appealable which is also a great hardship on the part of the poor

tenants. There might be certain illegalities or irregularities in the procedure adopted by the Deputy Commissioner and if the tenants are not allowed to proceed against such illegalities and irregularities great injustice would be done to them. So in order to do justice to these poor tenants the Deputy Commissioner's order ought to be made appealable. There should be a provision like this. So, Sir, in order to look to the interest of the poor tenant we should not be in a hurry to pass this Bill and I press that public opinion should be invited as regards its merits and defects. So under these circumstances I oppose the Bill.

**MAULAVI SAFIUR RAHMAN :—**I oppose this Bill.

Spoke in Bengali to the effect that tenants should be made to understand what it is. I do not myself understand the Bill. If the Bill is introduced after the tenants know what it is it would be much better. Those poor tenants who cannot pay are in a very bad way. There are some in Goalpara district who are emigrants and have settled there. If they are pressed much they might go away and the poor people have no place even to go. I therefore oppose this Bill.

**SRIJUT NILMONI PHUKAN :—**Sir, the introduction of the Bill in so hot haste is really embarrassing to us. In this very Council we find one Bill which was supposed to be for the benefit of the tenants was thrown out by a majority of our Members, and to-day we have again another Bill which if passed, might work hardship to the tenants. As far as I understand, Sir, from the statements of objects and reasons of this Bill certain representations have been made by the zemindars of the Goalpara district. I do not know whether these zemindars belong to that class who have been in perpetual guardianship of the Court of Wards. If that be the case certainly they are always incapable of realising their dues from their tenants, and it is also well-known fact that the relations between the zemindars and the tenant are not always very cordial. The House knows full well who is the worse sufferer in this respect. As one of my friends has already referred to the unlawful demands of many zemindars I may say that it is also more or less a practice of the zemindars to demand many things of the tenants.....

**RAI BAHADUR NALINI KANTA ROY DASTIDAR :—**Certainly not.

**SRIJUT NILMONI PHUKAN :—**On various occasions. So the case of tenants in the zemindari areas is quite different from the case of the tenants of the ordinary settled areas. Again the Deputy Commissioner has been given absolute powers in this matter and that is also not desirable as a matter of principle. We find generally the tenants are illiterate and ignorant people. They are more wronged against than they wrong other persons. So in these circumstances when the case of these zemindars is not always a very happy one as regards the realisation of their dues from the tenants as some of them are perpetually under the guardianship of the Court of Wards, I think what Rai Bahadur Promode Chandra Dutt has suggested will be taken by the House as the most considerate presentation of the facts. Let us therefore consider this thing afresh, and let us take time to consider all the provisions of the Bill so that the interests of the tenants as well as the interests of zemindars may be safeguarded.

On these grounds, Sir, I oppose the introduction of the Bill.

**SRIJUT DALIM CHANDRA BORAH** :—Sir, I think this motion is one which ought not to receive the support of this Council at the present moment. I oppose this resolution apart from the arguments advanced by the Hon'ble Members who preceeded me. The Bill has reference to so many Acts and Regulations that it is quite impossible for Hon'ble Members to go through all those Acts and Regulations. The Bill having been presented to us on the 24th March and without going to all those Acts and Regulations to which the Bill makes reference, I think it will not be just and proper for Hon'ble Members to give an independent opinion on this Bill. Of course the present stage is one at which the question whether the Bill should be considered or not is under discussion, and we are to confine our arguments on this point alone. I do not say that the Bill should be rejected. My contention is whether this is the proper time to consider this Bill at once without inviting public opinion. It is no doubt true that we should look to the interests of the zemindars. The Government and the public alone must render some assistance to the zemindars for realising arrears. But at the same time we must also safeguard the interests of the ryots. There is however one objection which offers itself in this Bill and I do not know how it can be explained. The object of the introduction of this Bill, as far as I am aware, is to enforce Chapter V of the Assam Land Revenue Regulations in those localities. If this be carried, Sir, then the giving of unrestricted and undisputed authority to the Deputy Commissioner is certainly very objectionable. Under Land Revenue Regulations, Chapter V, the Deputy Commissioners are entitled to realise arrears from the tenants by attachments of properties and by sale of properties. Now, Sir, in the course of attachments and incidental proceedings, there might be several irregularities and illegalities, and if those orders are not appealable then the defaulters will have no remedy at all. Under the Assam Land Revenue Regulations of the temporarily-settled areas, the orders of the Deputy Commissioner are appealable. As those officers might make certain irregularities and illegalities in the course of attachments and sale proceedings, so the right has been given to the defaulters in order to have a remedy against all these illegal orders of the Deputy Commissioner. Here only there is a provision which entitles the defaulters to sue the Deputy Commissioner or anybody concerned for excess realisation only but not for the illegalities or irregularities that might possibly be committed by the Deputy Commissioner or persons authorised by him in attaching properties and in realising arrears by the same or by any other measure. So, Sir, there might be some other defects and deficiencies in this Bill and unless we can go through all these Acts and Regulations to which the Bill has reference, we are certainly not in a position to give our independent and honest opinions.

