

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

The Council met in the Council Chamber at Shillong on Saturday the 10th March 1923, at 11 A.M.

P R E S E N T :

The Hon'ble Rai Bahadur Nalini Kanta Ray Dastidar, *President*, the Hon'ble the two Members of the Executive Council, the Hon'ble the Minister of Education and 35 nominated and elected members.

QUESTIONS AND ANSWERS.

(UNSTARRED QUESTIONS.)

KHAN BAHADUR MUHAMMAD BAKHT MAJUMDAR asked :—

Extra  
Assistant  
Commiss-  
sioners.

1. Is it a fact that there are many Extra Assistant Commissioners who have not passed the Departmental Examination after second chance? If so, will the Government take steps to remove them from service and effect saving of expenditure?

MR. A. W. BOTHAM replied :—

1.—Excluding officers who have been exempted temporarily from the liability to pass in a language which they have had no opportunity to learn there are four Extra Assistant Commissioners who have been for over two years in the service without completely passing their Departmental Examinations. Probationers are liable to removal if they do not show proper capacity, but they are not specifically liable to removal for failure to pass their examinations within two years. If, however, Government decide to dispense with the services of any existing officers, the fact that an officer has failed to pass his examinations within a reasonable time will be taken into consideration when officers are selected for removal.

KHAN BAHADUR MUHAMMAD BAKHT MAJUMDAR asked :—

Jaintia  
Pargana.

2. Will the Government be pleased to state :—

(a) What special facilities exist for the education of the natives of Jaintia Pargana by reason of their backwardness in education?

(b) If no special facilities exist, does Government contemplate to make in future any special provision for the education of the natives of Jaintia?

3. Will the Government be pleased to lay on the table the following figures for the last five years?

(a) The total amount spent on the education of the natives of Jaintia—Primary, Secondary and Collegiate.

(b) The total amounts spent on the improvement of sanitation in the Jaintia Pargana.

THE HON'BLE RAI BAHADUR PROMODE CHANDRA DUTTA  
replied :—

2. (a)—There is a Government Middle English School at Kanairghat in which fees are charged at rates much below the standard and provision is made for the grant of free studentships up to 40 per cent. of the enrolment, and there are two free Middle Vernacular Schools, one a Government School at Jaintiapur, the other a board school at Gowainghat.

Under the School and College Scholarship Codes which are published in the Rules and Orders of the Education Department special provision is made for residents of the Jaintia Pargana, *vide* Section 30, Rule 5, and Section 32, Part II, Rules 4 and 19.

The Muhammadan residents of the Jaintia Parganas share in the general concessions in the matter of fees and scholarships granted to Muhammadans throughout the province.

(b)—In view of the answer to the first part of the question, this question does not call for answer.

3. (a)—Government regret that they have no records from which they could furnish the figures asked for.

(b)—A sum of Rs. 544 only has been spent on the improvement of sanitation in the Jaintia Pargana during the last five years ending 1921-22. This sum excludes expenditure on the improvement of water-supply.

Expenditure on water-supply is in the first instance incurred by the Local Board concerned and the Government make a contribution of  $\frac{2}{3}$  of such expenditure. Besides such contributions, Government gave special grants to the Local Board for the improvement of water-supply and sanitation in the Jaintia Pargana as follows :—

Rs. 4,320 in 1919-20.

Rs. 1,200 in 1921-22.

MUNSHI SAFIUR RAHMAN asked :—

1. Will the Government be pleased to lay on the table a statement showing separately (a) the number of officers in each division in the provincial and subordinate services of Forest Department of Assam ?

(b) The number of natives of the Brahmaputra Valley and the Surma Valley in the subordinate service, and

(c) The number of *bona fide* natives of Goalpara and Garo Hills taken in the subordinate services in the Goalpara and Garo Hills Divisions.

Number  
of officers  
in the pro-  
vincial and  
subordi-  
nate  
services  
of the  
Forest De-  
partment.

THE HON'BLE MR. W. J. REID replied :—

1. (a) and (b)—Statements are laid on the table. Forest guards who are ordinarily natives of the districts in which they work are excluded from the statements as information about them is not readily available.

(c)—The information has been called for and will be communicated to the Hon'ble Member when received.

*Statement showing the number of officers in each Division in the Provincial and Subordinate Services of the Forest Department, Assam.*

Names of Divisions.	Provincial Officers.	Subordinate Officers.
1	2	3
Goalpara ... ..	3	23
Garo Hills ... ..	1	15
Kamrup ... ..	1	11
Khasi and Jaintia Hills ... ..	...	4
Cachar ... ..	...	15
Sylhet ... ..	1	12
Lushai Hills ... ..	...	1
Darrang ... ..	1	11
Nowgong ... ..	1	9
Sibsagar ... ..	...	20
Lakhimpur ... ..	3	14
Sadiya ... ..	...	5

Statement showing the number of appointments in the Subordinate Forest Service at present held by the natives of the Brahmaputra and Surma Valleys and others in the Forest Department, Assam.

Names of appointments.	Permanent establishment.				Total.
	Number of appointments held by—				
	Natives of—		Non-natives.		
	Brahmaputra Valley.	Surma Valley.	Others.		
1	2	3		5	
Forest Ranger ...	5	8	11	24(a)	
Deputy Ranger ..	15	12	22	49(b)	
Forester ...	27	16	21(c)	64	

(a) Excluding 2 Khasis.

(b) „ one Lushai.

(c) Including one Nepali.

SRIJUT BIRAJ MOHAN DUTTA asked :—

1. Will the Government be pleased to state if there are any Government orders prohibiting ryots in the district of Goalpara from obtaining settlement of Government Khas lands in the Garo Hills or the lands appertaining to the district of Goalpara within permanently-settled Zemindaries but under the management of the Deputy Commissioner of Garo Hills? If so, will the Government be pleased to lay them on the table?

2. (a) If there are no such Government orders, is the Government aware that in practice Goalpara ryots are not allowed to hold such lands and if any one acquires such lands for consideration, he is compelled to resign them?

(b) If this is a fact will the Government be pleased to enquire if such a rule is not unnecessarily harsh to the Goalpara tenants whose Jotes are very often lost by diluvian and accreted on the other bank of Jinjiram but are unable to obtain settlement?

(c) In view of the change of conditions and the absence of any political disturbances in those parts at the present time, will the Government be pleased to cause this bar to be removed?

THE HON'BLE MR. W. J. REID replied :—

1.—The settlement of lands in the Garo Hills district is governed by section 4 of the Garo Hills Regulation (I of 1882) which runs as follows :—

“ It shall not be lawful for any British subject, or other person not being a native of the Garo Hills district, to acquire any interest in land or the product of land within the limits of the said district without the sanction of the Chief Commissioner, or of such officer as the Chief Commissioner may appoint in this behalf.

Any interest so acquired may be dealt with as the Chief Commissioner or the said officer may direct.

The Chief Commissioner may from time to time, by notification in the *Assam Gazette*, extend the prohibition contained in this section to any class of persons, natives of the said district, and may, from time to time, in like manner cancel or vary such extension.”

The section applies to all non-Garos and not only to raiyats of the Goalpara district.

2.—In the interests of the Garos the Government do not propose to take any steps to alter the law. They have no reason to suppose that it is administered harshly or inconsiderately.

SRIJUT BEPIN CHANDRA GHOSE asked :—

Goalpara  
town  
settlement.

1. (a) Has the attention of the Government been drawn to the several memorials submitted by the tenants of the town of Goalpara in respect of their grievances regarding the settlement operation in the said town ?

(b) If so, will the Government be pleased to state what steps have since been taken to remedy those grievances ?

2. Has the attention of the Government been drawn to the several articles published in the “ *Times of Assam* ” dated the 15th April and 4th March 1922, regarding the settlement operations in the town of Goalpara ?

3. (a) Have the Government made any enquiry as to the truth of the articles published in the “ *Assamiya* ” dated the 12th November and 24th December 1922, with reference to the settlement operations in the town of Goalpara ?

(b) If so, will the Government be pleased to state whether any steps have been taken up till now ?

4. With reference to the memorials submitted by the tenants of Goalpara and also to the articles published in “ *The Times of Assam* ” and “ *Assamiya* ” will the Government be pleased to state who is responsible for these settlement cases ?

5. Are Government aware of the fact that the tenants of Goalpara are being harrassed and are being ruined by so many settlement cases brought against them by the Mechpara Wards' Estate ?

If so, will the Government be pleased to state whether any steps have been taken to put a stop to these litigations ?

6. (i) Will the Government be pleased to state separately how much expenditure have already been incurred by the Mechpara Court of Wards' Estate :—

- (a) For the settlement operations in the town of Goalpara and its suburbs up to the stage of the final publication of the record-of-rights ?
- (b) For the institutions of the 105, 105A and 106 cases up to the 15th February 1923 ?

(ii) Will the Government be pleased to state who is responsible for the costs incurred in instituting these 105, 105A and 106 cases ?

7. Will the Government be pleased to lay on the table a statement in a tabular form showing separately :—

- (a) the number of Khatians prepared by the settlement officer during the survey settlement of the town of Goalpara and its suburbs ;
- (b) (i) the number of cases under section 103A of the Bengal Tenancy Act brought by the Wards' Estate against the tenants, and  
(ii) by the tenants against the Wards' Estate under the said section ;
- (c) (i) the number of cases under sections 105, 105A and 106 of the Bengal Tenancy Act brought by the Wards' Estate against the tenants, and  
(ii) by the tenants against the Wards' Estate under any of the above sections ?

8. Is it a fact that almost in all cases the same question decided in section 103A of the Bengal Tenancy Act have been raised and fought over again in sections 105A and 106 of the said Act ?

9. Will the Government be pleased to state (a) the total estimated increment of rent which the Mechpara Wards' Estate is expected to get from the tenants of the town of Goalpara by the enhancement of the rent claim by it under section 105 of the Bengal Tenancy Act in these settlement cases ?

(b) The total estimated expenditure to be incurred by the Mechpara Wards' Estate for the settlement operation and the settlement cases ?

10. Is it a fact that (a) the settlement was brought in the town of Goalpara at the instance of the Manager, Mechpara Wards' Estate ? and

(b) That after the final publication of the records-of-rights title suits have been filed by the Mechpara Wards' Estate against the tenants of the town of Goalpara ?

11. Will the Government be pleased to make searching enquiry into the whole settlement affairs in the town of Goalpara and publish its results as soon as it is done ?

Grazing grounds near the town of Goalpara.

12. With reference to the reply given to my questions asked in the last September session of the Council regarding "Grazing fields in Goalpara subdivision", will the Government be pleased to state what steps have since been taken for the said reserve in the neighbourhood of the town of Goalpara ?

THE HON'BLE MR. W. J. REID replied :—

1. (a)—The reply is in the affirmative.

(b)—The issues raised in the memorials were within the competence of the Settlement Officer to decide and the matter was accordingly left to him, subject to such directions as the Government have given from time to time.

2.—The reply is in the affirmative.

3. (a)—No special enquiry was made, but the points of difference between landlords and tenants were reported to Government in the hope of effecting a compromise and numerous concessions in connection with rates of rent and incidents of tenancy were announced. It remains to be seen how many tenants will accept these concessions.

4.—Cases have to be instituted where no amicable settlement between landlord and tenants is possible.

5.—The Government are not aware of this, but would naturally prefer that disputes should be settled without proceedings in the courts.

6. (i) (a)—Approximately Rs. 16,000.

(b)—Information is not available.

(ii)—The Hon'ble Member is referred to the reply given to his question No. 4.

7. (a)—The information is not available.

(b) (i) and (ii)—In all there have been 558 cases under section 103A.

It is not known how many were instituted by the estate and how many by the tenants.

(c) (i) and (ii)—In all there have been 859 cases. Of these 824 were brought by the Wards' Estate and 35 by the tenants.

8.—Government have no information.

9. (a)—The total amount of additional rent covered by the suits cannot be stated. The settlement is expected to give a total increase of Rs. 2,331 per annum.

(b)—Approximately Rs. 23,000.

10. (a)—The settlement was undertaken at the instance of the Court of Wards in the interests of the proprietors and the tenants.

(b)—The answer is in the affirmative.

11.—The settlement operations have throughout been closely followed by the local officers of Government, and it is not proposed to make any special enquiry.

12.—It has proved impossible to reserve a grazing ground in the immediate vicinity of the town of Goalpara, but a statement showing the areas reserved for grazing in the Bogribari mauza of the Barpeta subdivision is laid on the table.

*Statement showing the areas reserved for grazing in the Bogribari mauza of the Barpeta subdivision for professional graziers.*

Name of mauza.	Name of village.	Area in bighas.	Boundaries of reserve.	Remarks.
1	2	3	4	5
Bogribari ...	Charchapari ...	7,000	East.—Matharanga Deuldi (২).	
	Fulara ...	8,232	West.—Goalpara Charo 6.	
	Bandarmura ...	3,000		
	Deuldi (৩) ] ...	5,000	North.—Kukurmaragaon and Kismat Mainbari.	
			South.—Brahmaputra river.	
	Total ...	23,232		

SRIJUT BEPIN CHANDRA GHOSE asked :—

12. (a) Are Government aware of the fact of the gradual and steady deterioration and decline of the cattle stock of the province?

(b) Will the Government be pleased to take early steps, by legislation if necessary, to improve the condition of our cattle by permitting free grazing in suitable specified areas within the province? Cattle grazing.



THE HON'BLE MR. W. J. REID replied :—

13. (a)—Government are aware that the condition of the cattle in the province is generally poor, but are not aware that there has been gradual and steady deterioration or that the stock has declined. On the contrary statistics show that there has been a marked increase during the last five years in the number of cattle in the province, while the number of deaths from contagious diseases, which may be regarded to some extent as an index of the well-being of the stock, is on the decline.

(b)—If the Hon'ble Member will refer to the debate on a resolution moved by Babu Baikuntha Nath Roy on the 20th of September 1921 he will find a statement of the policy of Government in regard to grazing grounds and the action taken in fulfilment of that policy.

MAULAVI ABDUL KHALIQUE CHAUDHURI asked :—

Establishment of a dispensary at Satgaon

1. Will the Government be pleased to refer to my question No. 1 asked in the Council on the 21st March 1921 and state (a) what information the Government has got from the South Sylhet Local Board regarding my above mentioned question?

(b) In consideration of the poor fund of the South Sylhet Local Board, will the Government be pleased to grant a state dispensary at Satgaon in the South Sylhet subdivision?

THE HON'BLE RAI BAHADUR PROMODE CHANDRA DUTTA replied :—

1. (a)—The South Sylhet Local Board submitted an application for funds towards the establishment of a dispensary at Satgaon, but as the Board were not in a position to bear any portion of the non-recurring or recurring expenditure in connection with the dispensary, the Inspector General of Civil Hospitals did not see his way to recommending the proposal.

(b)—Government are not prepared to undertake this liability.

MAULAVI ABDUL KHALIQUE CHAUDHURI asked :—

Release of political prisoners.

2. Will the Government be pleased to follow the generous example shown by the United Provinces Government in the release of political prisoners?

THE HON'BLE MR. A. MAJID replied :—

2.—Government have made it widely known that they are prepared to release immediately any persons convicted of offences of a political nature who give 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. They are not prepared to release before the expiry of their sentence persons who decline to give this undertaking.

MAULAVI ABDUL KHALIQUE CHAUDHURI asked :—

3. In view of the pressing need for economy and all round retrenchment, will the Government be pleased to consider the feasibility of :—
- (i) doing away with all the posts of steno-typists in the province and substituting them by ordinary clerks where necessary for touring purposes only; the posts of stenographers attached to the Hon'ble Executive Councillors and Ministers and Secretaries and Under-Secretaries may be conveniently abolished or the number be reduced to two only if it is essentially required to retain some for reporting Council proceedings?
  - (ii) allowing pensions to Government servants of all grades who have rendered 25 years' service without granting any extension?
  - (iii) the amalgamation of the Public Works Department Secretariat with the Civil Secretariat as has been done in the Government of India Secretariat and the consequent reduction of office establishment including the post of Registrars?
- Abolition of the post of steno-typists.
- Pensions to Government servants who rendered 25 years' service.
- Amalgamation of Public Works Secretariat to Civil Secretariat.