I therefore propose that this Bill be sent to the public for inviting public opinion so that the public may give some idea as to the desirability or otherwise of the adoption of such a course.

**MR. A. W. BOTHAM** :—I should like, Sir, to explain to the Council, with reference to the remarks of two Hon'ble Members, that the provisions of this Bill are not required in the case of those Zemindars' estates in Goalpara which are under the Court of Wards. Such estates of course already have the benefit of the procedure of the Bengal Certificate Act and they do not require the particular procedure which it is proposed to introduce now. As regards

the question of appeal against the order of the Deputy Commissioner, it is not the case that the Bill now before the Council will prevent appeals being lodged to the Commissioner against the order of the Deputy Commissioner on points of procedure. The only point on which the Bill states that there will be no appeal against the order of the Deputy Commissioner is on the preliminary point as to whether rent is due or not.

**SRIJUT LOHIT CHANDRA NAYAK** :—Sir, coming as I do from a neighbouring district of Goalpara, I pretend to know something of the difficulties under which the tenants of that district labour. I know that the tenants are more sinned against than sinning. I know there are many difficulties in their way for entertaining cordial relations with their Zemindars. I for one, Sir, cannot support this Bill on the ground that no definition has been given of what is called a general refusal. Secondly it does not give any power of appeal. The Deputy Commissioner's order is to be final. There may be many irregularities and illegalities on the part of the Deputy Commissioner in passing some orders, but without a right of appeal against his orders those irregularities and illegalities will not be corrected. Now, Sir, I do not wish that the Bill should be passed so hurriedly at a single sitting. The policy of the Government up to this time has been to protect the interest of the ryots. It is all of a sudden going to be changed. It is therefore desirable that before the Bill be committed to the Select Committee opinions should be invited and the Bill, I suggest, should accordingly be circulated for eliciting public opinion.

On these grounds, Sir, I beg to oppose the motion whole-heartedly.

**MAULAVI RASHID ALI LASKAR** :—Sir, coming as I do from a district that goes unaffected even if the Bill be passed, still I cannot help recording a few remarks in connection with this Bill. First of all from the objects and reasons I find the necessity arises in one district and I do not know for what earthly reason another district is also saddled along with it. We hear that there are certain representations and grievances from the district of Goalpara but I do not know why Sylhet is also put under the same category. Then again, Sir, it seems a bit unusual in the case of this Bill alone that while we have been following Bengal hitherto, on this occasion we are travelling almost on the other side of the Indian Empire to the Province of Oudh to frame and adjudicate this law. Then as for the necessity, Sir, it appears that the necessity is temporary and it only might apply to certain chosen localities, but there is no such provision in the Bill and also there is no knowing that it will not be permanent when it would be so favourite an instrument of oppression in the hands of some unscrupulous landlords. Of course I am open to correction, but I see one defect..... in it, that if the scope of the Civil Court is encroached upon in this way then the court-fees in plaints would not be realised and then the Government becomes the loser. Of course the process fees may be realised but the court fees on plaints are not going to be realised, I think. So here again, like penny-wise and pound foolish we are letting go the court-fees, for which we are up and doing of late. Then Sir, as for its application I hear that it may not apply broadcast in the districts, that certain localities might be selected and there it may be applied after notification. But specially in the present state of the country and after the issue of a notification from the Government as to when this Act will apply, although it will be meant for the realisation of legal dues, from the system and manner of realisation it

will become unbearable and it will smell of punitive police or something of that kind. Then, again, Sir from the hot haste with which it is intended to run through the Council, the very haste itself appears, of course apart from other considerations, a bit suspicious. Why this hot haste? Then, Sir, this Bill reminds me of the valuable remarks of His Excellency in connection with the Record-of-Rights Bill of Sylhet. His Excellency remarked that the tenants are not so well represented in this Council and hence the defect. I say here also this very well applies, *mutatis mutandis*. How many Members of this Council can claim, when a case arises between landlord and tenants, that they are representing the views of the tenants against the landlords. Then, Sir, as for remedies, first of all there is no appeal; but it is shown that there are remedies by way of instituting civil suits. I say in some cases it may be a remedy for the landlords as it is a simple thing for them to do, but in the case of the tenants it is more a sort of vocal remedy, so to say and nothing of the real kind. Can these poor people come to civil courts for realisation of one rupee or two rupees in excess, after spending say ten or twelve rupees. Then, Sir, I see this Bill will be very welcome to the landlord; but it would have been all the more welcome if all the civil suits were in a similar way thrown into the hands of the Deputy Commissioner. So, I think, at least if the Bill be not thrown away in the present stage, it should be circulated and public opinion and criticism about the necessity of the Bill should be invited and then the Bill should be brought here for consideration and not before. So, Sir, I oppose the Bill.

REV. J. J. M. NICHOLS-ROY:—Sir, the Bill has been introduced in such a short time that it seems rather unreasonable that it should get the support of the Council. It is not right to judge any question without hearing both sides. We have heard that the Bill has been introduced for the benefit of the landlords but we have not heard what the opinion of the tenants is regarding this Bill. Whether the Bill will be passed or not it seems only plausible that it should get the opinion of the tenants also. Some of the Hon'ble Members who spoke before me said something about the trouble which the tenants generally receive from the zemindars. There may be some unscrupulous zemindars, but I believe the trouble, as I have experienced it on some occasions, is not due to the zemindars themselves but to some of the under-officers, and the tenants have many times been put in great difficulties on account of some officers of the zemindars. But whatever that might be it is only reasonable that this Bill should have public opinion and the tenants should know what this Bill means to them. One of the members who spoke in Bengali said about making the tenants know what this Bill means to them. I think it is reasonable that they should know what is coming upon them, and for this reason I think that the Bill should be circulated before it be passed in the Council.

THE HON'BLE MR. W. J. REID:—In the course of a long service, Sir one fills many rôles, but the rôle of champion of oppressive landlords against oppressed tenants is one which I confess is entirely new to me. All the same I seem to have filled it fairly successfully to judge from the anxiety displayed on behalf of those oppressed tenants or rather the tenants who are likely to be oppressed. I said at the beginning, Sir, that this is an emergency measure. We regard it as nothing else, and to show that we are in earnest about this I offer now, if this will satisfy the Council, to move that

the Bill be enacted for one year and no longer. If it is found to give rise to oppression it will come to an end in a year. If it is found to work well another Bill can be framed and presented to the Council.