THE HON'BLE MR. W. J. REID replied :—

3.—The Government do not consider the Hon'ble Member's suggestions feasible.

MAULAVI ABDUL KHALIQUE CHAUDHURI asked :—

4. Will the Government be pleased to pardon the offence of Political prisoners of Assam to make them eligible for Council or Municipal election?
- Political prisoners eligible for Council or Municipal election.

MR. A. W. BOTHAM replied :—

4.—Government are not prepared to make any general statement on the subject.

KHAN SAHIB ALAUDDIN AHMAD CHAUDHURI asked :—

1. (a) Are the Government aware that the Government of Bengal have granted the concession, among others, to the Civil Assistant Surgeons who have undertaken liability for general military service outside India, that they be permitted to count each year or fraction thereof, of their approved service in the military employ as double for their grade promotion and increment under the time-scale of pay?
- Civil Assistant Surgeons.
- (b) If so, are the Government prepared to extend that concession to the similar officers of this province?
- (c) How many such officers of this province have undertaken such liability in the military service? And what would be recurring expenditure if such concession is allowed to them?
- (d) If the answer to (b) be in the negative, will the Government be pleased to give reasons thereof?

THE HON'BLE RAI BAHADUR PROMODE CHANDRA DUTTA replied :—

1. (a)—The reply is in the affirmative.

(b) and (d)—The reply is in the negative. Government do not see any special ground for granting the concession.

(c)—Four Civil Assistant Surgeons undertook liability to serve overseas. Three of these have reverted to civil employment and one is still on military duty. There may be others, but Government have no official information. In the absence of information as to the period of overseas service rendered by these officers it is not possible to calculate what would be the recurring expenditure, if the concession were allowed.

BABU RAMANI MOHAN DAS asked :—

Assam  
Forest  
Service.

1. Is it a fact that new scale of pay has been introduced for the Assam Forest Service with effect from the 1st April 1922 and the officers have been deprived of the benefit of length of service ?

Scale of  
pay of  
Assam  
Civil,  
Education  
and  
Engineering  
Services.

2. Is it a fact that new scales of pay were introduced for Assam Civil, Education and Engineering Services about 2 years back and the benefit of length of service was given in putting officers on the new scales of pay ?

3. Are the Government aware that owing to introduction of improved scale of pay without reckoning length of service most of the officers, specially senior officers, will receive altogether less pay during the next 4 years under the new scale than what they would have drawn under the old scale, though the new scale was introduced to give them immediate relief ?

4. If the answer to the 3rd question be in the affirmative, will the Government be pleased to give these officers immediate momentary relief, and if, in the negative, will the Government be pleased to enquire and remove the grievances of the Forest Officers in this matter ?

THE HON'BLE MR. W. J. REID replied :—

1.—A new scale has been introduced from the 1st of April 1922, and the officers concerned came on to it under the rules in force.

2.—There has been an alteration in the rules governing initial pay.

3 and 4.—No one will lose under the new scale.

BABU RAMANI MOHAN DAS asked :—

Settlement  
of land with  
Srimati  
Bimala  
Devi.

5. Is it a fact that Srimati Bimala Devi of Sibsagar had applied for settlement of waste land under section 1 of 30 years' lease for special cultivation in Borpathar Mouza in the Golaghat Subdivision in January 1917 ?

6. Is it a fact that her application was struck off in December 1918 by the Deputy Commissioner, Sibsagar, after allowing it to stand for two years and when the settlement was nearing completion ?

(a) Is it a fact that in replies to questions put in the Council by myself and other members the Government was pleased to say that the poor lady would be granted settlement under section II on extremely liberal concessions?

(b) If so, will the Government be pleased to state on what liberal concessions she has been granted settlement?

7. Will the Government be pleased to state if the lady has yet received a lease of the land, and if so, on what terms?

8. Is it a fact that the Subdivisional Officer, Golaghat, has offered her settlement only for three years?

(a) Is it a fact that Rai Bahadur P. D. Chaliha of Sibsagar had applied for settlement of waste land under section I in the Tipling Mouza in Dibrugarh subdivision in July 1917 and he was granted settlement under section I though his application was made about 6 months after that of Srimati Bimala Devi?

(b) Is it a fact that the Sanmilani Company had applied for settlement of waste land under section I in the Sibsagar subdivision and the settlement was granted under section I to the Company though their application was made about one year and a half after that of the aforesaid lady?

(c) If the replies to the questions are in affirmative, will the Government be pleased to state the reasons for special treatment of these two applications?

9. Are the Government aware of the fact that she is the only Assamese lady who has ever applied for settlement of waste land for special cultivation and she has undergone much hardship during these 6 years and the whole Assamese Community have been feeling much for her hard case?

10. Will the Government be pleased to reconsider her hard case as a special favour?

THE HON'BLE MR. W. J. REID replied :—

5 to 10.—The waste land application of Sreemati Bimala Devi has come before the Government on numerous occasion. The Government are satisfied that the lady has been treated with every consideration and are unable to reconsider their decision. Nor do they propose to discuss the matter further.

BABU RAMANI MOHAN DAS asked :—

11. Is it a fact that Forest Officers of the Imperial and Provincial branches are all technically trained before they enter the Forest Service?

12. Are the Government aware that a Police Officer has been put in charge of a Forest Division and a Forest Officer of the Provincial Service of several years' standing has been placed under him and the Police Officer is drawing an allowance for holding charge of the Forest Division?

Imperial  
and Provin-  
cial bran-  
ches of  
Forest  
Service.

13. Will the Government be pleased to state whether a Forest Officer of the Imperial Forest Service with less than one year's service was placed in charge of a Forest Division, though Forest Officers of the Provincial Service with more than 5 years' service were available?

14. If technical knowledge be essential for running a Forest Division, will the Government be pleased to see the desirability of putting Forest Officers invariably in charge of Forest Divisions?

THE HON'BLE MR. W. J. REID replied :—

11.—Yes.

12.—The Political Officer, Balipara Frontier Tract, has been placed in charge of the Darrang Forest Division in addition to his own duties with the usual charge allowance of Rs. 100 a month. This arrangement has been made partly because the Darrang Forest Division is no longer treated as a major charge, and partly because all the important forest reserves of the Darrang Division are situated within the Balipara Frontier Tract. The Political Officer has experience of Forest matters, having successfully administered this division for nearly five years during the War. An officer of the Provincial Forest Service has been attached to the division to look after current business at the headquarters of the Forest Division.

13.—To fill a brief temporary vacancy, an officer of the Imperial Forest Service in his first year of service was placed in charge of the division to which he was posted. This avoided a transfer.

14.—The charge of a Forest Division is save in very exceptional circumstances always held by a Forest Officer.

HAJI MUHAMMAD ABDUL AHAD CHAUDHURI asked :—

Pasture grounds.

1. Will the Government be pleased to consult the different Local Boards regarding the letter of the Hon'ble Justice Sir John Woodroffe, K.T., M.A., B.C.L., for adequate pasture grounds in our Province?

THE HON'BLE MR. W. J. REID replied :—

1.—The Government do not propose to act as suggested.

The Hon'ble Member is referred to the reply to question 13(b) asked by Srijut Bepin Chandra Ghose at the present Session of the Council.

#### INFORMATION PROMISED AT PREVIOUS MEETINGS.

*Information promised in answer to question No. 1 asked by late Maulavi Saiyid Nurur Rahman at the Council meeting held on the 21st March 1922.*

1. (a)—A copy of letter No. 907 of 15th December 1921, from the Headmaster, Habiganj Government High School, to the Assistant Surgeon, Habiganj, is laid on the table.

(b)—The Assistant Surgeon did not consult any members of the public as he was not asked to do so. He gave his opinion after inspecting the hostel and its compound, at the request of the Headmaster who was asked by the Inspector of Schools to take his advice in the matter.

(c)—No opinion is final.

(d)—The answer to both the parts of the question is in the affirmative.

(e)—Yes.

(f)—A map of the locality is laid on the table.

(g)—The Civil Surgeon who countersigned the plan approved of the site.