I tried, Sir, when moving that the Bill be taken into consideration to explain first the reasons why we had to act in such haste as we have done, and then our difficulties in finding exact definitions. I tried to make it clear that under this Bill, even if passed, nothing would be realised which was not lawful and admitted rent. I was much struck, Sir, by the fact that the motion is opposed by all the three members from the Goalpara district, but I do protest against the accusation that this Government are not concerned with the welfare of the tenants, that they are not concerned whether tenants are treated justly or unjustly, in a word that they are upholding the cause of the landlords as against the cause of the tenants. We were asked what percentage of refusals on the part of tenants would constitute a general refusal. Well, Sir, the Hon'ble member who asked that question surely did not expect an answer. The only answer I can give is that this would clearly depend on the circumstances of each case. The main decision does not rest with the Deputy Commissioner. The decision whether there is or is not a general refusal rests with the Government. There is no question of using the measure as an engine of oppression, of the Deputy Commissioner realising higher rents than have been paid in the past, of his exercising his authority to put down combinations of tenants to withhold rent for reasons. The Bill is definitely intended to meet an emergency which has arisen. We hope that after a year this emergency will no longer exist. We cannot tell.

One Member from Goalpara said that to his knowledge the tenants there were always anxious to pay their rents, that they only refused to pay when the demands made were unjust, that things this year were very much as they always have been. Well, Sir, only three weeks ago we heard from one of the biggest *zemindars* in the Goalpara district that he had not collected thirty per cent. of his rents and that there was only a month and a half remaining in which to collect the balance. Mr. Botham has explained what is meant by the order of the Deputy Commissioner not being appealable. It is not intended to take away any of the safeguards which the Assam Land and Revenue Regulation gives in respect of any realisation proceedings by the Deputy Commissioner. It was suggested that by adopting this measure we are throwing away money that we should otherwise get from court-fees. I admit the force of the argument, Sir, but it is a somewhat mercenary one and I know the Council will decide the issue on higher grounds than that. But to apply the argument of the tenant's welfare—will a tenant be worse off if he has to pay a less amount in process-fees—than he will have to pay if a decree is given against him involving the payment of court-fees and other legal charges?

Sir, lastly I should like to say, that the remarks of His Excellency the Governor on a former occasion about tenants not being well represented in this Council have borne fruit many fold. I do find myself in a peculiar position standing as the champion of the oppressor here where there are so many champions of the oppressed.

**THE HON'BLE THE PRESIDENT** :—The question was that the Assam Landlord and Tenant Procedure (Amendment) Bill be taken into consideration, since which the following amendment has been moved—

“That the Bill be circulated for opinion.” As many as are of that opinion will say “aye”. Those of the contrary opinion will say “no”. I think the “ayes” have it.

**THE HON'BLE MR. W. J. REID** :—I must ask for a division, Sir.

The motion was put and a division was taken with the following results :—

**AYES.**

1. Maulavi Abdul Khalique Chaudhuri.
2. Rai Sahib Padmanath Gohain Barua.
3. Srijut Siva Prosad Barua.
4. Srijut Bishnu Charan Borah.
5. Srijut Dalim Chandra Borah.
6. Babu Krishna Sundar Dam.
7. Srijut Bepin Chandra Ghose.
8. Khan Bahadur Muhibuddin Ahmad.
9. Maulavi Kashid Ali Lashkar.
10. Rev. J. J. M. Nichols-Roy.
11. Maulavi Rukunuddin Ahmad.
12. Munshi Safur Rahman.
13. Raj Kumar Chandra Narayan Singh.
14. Rai Sahib Bepin Chandra Deb Laskar.
15. Babu Biraj Mohan Dutta.
16. Rai Bahadur Promode Charan Dutta.
17. Rai Sahib Manomohan Lahiri.
18. Babu Jangin Sangma Laskar.
19. Maulavi Munawwar Ali.
20. Srijut Lohit Chandra Nayak.
21. Srijut Nilmoni Phukan.