(h)—The Assistant Director of Public Health advises as below :—

“ I have seen this latrine on several occasions. It is of good sanitary type—Donaldson's iron pattern. It is managed satisfactorily and is free from nuisance. It is located on an isolated site sufficiently distant from any habitation or source of drinking water. Its situation near the public road should not make it objectionable. As a matter of fact there are several public latrines and a number of private latrines in Habiganj which are similarly situated near the public roads. This proximity to the public road is not without certain advantages as it attracts immediate public notice if left in neglected condition.”

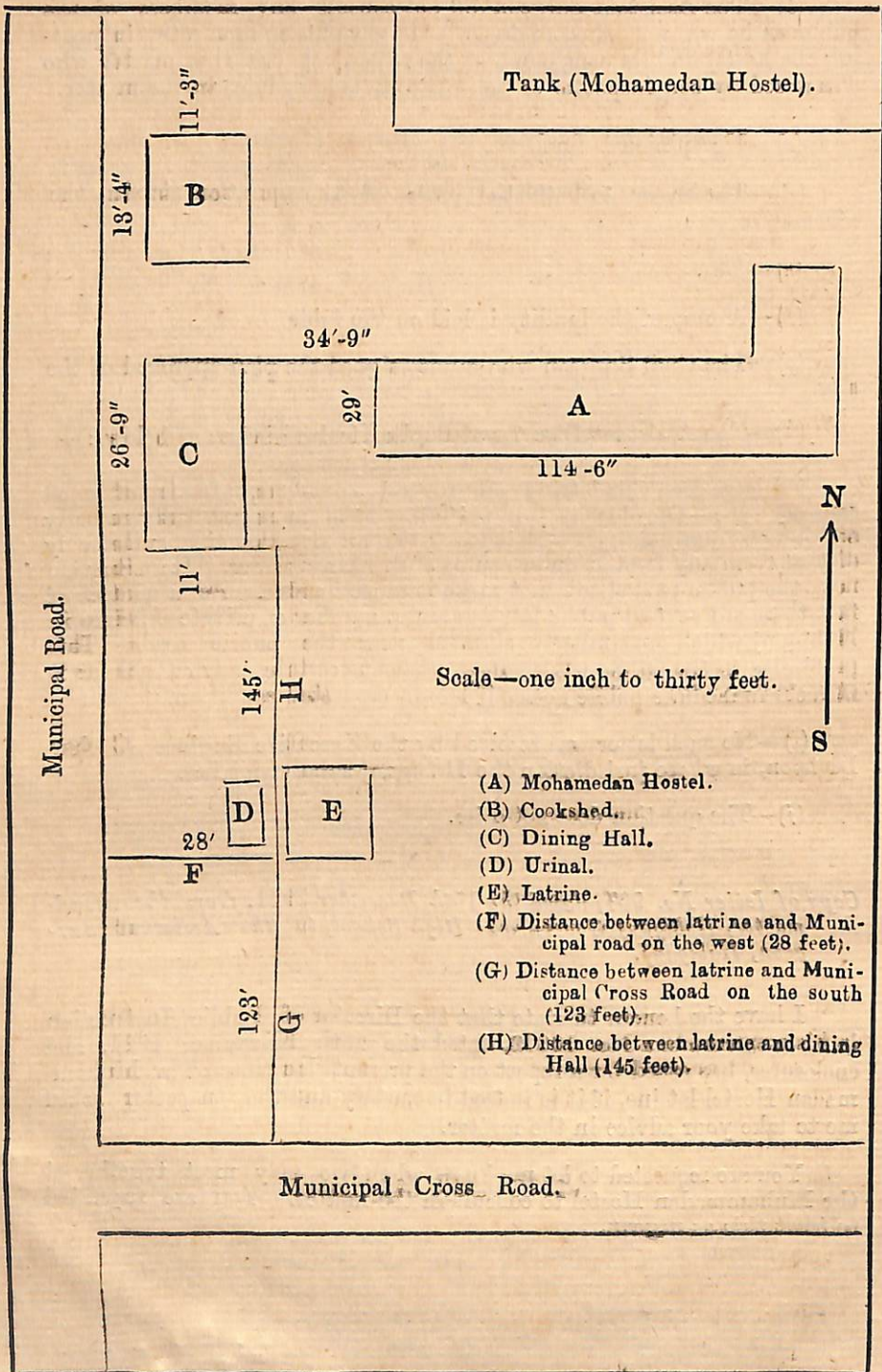
(i)—No such letter was received by the Executive Engineer, Cachar Division, in whose jurisdiction the Habiganj subdivision lies.

(j)—The question does not arise.

*Copy of letter No. 907, dated the 15th December 1921, from the Headmaster, Habiganj Government High School, to the Assistant Surgeon, Habiganj.*

I have the honour to state that the Director of Public Instruction in his memorandum No. 10872, dated the 25th November 1921, and enclosures, has asked for a report on the present location of a Muhammadan Hostel latrine, if it is indeed insanitary and the Inspector asked me to take your advice in the matter.

You are requested to let me know when we may meet together at the Muhammadan Hostel to consult in the matter. You are requested to treat this as urgent.



*Information promised in answer to question No. 1 asked by Maulavi Abdul Khalique Chaudhuri at the Council meeting held on the 14th September 1922.*

No. 2737B., dated Shillong, the 25th October 1922.

From—S. P. DESAI, Esq., I.C.S., Under-Secretary to the Government of Assam, Revenue Department,

To—Maulavi ABDUL KHALIQUE CHAUDHURI, M.L.C., Village Bizlee, P. O. Talegaon, Sylhet.

I am directed by the Government of Assam to refer to the reply given by the Hon'ble Mr. Reid to question No. 1 asked by you on the 14th September 1922, regarding the number of posts of Deputy Rangers, Foresters, Head Guards and Guards held by Muhammadans and to enclose a statement giving the necessary information regarding Head Guards and Guards.

*Statement showing the total number of posts of Head Guards and Guards in Assam and those held by Muhammadans.*

Designation.	Total number of posts.	Posts held by Muhammadans.	Number of appointments which Muhammadans might hope to hold if the sole consideration was their numerical strength in the province.
1	2	3	4
Head Guards ...	171	13	47.88
Guards ...	351	19	98.28

*Information promised in answer to questions Nos. 6, 7 and 8 asked by Maulavi Abdul Khalique Chaudhuri at the Council meeting held on the 14th September 1922.*

6.—A statement is annexed.

The numerical strength of a community in the province is not however the sole consideration and does not by itself confer a claim to appointments. It is necessary that suitable candidates should be forthcoming.

7.—In most of the offices concerned Muhammadans are under-represented, Government have taken steps to secure the further representation of Muhammadans where possible and the number of Muhammadans employed in those offices has as a consequence been doubled during the last six years. The difficulty, however, lies in the paucity of suitable candidates.

8.—Yes. A statement is annexed. In the case of the Civil Secretariat posts are not ordinarily advertised because a system exists whereby local officers annually send up the names of candidates, official and non-official, who have special qualifications.



Name of office.	Bengali.* Hindus.		Assamese. Hindus.		Ahoms.		Khasi.		Muhammadans.		Total.
	Number of appointments which the community might hope to hold if the sole consideration was their numerical strength in the province.	Number of appointments held by the members of the community.	Number of appointments which the community might hope to hold if the sole consideration was their numerical strength in the province.	Number of appointments held by the members of the community.	Number of appointments which the community might hope to hold if the sole consideration was their numerical strength in the province.	Number of appointments held by the members of the community.	Number of appointments which the community might hope to hold if the sole consideration was their numerical strength in the province.	Number of appointments held by the members of the community.	Number of appointments which the community might hope to hold if the sole consideration was their numerical strength in the province.	Number of appointments held by the members of the community.	
1	2	3	4	5	6	7	8	9	10	11	12
Civil Secretariat ...	14.8	37	17.6	14	3.64	...	3.64	14	24.64	12	86
Public Works Department ...	5.4	17	6.7	3	1	...	1	4	9.4	3	34
Director of Public Instruction ...	2.24	6	3.2	4	.48	...	.48	3	4	2	14
Director of Land Records and Agriculture, etc. ...	3.24	4	3.2	3	.48	...	.48	3	4	4	14
Inspector General of Police ...	2.88	9	3.6	3	.64	...	.64	3	5	4	18
Inspector General of Civil Hospitals and Prisons ...	3.2	15	4	2	.6	...	.6	2	5.6	1	20
Conservator of Forests, Western and Eastern Circles	2.24	8	3.2	1	.48	...	.48	3	4	2	14
Director of Industries, etc. ...	1.76	3	2.2	4	.33	...	.33	1	3	3	11
Director of Surveys ...	1.12	3	1.4	...	.21	...	.21	...	2	...	7
Director of Public Health ...	1.44	4	1.8	4	.27	...	.27	...	2.62	1	9
Secretary, Legislative Council ...	.32	...	.4	1	.06	...	.06	1	.56	...	2

\* Includes also Bengalis other than Bengalis of Sylhet and Cachar.