**NOES.**

1. Hon'ble Mr. W. J. Reid.
2. Hon'ble Mr. A. Majid.
3. Mr. A. W. Botham.
4. Mr. A. R. Edwards.
5. Mr. J. R. Cunningham.
6. Khan Sahib Alauddin Ahmad Chaudhuri.
7. Sardar Bahadur Anjab Ali Khan.
8. Rai Bahadur Amarnath Ray.
9. Rai Bahadur Nalini Kanta Ray Das-tidar.
10. Dr. H. G. Roberts.
11. Mr. W. E. Grayburn.
12. Mr. F. H. Featherstone.
13. Mr. W. K. Allies.
14. Mr. A. Moffat.
15. Haji Muhammad Abdul Ahad Chaudhuri.
16. Khan Bahadur Muhammad Bakht Majumdar.
17. Mr. E. Roffey.

The “Ayes” being 21 and “Noes” being 17, the motion was carried.

**THE HON'BLE THE PRESIDENT** :—I take it that the amendment—  
“That the Bill be circulated for eliciting opinion” is a subsidiary motion.

**THE HON'BLE MR. W. J. REID** :—Sir, the amendment has been adopted by the Council and therefore the motion fails. We do not ask for any further vote. We accept the decision of the Council.

**ASSAM RIFLES.**

**RAI SAHIB MANOMOHAN LAHIRI** :—Sir, The resolution that stands in my name is this—That this Council recommends to the Government of Assam that the Central Government be moved to contribute seven-tenths of the expenditure that this Government may have to incur in excess of rupees twenty lakhs for the maintenance of the Assam Rifles.

The subject-matter of this resolution is very simple. This province has to maintain the Assam Rifles and the expenditure is shared both by the Central and the Assam Governments. If my information is correct the



respective contributions of the two Governments have been fixed on the basis of annual expenditure of Rs. 20,00,000, seven-tenths being payable by the Central Government and three-tenths by the Assam Government. Now, Sir, I find in the budget that the total expenditure for the Assam Rifles next year is anticipated to be Rs. 20,62,000, *i.e.*, Rs. 62,000 in excess of twenty lakhs. This excess is sure to go on increasing and we should ask the Central Government to pay seven-tenths of it. If our proposal be accepted our receipts next year will increase by Rs. 43,400, which is not at all a negligible amount. I find in the budget that a sum of Rs. 52,930 is expected to be the savings next year under this head; if there be no savings the total excess will come to Rs. 1,14,930, and seven-tenths of it will be Rs. 80,451.

We are aware that the financial position of the Central Government is worse than that of ours. But this is no reason why we should not press our claim which is just. If the Central Government can find money to meet their huge deficit they should be in a position to pay the contribution asked for which is insignificant compared with their receipts.

I hope the Hon'ble Members will accord their full support to this resolution.

RAI SAHIB PADMANATH GOHAIN BARUA :—Sir, I beg to support the resolution moved by my friend Rai Sahib Manomohan Lahiri.

THE HON'BLE MR. W. J. REID :—Sir, I said a year ago when answering a similar resolution that the Government find themselves in a somewhat difficult position. We naturally have no desire to oppose any legitimate means of getting from the Government of India a further contribution than we do at present, but there are certain considerations which cannot be overlooked. The Assam Rifles is a civil force, trained to the highest possible pitch of military efficiency but essentially a civil force, under the control, under the orders of the Civil Government, and we cannot as a Government agree to any alteration, any modification of the arrangement under which our control will be in any way impaired. That is to say if we ask the Government of India to pay the whole cost of the force or to pay a greater proportion of the cost then they do at present we do so with the implication that we continue control, that we decide not only how the force is to be used but how it is to be equipped, how the men are to be remunerated, and how all details of management are to be settled.

The Hon'ble Mover, Sir, was misinformed when he said that he believed the present arrangement to have been made on a seven-tenths basis, the annual cost at that time being twenty lakhs. The seven-tenths suggestion was made at a conference held at Simla in September or October 1919, and if Hon'ble Members will look at the estimates they will find that the annual cost at that time was considerably under twenty lakhs. Later on the Government of India in order to avoid frequent appeals for increased grants offered to give us a fixed subvention of fourteen lakhs of rupees a year. They accepted our terms about control, about employment, about everything else. They told us that within statutory limits we could do what we liked with our force but that this was the utmost contribution they were going to give us. We have not yet entered into a final agreement with the Government of India, but it is for the Council to say whether they consider the proposal was or was not a fair one.