Information promised in answer to questions Nos. 4 (e) and (f) and 5 (a) to (d) asked by Babu Krishna Sundar Dam at the Council Meeting held on the 14th September 1922.

4. (e) and (f)—The information will be found in the annexed statement.

5. (a)—The contribution of each individual were based on his means, which in most cases were taken to be proportional to his assessment to chaukidari or municipal rates.

(b) and (d)—Preliminary enquiries were made by police officers, Extra Assistant Commissioners and Subdivisional Officers and on the basis of their reports the Deputy Commissioner made the assessment and apportioned the costs.

(c)—The new cases of objection were decided by the District Magistrate.

Statement showing certain particulars of the additional police force quartered in the proclaimed areas in Assam.

Name of district.	Name of group of villages.	Amount levied.	Number of persons assessed.	Remarks.
1	2	3	4	5
		Rs. a. p.		
Cachar	Dholoi group	8,233 8 0	378	
"	Lakhipur group	4,377 7 0	127	
"	Barkhola "	9,038 5 0	872	
"	Hailakandi "	6,133 0 0	1,327	
Sylhet	Kanaighat "	27,987 0 0	2,770	
"	Moglani "	23,285 12 0	1,103	
"	Karimganj bazar group.	10,769 1 0	247	
"	Kankalash group	2,773 6 0	267	
"	Patharkandi "	16,929 0 0	2,116	
"	Ratabari "	6,670 8 0	1,485	
"	Kulaura Jaldhup group.	9,348 11 0	967	
"	Habiganj Muchikandi group.	14,340 8 0	952	
"	Habiganj Bahubal group.	17,414 0 0	1,523	

Name of district.	Name of group of villages.	Amount levied.	Number of persons assessed.	Remarks.
1	2	3	4	5
		Rs. a. p.		
Sylhet	... Maulvibazar Rajnagar-Kamalganj group.	21,732 8 0	2,645	
"	... Sadr-Biswan a t h group.	4,920 8 0	529	
"	... Dharampassa group	4,105 12 0	733	
Goalpara	... Union No. I ...	849 8 0	530	
"	... " No. II ...	441 4 0	283	
"	... " No. III ...	368 1 0	233	
Kamrup	... Boko group ...	6,448 11 0	24,654*	* Represents the total population of the villages concerned.
Darrang	... Mangaldai group	4,974 4 6	4,011	
"	... Kalaigaon "	894 9 0	319	
Nowgong	... Raba "	3,184 0 0	347	
"	... Jamunamukh "	3,210 0 0	637	
Sibsagar	... Simoluguri-Te o k Chowkhat-Hatigarh group.	1,483 4 0	99	
"	... Chiladhuri-Morongi Dergaon group.	551 0 0	103	

Information promised in answer to questions Nos. 6, 7 and 8 asked by Babu Krishna Sundar Dam at the Council meeting held on the 14th September 1922.

In reply to questions 6, 7 and 8 asked by Babu Krishna Sundar Dam at the last September session of the Council Government undertook to collect all necessary informations which have since been received and the replies are now laid on the table.

6.—Under Section 15 of the Indian Arms Act (*vide* Government Notification No. 1033-G.J., dated the 25th February 1922) "*kuchas*" were seized by orders of the Deputy Commissioner, Sylhet, as being spears and spearheads which fall under the definition of "*arms*". In some cases in Kanairghat "*khargas*" were attached by the Police along with weapons which fall more strictly under the definition of "*arms*". Government are not aware that "*daos*" and "*lathis*" were seized but certain persons in Golapganj and Kanairghat Thana deposited "*lathis*" as well as "*khargas*" through the *saryanches*.

7. (a) and (b)—A statement (annexed) is laid on the table.

8.—Owing to the disturbed state of many portions of the Sylhet district, the District Magistrate considered it necessary for the security of the public peace to call in fire-arms held by private individuals in those localities and therefore by written orders under section 18 of the Arms Act he cancelled or suspended a number of gun licenses. As the disturbance subsided most of the fire-arms were restored to the owners.

Thana.	Number of guns on 31st December 1921.	Number of guns on 1st August 1922.	Number of guns seized or con- fiscated between 31st December 1921 and 1st August 1922.
1	2	3	4

#### SADR SUBDIVISION.

Sadr ... ..	251	186	65
Gowainghat ... ..	137	75	62
Jaintiapur ... ..	79	55	24
Kanainghat ... ..	55	11	44
Golabganj ... ..	62	21	41
Fenchuganj ... ..	39	33	6
Balaganj ... ..	34	13	21
Biswanath ... ..	19	9	10
Total ... ..	676	403	273

#### SUNAMGANJ SUBDIVISION.

Sunamganj ... ..	190	196	1
Tahirpur ... ..	51	51	...
Chhatak ... ..	71	70	3
Derai ... ..	41	36	9
Sullah ... ..	13	13	...
Jagannathpur ... ..	20	20	...
Dharampassa ... ..	128	124	4
Total ... ..	514	509	17

Th. na.	Number of guns on 31st December 1921.	Number of guns on 1st August 1922.	Number of guns seized or con- fiscated between 31st December 1921 and 1st August 1922.
1	2	3	4

## KARIMGANJ SUBDIVISION.

Karimganj	...	157	136	144
Joldhup	...	153	122	152
Patharkandi	...	98	54	98
Ratabari	...	87	27	88
Badarpur	...	43	42	40
Total	...	538	381	522*

## HABIGANJ SUBDIVISION.

Habiganj	...	90	73	17
Bahubal	...	47	31	16
Muchikandi	...	128	121	7
Madhabpur	...	120	112	8
Lakhai	...	21	15	6
Ajmiriganj	...	33	29	4
Baniachung	...	60	36	24
Nabiganj	...	72	54	18
Total	...	571	471	100

## SOUTH SYLHET SUBDIVISION.

Maulavi Bazar	...	44	39	...
Kulaura	...	86	82	...
Kamalganj	...	48	41	47 details not given.
Rajnagar	...	42	36	...
Srimangal	...	38	38	...
Total	...	258	236	...

\*NOTE.—Out of 522 guns temporarily confiscated—381 were returned before 1st August 1922.

THE HON'BLE MR. W. J. REID :—I beg, Sir, to present to the Council the report of the Public Accounts Committee on the Audit Report for the year 1921-22.

REPORT OF THE PUBLIC ACCOUNTS COMMITTEE ON THE  
AUDIT REPORT FOR THE YEAR 1921-1922.

The Committee have the honour to report that they have considered the Audit Report for the year 1921-1922 and the action which the Government has taken or proposes to take. They are of opinion that the action taken or proposed to be taken is in all cases adequate and that no further action is necessary.

W. J. REID, *President.*

A. W. BOTHAM,

R. AHMAD,

MUNAWWARALI,

E. H. FEATHERSTONE,

} *Members.*

ASSAM MUNICIPAL BILL, 1922.

SECTION 76.

*Tax on inhabitants.*

THE HON'BLE RAI BAHADUR PROMODE CHANDRA DUTTA :—  
Sir, as a consequence of the amendments which have been accepted by this house it is necessary to make certain changes, and I propose to do so in the form of amendments.

Hon'ble members will remember that we accepted an amendment authorising the imposition of a tax on inhabitants. That makes it necessary that provision should be made in the Act for the preparation of a register and other preliminaries. With that object in view I propose that certain sections which have been taken from the old Assam Act and from the Bengal Act, III of 1884, be added. They are as follows :— I propose that after section 76 the following sections be inserted under the heading 'Tax on inhabitants' :—

76A. When it has been determined that a tax on inhabitants shall be imposed, the Board after making such enquiries as may be necessary shall cause to be prepared an assessment register which shall contain the following particulars, and any others which the Board may think proper to include :—

Assessment register to be prepared.

(a) name of inhabitant ;

(b) name of street or road in which he resides ;

(c) description of property held by him within the municipal area and his profession or business, if any ;

(d) amount of tax payable annually ;

(e) amount of quarterly instalment ;

(f) in case of exemption from assessment, a note to that effect.

76B. Save as is herein otherwise provided, every assessment of the tax upon inhabitants shall take effect from the beginning of the financial year next following that in which due notice required by section 81 is published and shall be valid for three years and until the beginning of the financial year next after the date on which a new assessment or valuation may be published, or until the assessment and valuation be revised and amended.

Duration of assessment. Provided that when this Act is extended to any place, the first assessment may take effect from the beginning of the quarter next following that in which the said notice shall be published.

76C. In any municipality in which the tax on inhabitants is imposed, no tax shall be assessed on any person in respect of his occupation of any holding which contains any building the property of Government or of a local authority, but a rate prescribed under rules made under this Act may be assessed on such holdings and such rate shall be payable by Government or the local authority concerned.

76D. If any person assessed to the tax on inhabitants and mentioned in the assessment register shall at any time after the publication thereof have ceased to reside within the municipality, or if the means and property in respect of which he has been so assessed shall have been reduced the Board may on his application exempt him from his assessment or may revise the same; and such exemption or revision shall take effect from such date as the Board may direct.

76E. The Board may, at any time, after the publication of the notice required by section 81 assess any person who was without authority omitted from the assessment register or whose liability to assessment has accrued thereafter and may enhance any assessment which appears to them to be inadequate and to have been so made owing to mistake, inadvertence or fraud.

Power to apply for reduction of assessment in altered circumstances. Any assessment or enhancement made under this section shall take effect from the beginning of the quarter next following that in which such assessment or enhancement is made.

The motion was adopted.

#### SECTION 77.

THE HON'BLE RAI BAHADUR PROMODE CHANDRA DUTTA :—  
Sir, I beg to move that in line 2 of sub-section (3), section 77, the words 'on a holding' be omitted.

That in line 4 of sub-section (3) for the words '(a), (b), (c) and (d),' the words '(a), (b), (c), (d) and (e)' be substituted.

The motion was adopted.

#### SECTION 81.

THE HON'BLE RAI BAHADUR PROMODE CHANDRA DUTTA :—  
Sir, I beg to move that in line 3 of sub-section (1), section 81, after the words 'section 72' the words 'or in section 76A' be inserted.

The motion was adopted.



## SECTION 92.

THE HON'BLE RAI BAHADUR PROMODE CHANDRA DUTTA :—Sir, I beg to move that in line 2 of sub-section (1), section 92, after the word 'on' the words 'inhabitants or on' be inserted.

The motion was adopted.

## SECTION 298.

THE HON'BLE RAI BAHADUR PROMODE CHANDRA DUTTA :—Sir, I beg to move "that consequent on the amendments made in section 260, the following amendments be made to section 298 :—

- (1) after the word 'occupier' in line 2 the words 'or to the owner and the occupier' be inserted.
- (2) after the word 'occupier' in line 3 the words 'or both' be inserted.
- (3) after the word 'occupier' in line 20 the words 'or both' be inserted.
- (4) after the word 'him' in line 21 the words 'or them' be inserted."

The motions were adopted.

THE HON'BLE RAI BAHADUR PROMODE CHANDRA DUTTA :—Sir, I beg to move that section 3, clause 31(b) be amended as follows :—

'the license fees on carriages and animals and the registration fee on carts' instead of 'the license fees on carriages, carts and horses.'

This is merely a verbal change.

The motion was adopted.

## SECTION 13 (IV).

MR. A. MELLOR :—Sir, I beg leave to move three formal amendments which I have suggested with the object of making the language of certain clauses, which have been recently amended, more concise. In all three cases the Hon'ble Members who moved the amendments have given their consent and approval to these amendments.

*In section 13 (iv)*—I wish to slightly recast it so that the concluding portion will run as follows :—

'..... on such conviction, or has been ordered by a Criminal Court to furnish security for good behaviour under the Code of Criminal Procedure, unless such conviction or order has been set aside or such offence pardoned by competent authority.'

The motion was adopted.

## SECTION 59.

MR. A. MELLOR :—Sir, the next amendment deals with section 59. It relates to the proviso to Rai Bahadur Amanath Ray's amendment adding a tax on inhabitants. The proviso instead of coming immediately after clause (b) will come at the end of sub-section (1) and will be proviso (i) and in order

to make it conformable to the language of the existing proviso which will become the second proviso. I propose that it may run as follows :—

“ Provided (1) that both the taxes mentioned in clauses (a) and (b) shall not be imposed at the same time in the same ward except to this extent that in a ward where the tax on inhabitants is in force the public buildings and offices shall be assessed with the tax on holdings only according to a scale to be prescribed by rule.

The motion was adopted.

#### SECTION 182.

MR. A. MELLOR :—The last one, Sir, deals with section 182 as amended on the motion of Maulavi Munawwarali. It will make the section a little more concise if the following wording is adopted and I suggest that the Council may be pleased to sanction the slight change which is involved. The section as amended will run as follows :—

“ The Board may, by notice, require the owner or occupier of any land within such time as the Board may fix to cut and remove any trees or bamboos or branches thereof, or eradicate and destroy *lantana*, *eupotarium*, water-hyacinth or other vegetation or undergrowth which may appear to the Board to be injurious to health or offensive to the neighbourhood or to be causing or likely to cause damage or destructions to any crop growing or to be grown or to be obstructing or likely to obstruct the free passage of men or animals along a public road, or of any boat or steam vessel along a public water way.

The motion was adopted.

THE HON'BLE RAI BAHADUR PROMODE CHANDRA DUTTA :—Sir, I beg to move that the Assam Municipal Bill, 1922, as amended, be passed.

The motion was adopted.

The Assam Municipal Bill, 1922, as amended, was declared to have been passed.

THE HON'BLE RAI BAHADUR PROMODE CHANDRA DUTTA :—I desire to congratulate the house on the conclusion of their labours. They have to-day placed on the Statute Book an Act, which, I hope, will be of lasting benefit to this province. My Hon'ble Colleague, the Hon'ble Rai Bahadur Ghanasyam Barua, unhappily still lying in bed, will be glad to hear that his favourite Bill has been passed by the Council and on his behalf as well as mine, I tender our thanks to the Hon'ble Members for their kindness, courtesy and support. My special acknowledgments are due to Mr. Mellor and to Mr. Lainé for their advice and ungrudging help, but for which I should have found it very difficult to discharge the duties which had been entrusted to me.

#### DEMANDS FOR SUPPLEMENTARY GRANTS.

THE HON'BLE MR. W. J. REID :—I beg, Sir, to move that an additional sum of Rs. 92,386 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 1923 for the administration of the head ' 5.—Land Revenue.'

We have received no notice of any motion for reduction.

The motion was adopted.

THE HON'BLE MR. W. J. REID :—I beg, Sir, to move that a sum of Rs. 12,000 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 1923 for the administration of the head '22.—General Administration.'

The motion was adopted.

THE HON'BLE MR. W. J. REID :—I beg, Sir, to move 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 1923 for the administration of the head '31.—Education (European, etc.).'

The motion was adopted.

THE HON'BLE MR. W. J. REID :—I beg, Sir, to move that an additional sum of Rs. 2,95,000 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 1923 for the administration of the head '41.—Civil Works.'

Hon'ble Members will see that the figure for the demand as now presented is considerably less than that set forth in the original statement. The reason is that there have been surrenders by the Public Works Department, so that our demand now covers only two specific items, the Council Chamber and the Murarichand College. There is, Sir, a notice of motion of reduction as regards this grant.

MAULAVI MUNAWWARALI :—I beg, Sir, to move that the demand or Rs. 3,26,679, item No. 4, be reduced by Re. 1.