It is rather a tempting line of argument to say that as the deficit of the Government of India is already so enormous a further lakh or so will make no difference to them and will make a great difference to us. Whether this is an argument which can be seriously put forward by this Council is for the Council to decide.

**SRIJUT NILMONI PHUKAN** :—Sir, I do not quite understand what the Hon'ble Mover means to do with this resolution or how the Government takes this resolution. I understand these Assam Rifles are here to guard chiefly the frontier and therefore the Government of India contribute substantially towards them, but because this is considered to be more a Civil force than Military and because the Provincial Government's control may not be impaired we may agree to the present arrangement. But this very thing brings me to another question. When this force is posted for guarding the frontiers the question is not so complicated, but when this force will be employed for any frontier complication which may entail an expenditure which may be very excessive, may I know who will bear the whole burden in that case? Of course if there is no definite understanding on that point; if we are to bear all the frontier expenses of any frontier expeditions, certainly our position is not very safe; we may have some time to spend lakhs and lakhs for that frontier expedition. Then if for Rs. 14,00,000 of contribution of the Government of India we agree to such an arrangement that will not be financially safe for the province. I only raise this point because it was not clear to me.

**THE HON'BLE MR. W. J. REID** :—The last speaker, Sir, touched on the cost of trans-frontier expeditions. I think I can reassure him. The subvention which the Government of India propose to give us is towards the maintenance of the force of Assam Rifles. I purposely did not repeat the explanation I gave last year of the duties of the force. I gave it in brief form a day or two ago in the course of an earlier debate.

Well, Sir, "political" is a head of Central expenditure. If we have to undertake large expeditions across the frontier we can do this only with the sanction of the Government of India. The expenses apart from the expenses of maintaining our force of Assam Rifles would we have every reason to hope be borne by the Government of India. In support of this view I may say that the cost of the extensive punitive operations against the Kukis in the years 1918 and 1919 were borne entirely by the Government of India.

As regards the resolution I do not know what the Hon'ble Mover means to do. If it is put to the Council official members will not vote.

**RAI SAHIB MANOMOHAN LAHIRI** :—Let the votes be taken.

The motion was put and adopted.

#### FORMATION OF HOUSE COMMITTEE.

**THE HON'BLE THE PRESIDENT** :—I should like to say that it has been suggested that a House Committee should be formed as has been done in the case of other Legislative Councils to assist Hon'ble Members in getting accommodation in Shillong and to look after their comfort generally. As

a result of enquiries amongst the members it appears to me that non-official members residing in Shillong, Dr. Roberts, Revd. J. J. M. Nichols-Roy and Mr. E. H. Featherstone would be the most suitable members of the committee.

The Deputy President I think should be the *ex-officio* Chairman of the Committee and it also seem desirable that one official member should be added and I propose to ask the Second Secretary to serve. The Registrar of the Civil Secretariat, Rai Bahadur Mahendra Kumar Gupta, would I think be the best person to discharge the duties of Secretary of the Committee and I propose to ask him to undertake them.

I do not think there is any further business before the Council. The Council will be prorogued by His Excellency the Governor at 1-30 p.m.

At 1-30 p.m. His Excellency the Governor attended by his personal staff arrived at Council Chamber.