It will be found, Sir, in the explanatory memorandum that the demand covers as many as twelve items, but the item to which my motion is directed is the item on the expenditure on the Council Chamber. It will be seen, Sir, that an additional sum of Rs. 1,75,000 has been asked for. Before entering into any discussion, Sir, I beg, to ask the Hon'ble Finance Member to give me replies to the following questions :—

Who made the original estimate and who sanctioned it and what was the original estimate? Who altered that estimate, how altered and under whose authority?

THE HON'BLE MR. W. J. REID :—The hon'ble member's request is a somewhat unusual one. Of course I am quite willing to give him in due course the various estimates. But the only possible answer to his question is that the estimates were approved by the Government of Assam who are responsible. Beyond this no question can properly be asked nor can any answer be given.

MAULAVI MUNAWWARALI :—The Council, Sir, remains in the dark as to the particular individual on whom the responsibility essentially rests. As far as my information goes, Sir, the Council Chamber's original estimate was Rs. 1,50,000. If I am correct, Sir, it will be seen that the cost of the Council Chamber has trebled, it will be found that it is over Rs. 4,50,000. In these days of financial stringency can we afford to be extravagant. I do not say waste, I would ask the hon'ble members to distinguish between waste and extravagance, I call it extravagance that which for the time being we could have done at a less cost although the return might be quite appropriate, *i.e.*, if I can do it with Rs. 1,000 I must not spend Rs. 3,000 for it, as the Council Chamber case stands. We are proud of the Council Chamber in which we are conducting our deliberations; it is a very fine if indeed a very costly building and it is also a structural beauty, but Sir, can we at this stage, in these times, afford to be so fine. Can we? Under these circumstances, Sir, architecture or architectural beauty to my mind, as far as I have been able to gather from history, come in the days of plenty, and beauty and art follow plenty, wealth and happiness. Are we very happy, prosperous and wealthy? Certainly not. We have from time to time postponed schemes which had the best claims on our attention which were a *sine qua non* for their mere existence in this world.

We are, Sir, in the position of a prodigal man who has spent almost all he has and is dreaming of a lovely stately building having nothing to eat in the morning. The question strikes me that if a stranger or a writer of history will visit this place and see the splendour of the Chamber and if he had not gathered the facts or pride deeply into the receipts he would certainly conclude that this is a province of plenty and pleasure, because I have already told you Sir, that architecture, art and beauty are not invited by poverty but they follow prosperity, wealth and happiness. The question, Sir, is one over which every individual, every citizen, every tenant has a right to clamour and to feel that we are really not cutting our coat according to our cloth when the need is a dire one for that. We had in the first budget session of our Council rejected a proposal for a Museum at Gauhati which would have afforded food to our imaginations, culture, and taste. We, Sir, I submit, are not in a position to be prodigal under the present circumstances. Of course it would be a good tradition to the public, to the people of this province, but I must say that we are not in a position for or tradition now that we are faced with a great calamity. We should not have been doing our duty quite properly if we had left this item unchallenged. I have challenged this prodigal expenditure on the ground that Government should take stock of our action, take stock of the fact that our financial position does not allow us to go beyond our resources to add a single thing to what is direly and indispensably necessary. This is a warning to Government that they in future should be very very careful, should count ten before they take to any project of expenditure like this. By this motion I did not mean anything, as the very omission indicates—I have proposed a reduction of a rupee only. I think if it were a question of amount the Government would have readily accepted it, but, Sir, as this is a question of very great principle involved and from a constitutional point of principle I have urged this point and would urge it to the most serious attention of the hon'ble members who would vote in its favour so that it may be a warning to the Government for the future.

With this few observations I place this most important amendment for the consideration of the hon'ble house.

THE HON'BLE MR. W. J. REID :—I cannot pretend, Sir, to be surprised that the cost of this Council Chamber has been questioned. The Council were told in the September meeting what the cost actually came to, and I anticipated in my budget speech that we should hear more of it. I readily admit, Sir, that the Council have every right to question the cost, if not to complain about it, and I welcome the opportunity of making a statement. Also we appreciate very much the manner in which the mover of the resolution has called attention to this important subject.

Well, Sir, the hon'ble mover asked who was responsible, and I said the Government of Assam. I shall qualify this by saying that on His Excellency the present Governor at least no responsibility falls. I am afraid that the Hon'ble Mr. Majid and I must stand as the people responsible and of the two my Hon'ble Colleague is the more innocent. He relied perhaps too much on the Finance Department acting the part of watchdog and seeing that the cost did not go too far, and on this occasion I must confess sorrowfully that the Finance Department were not so wideawake as they usually are. There was considerable delay before the estimates came before them, and by that time matters had reached a stage at which interference was impossible. The confession that regular estimates were not prepared for some time is a lamentable one. Against this I can only plead that we were all anxious to give effect to the decision of this Council to have their own Council Chamber in which they could meet, to have it at the earliest possible date, and to have a suitable and worthy building. Hon'ble members will not have forgotten what His Excellency Sir Willam Marris said when he laid the foundation stone of the building and what His Excellency Sir John Kerr said a few days ago when he declared the Council Chamber open. We have not limited ourselves to the strict immediate requirements of the Council. We have provided for some expansion, and we have I think given the Council a building of which, as the hon'ble mover of the resolution said, they may well be proud and I believe are proud. It is true, Sir, that if the Chamber itself had been smaller, that if the supplementary rooms had been fewer and smaller the cost would have been less. The result would have been the same if we had not had that fine library which will dominate the whole building, if we had no separate prayer room for Muhammadan members, if we had not these large tiffin rooms for the members in general and for the orthodox Hindus. In fact, Sir, heavy as the cost has been I confess that in the first few days of this session I almost regretted that I had not insisted on providing steam heating for the building even if this had made the cost a little higher than it already is. I submit, Sir, that the cost of the building expressed in rupees is nothing out of the way. It amounts to a little more than two per cent. of our annual income. But I freely admit that in the present state of our finances an expenditure which at other times might have been perfectly legitimate must appear as an extravagance, and again I have to confess that the Finance Department did not intervene as early as it might have done. In extenuation I might plead that the cost of materials was higher than was first anticipated and it was found necessary to build more strongly. I might also plead that the wages of labourers had greatly increased owing to the amount of private building that was going on in Shillong. But I prefer, Sir, only to say that the Council have now been provided with a beautiful and worthy Council Chamber at a cost higher than was perhaps altogether wise. And I can only hope that my hon'ble friend who moved the Resolution and the Council will condone what has happened and will accept the Council Chamber as it is.

**SRIJUT LOLIT CHANDRA NAYAK** :—Sir, I rise to associate myself with every word that has fallen from my learned colleague Maulavi Munawwarali. The cost of the Council Chamber has been raised to a degree which we never anticipated. Yes, it is true that material surroundings have a way of subtly influencing our minds and we have in this Council Chamber all the amenities of Council life. Still, Sir, I am of the opinion that in these very hard days of financial stringency such a cost should never have been incurred in constructing such a sumptuous, gorgeous and luxurious Council Chamber. We, Sir, in the Local Boards while serving on the Municipality find fault with our surveyors if they exceed their estimates, even by pie. But in this particular case of the Council Chamber the estimate has been raised three-fold, probably more than 300 per cent. This is something colossal. Of course when all this money has been spent there is no use crying over spilt milk. In conclusion, Sir, I beg to support my learned friend's amendment with all the emphasis that I can command.

**MAULAVI MUNAWWARALI** :—With your permission, Sir, I wish to say a few words before the debate is concluded.

I note, Sir, that the effect which it was my intention to produce on the minds of those responsible has now been so produced, and I do not think, Sir, that by passing a resolution formally we mean more than this. Therefore as the warning has struck deep into the hearts of those responsible, I beg, Sir, to be permitted to withdraw my motion.

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

The original motion was then put and adopted.

**THE HON'BLE MR. W. J. REID** :—I beg, Sir, to move 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 1923 for the administration of the head '43.—Famine Relief and Insurance.'

The motion was adopted.

**THE HON'BLE MR. W. J. REID** :—I beg, Sir, to move that an additional sum of Rs. 39,000 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 1923 for the administration of the head '47.—Miscellaneous.'

The motion was adopted.

**THE HON'BLE MR. W. J. REID** :—I beg, Sir, to move that an additional sum of Rs. 12,000 be granted to the Governor in Council to defray certain charges which will come in the course of payment during the year ending on 31st March 1923 for the administration of the head "52.—Miscellaneous Adjustments between the Central and Provincial Governments."

The motion was adopted.

**THE HON'BLE MR. W. J. REID** :—I beg, Sir, to move that a sum of Rs. 2,00,000 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 1923 in connection with the Goalpara Tramway Scheme.

The motion was adopted.

**THE HON'BLE MR. A. MAJID** :—I beg, Sir, to move that an additional sum of Rs. 1,94,000 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 1923 for the administration of the head '24.—Administration of Justice.'

The motion was adopted.

THE HON'BLE MR. A. MAJID :— I beg, Sir, to move that an additional sum of Rs. 2,227 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 1923 for the administration of the head '25.—Jails and Convict Settlements.'

The motion was adopted.

RAI BAHADUR PROMODE CHANDRA DUTTA :—I beg, Sir, to move :—

"That an additional sum of Rs. 26,094 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 1923 for the administration of the head '33.—Public Health.'"

The motion was adopted.

#### ASSAM STUDENTS AND JUVENILE SMOKING BILL, 1922.

REV. J. J. M. NICHOLS-ROY :—Sir, I beg to move :—

That the Assam Students and Juvenile Smoking Bill, 1922, be referred to a Select Committee, consisting of the following members :—

1. Rai Bahadur Amarnath Ray.
2. Maulavi Rashid Ali Laskar.
3. „ Munawwarali.
4. Srijut Nilmoni Phukan.
5. „ Dalim Chandra Borah.
6. The Government Member in charge of the Department to which the Bill belongs.
7. The mover.

In making this motion, Sir, I beg to remind the house that according to the rules the member in charge of a Bill can move first that the Bill be at once taken into consideration ; secondly that it may be referred to a Select Committee, and thirdly that it may be circulated for eliciting public opinion. I have taken the second step for I consider that it is unnecessary to circulate it. I believe there is already in the country a volume of opinion against juvenile smoking. Again, Sir, in making this motion I do not intend in any way to incur any expenditure of public money. The Select Committee can meet at some leisure hours during the council session and it will depend only on the kindness of the Minister in charge of the Bill to spare some time for the purpose. It has been pointed out, Sir, to me that in the list of names which I have put down as constituting the Select Committee no muhammadan member from the Assam Valley has been represented, and if you, Sir, will permit me, I wish to add the name of Maulavi Rukunuddin Ahmad in the list of names for the Select Committee.

SRIJUT DALIM CHANDRA BORAH :—Sir, in my opinion the Bill should be circulated for eliciting public opinion. For myself I am not in favour of this Bill being an inveterate smoker, and cannot therefore conscientiously support it (Laughter). I consider also Sir, that what is legiti-

mately the duty of parents and teachers should not be made the subject of this Council. If we can come up with such a subject, we may as well come up before the council with a Bill asking that those children who generally sleep till a late hour in the morning, should be roused at a very early hour. So I consider that these are trifling matters which should not be the business of the Legislative Council. However, I suggest that the Bill be circulated for public opinion. As for the representation of the Members from various parts of the Province on the Select Committee, I might point out that some more members of the Assam Valley should be included. If my Muhammadan friends of the other Valley are not satisfied with their number, then I would suggest adding the name of Khan Bahadur Kutubuddin Ahmad and Khan Sahib Alauddin Ahmad Chaudhuri (laughter).

**SRIJIT NILMONI PHUKAN** :—Sir, I fear I cannot quite agree with my predecessor in his remark that such a legislation should not come up before the Legislative Council. Smoking is a very common vice among school children and also among young men in this Province, and the evil effects of smoking are well known throughout the length and breadth of the country. Cigarettes of a very deleterious quality are to be had in this country for almost a song. I think for about 10 cigarettes one has got to pay not more than a couple of pice. The smoking of such deleterious cigarettes has undoubtedly affected the health of many young people and also of school children. As a school teacher I can bear testimony to the fact that those students who are not particularly bright in their studies are mostly inveterate smokers. As I have just said, a packet of cigarettes can be had for about a couple of pice, and this I think is only the case in our unfortunate country. So I cannot believe for a moment such a legislation is a novelty in our country. I do not know exactly, but if I am well informed, I think there is such legislation in Western countries, in other civilised countries, legislation such as The Children's Act, Juvenile Smoking Act, etc. If this is possible in other countries I do not see any reason why it should not be possible here. The only point that may be raised against it is whether it will be possible or feasible to enforce it effectively. But that is a different question. We know of many laws which have been violated with impunity in this world. This might be another. But that is no reason why we should be afraid to legislate against such a vice. And as a matter of fact even now there is a departmental circular in the Education Department against smoking by the school children. Now, at whom is this Bill aimed? Chiefly the school children, and in addition to them, other young men who may also contract this habit and who may also be injured by this vice. So I do not think this is a matter to be taken light-heartedly.

Again, as regards public opinion for which the Bill is to be circulated, I have no faith in it. As far as my experience goes nobody takes much interest in these things. Now, by the way, take the case of the opinions on the smoking of opium, I have been to many places, to many shops asking the opium-eaters about this and I have got their statements with me. These opium eaters unanimously say that this is the vice they contract in the habit of smoking opium and they would be very glad if some such legislation is enacted against the smoking of opium. But what do we find is the opinion of the public in the report that was circulated in the last council session? So I have no great faith in this 'public opinion'. If we are serious about it let us take it as it is, let the Bill be referred to the Select Committee, and if it comes out from there as a feasible piece of legislation then we may accept it in the next Council.



THE HON'BLE RAI RAHADUR PROMODE CHANDRA DUTTA :— Sir, the attitude of the Government with regard to this Bill is entirely neutral. I shall however in the interest of economy make it a condition that the Select Committee will sit during the next session, if sitting earlier would entail the calling of members from the mofussil.

THE HON'BLE MR. W. J. REID :—I think, Sir, the member in charge of the Bill himself said that in the interests of economy he would have the Select Committee, if the house agreed to the Bill being referred to a Select Committee, meet during some hours of leisure while the Council was sitting. As the present session will conclude in a few minutes I am afraid this will have to be during the next session.

REV. J. J. M. NICHOLS-ROY :—Sir, it has been suggested that the Bill should be circulated for public opinion. It is on that ground that objection has been taken to the present motion—to refer the Bill to a Select Committee. I do not see the reasonableness of this attitude. We have been crying against expenditure of money, and this method, if it be taken, of circulating the Bill for public opinion will mean an extra expenditure. But if the Bill be referred to a Select Committee it will not require any public expenditure. Therefore it is only right I think considering it from the financial standpoint that the Bill for the present be referred to a Select Committee. I hope the Hon'ble Member who raised objection to this motion will not object to being one of the members of the Select Committee—in fact he indicated that he would not object. In case he is not able to be present during the time we shall meet we will not force him, and he might be excused, because there will be other members who will, nay, the majority of the members will probably sit and consider the question.

I think therefore that the House will not object to the Bill being referred to the Select Committee, the names of the members of which I have already mentioned.

SRIJUT DALIM CHANDRA BORAH :—It will not be convenient for the Select Committee to sit during this session. We have no objection to its sitting during the next session.

REV. J. J. M. NICHOLS-ROY :—As to that, Sir, I have no objection if the Select Committee meets only during the next session.

The motion was adopted.

#### PROROGATION.

The Secretary to the Council then handed to the Hon'ble the President notification by His Excellency the Governor of Assam proroguing the Council which the Hon'ble the President read out to the Members.

“ No. 164L, dated the 9th March 1923.—In exercise of the power conferred by section 72B, sub-section 2 of the Government of India Act, His Excellency the Governor is pleased to declare that at the conclusion of the meeting on the 10th March 1923 the Assam Legislative Council stands prorogued.”

The next session of the Council will commence on the 5th April 1923.

SHILLONG :

A. MELLOR,

The 14th March 1923. }

Secretary to the Legislative Council, Assam.

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