His Excellency then addressed the Council as follows :—

MR. PRESIDENT AND HON'BLE MEMBERS OF THE LEGISLATIVE COUNCIL OF ASSAM:—In declaring your labours, for the time being at an end, I have to congratulate you on a very useful and profitable session. I am assured from many quarters that there has been all round a perceptible advance in the business standards of the Council, that questions and resolutions have been framed with a greater sense of responsibility, that the level of debates has risen and that on occasions when marked differences of opinion might naturally manifest themselves, the discussion has been conducted with growing restraint and dignity. In particular, if I may say so, Gentlemen, I think you have risen well to the occasion over questions of finance, and my Government is grateful to you for the way in which you have shared with it the responsibility—which as things are, is a heavy one—for financing the public business of the province. We realised, and we have made no attempt to conceal, the unsatisfactory features of the financial position. We saw no alternative but to propose fresh taxation, and while rigorously curtailing expenditure on new schemes where we felt that postponement was possible, we were yet compelled to ask for fresh expenditure on certain proposals which we felt could not safely be deferred. I know the real objections to increasing taxation and also how strongly those objections are reinforced by sentiment. In passing our two taxation Bills, the Council has shown that it realises the position and has had the courage to face the facts. As regards supply I desire to thank you for voting the greater part of the sum we asked for, and for having in many instances modified or withdrawn objections which at first sight appealed to you when you had heard the official explanation of our needs. As the Hon'ble the Vice-President has told you, the Government expects and welcomes criticisms. It asks only that criticisms should be earnest and reasoned and that critics should recognise whatever justice there is in the reply that Government makes. I have been assured that that relation has generally been maintained and I want you to feel that I gratefully appreciate it.

There is only one item in the list of demands modified by the vote of the Council to which I need refer: that is the important matter of the additional armed police—a question lying very near to the ultimate responsibility of the Government for the security of lives and property. As you know it lies within my power to restore to the Budget the amount we asked

for. There are many features in the present position which would justify such a course, and I want to tell you exactly how the position appears to me. Our proposals were framed on a fairly full consideration of local requirements. We went over the duties required of the police in several places, and the number of men required to discharge them without undue strain. We calculated what officers, buildings, equipment and other accessories were involved and we made out our bill accordingly. The Council has not questioned the need for expansion. It has, therefore, assented to our main proposition. It has not pointed out to us where our main schemes or our rates or our incidental provisions are excessive. It has taken the shorter and simpler course of withholding half the vote. Of that I make no complaint. But there is one thing against which I do desire very strongly to guard, and that is any suggestion, however indirect, that when the Government proposes unpopular expenditure it follows the bazaar plan of asking for a rupee when it really needs and expects to get only eight annas. We did name the figure that we thought was needed. Nevertheless having made it clear that we, the Government, have not inflated our demands in this matter for bargaining purposes, I do not mind saying that there are other considerations which make me reluctant forthwith to exercise my emergency powers. I believe that the political position is improving. I recognise that the Council has, for the most part, met my Government—a Government in some financial difficulty—in a moderate and friendly manner. I know that it will be more agreeable to the Council that I should not at once restore the vote, and therefore I shall not do so. The money you have voted will enable us to make a beginning and to carry on for some time. I undertake that we will, in consultation with our departmental advisers, go over the proposals carefully again and effect any changes in them that we think reasonably possible. But if we find that the sum already voted is not sufficient for what we in our responsibility judge to be the clear needs of this reserved subject, then we shall hereafter present the Council with a supplementary demand for any uncovered expenditure, and will then place before it before any final decision is taken, our reasons for our action.

Gentlemen, I need detain you no longer. Let me just say that I feel the session just concluded is one of good augury. I trust that in the future we may have the good fortune to present you with a more attractive programme, but in any case the spirit and temper of the discussions just over may be maintained. I hope that before the next session you may find yourselves in more comfortable surroundings.

Finally, I think that you, Mr. President, as well as all the Members of the Council would like me to offer a word of thanks on your behalf to the Secretary, Mr. Mellor, on the eve of his departure on leave, for the admirably courteous and efficient manner in which he has discharged the duties of his office. (Applause.)

I declare this session of the Legislative Council of Assam prorogued. The Council will re-assemble at such time and place—the time probably being early in September—as will hereafter be notified.

SHILLONG :

S. E. STINTON,

*The 18th April 1922.* } *Offg. Secretary to the Legislative Council, Assam.*

A. S. P. O. (I. R.) No. 6-150-24-4-1922-A, E. R.