

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

The Council met in the Council Chamber, Shillong, on Thursday, the 12th April 1923, at 11-30 A.M.

PRESENT :

The Hon'ble Rai Bahadur Nalini Kanta Ray Dastidar, *President*, the Hon'ble two Members of the Executive Council, the Hon'ble Minister of Education and 36 nominated and elected Members.

QUESTIONS AND ANSWERS.

(UNSTARRED QUESTIONS.)

MAULAVI MUNAWWARALI asked :—

Corrup-
tions
among
Govern-
ment
servants.

1. (a) Are the Government aware what steps other provinces are just now taking with a view to prevent corruptions among Government servants ?

(b) If so, will the Government please concisely state them for information of the Hon'ble Members ?

(c) Have the Government taken any steps in that direction ?

Shillong
Municipality.

2. Will the Government please state whether the area comprised within the limits of the Shillong Municipality is within a "regulated", "non-regulated" or "scheduled district" ?

MR. A. W. BOTHAM replied :—

1. (a) and (b)—This Government are not aware what steps other Governments are taking in the matter.

(c)—The matter is dealt with in sections 161 to 165 of the Indian Penal Code. Government have not taken any further steps.

2.—The area of the Shillong Municipality lies partly within British territory and partly within the territory of a Khasi State. That portion which lies within British territory is part of what is known as a "non-regulation" district, and is also part of what is declared to be a "scheduled district" under the Scheduled Districts Act, 1874.

MAULAVI MUNAWWARALI asked :—

3. (a) Are the Government aware that many revenue cases (Mutation and Partition) are pending in the Courts of first instance in the district of Sylhet for unusually long years without the final decision having been arrived at? Mutation and Partition cases.

(b) If so, will the Government please state ?

- (i) the reason generally of such state of things ?
- (ii) number of cases in each subdivision of the district pending for six years and over with the years of their institution ?
- (iii) what steps they have taken with a view to preventing such state of things ?
- (iv) If none already taken what steps, if any, they have decided to take in this direction ?

THE HON'BLE MR. W. J. REID replied :—

3. (a)—Government are aware that in the Sunamganj subdivision, there are a number of partition cases, which have been pending for a long time. In the other subdivisions of the Sylhet district mutation and partition cases are not reported to be in arrears.

(b) (i)—Local difficulties have contributed to the delay. Among these may be mentioned the resignation of amins and the occasional incompleteness of papers. The uncompromising manner in which every stage of a case is contested is also largely responsible.

(ii)—Full information is not available, but it is understood that in the Sunamganj Subdivision fourteen perfect partition cases have been pending for more than six years. There are possibly some long pending imperfect partition cases also.

(iii) and (iv)—The matter is engaging the attention of the Commissioner of the Division.

MAULAVI SAIYID SAMIUR RAHMAN asked :—

1. Are the Government aware that dacoities and thefts are prevalent in Muchikandi thana since last year? Dacoities within Muchikandi thana.

(a) and to state the number of dacoities committed in Muchikandi thana since February 1922 up to this date,

(b) and to state whether the police of Muchikandi thana were able to find out clue in any one of them ;

(c) If not then what action are the police taking ?

THE HON'BLE MR. A. MAJID replied.

1.—Yes.

(a)—The number of dacoities reported is ten.

(b) and (c)—Two cases have been sent up by the police for trial. One ended in acquittal and the other is under trial. Proceedings have been taken under the preventive sections of the Criminal Procedure Code against a number of local bad characters, 25 of whom have been bound down to be of good behaviour. A case under the Criminal Tribes Act is also contemplated. The measures taken appear to have met with some success since no dacoity has been reported from Muchikandi since November last.

MAULAVI SAIYID SAMIUR RAHMAN asked :—

Habiganj
High
School.

2. Are the Government aware that the building of the Habiganj High School were burnt to ashes (three times in a few days)?

(a) Will the Government be pleased to state whether they are contemplating to make a new building for the Habiganj High School?

(b) If the answer to the above question is in the affirmative will the Government be pleased to state when they are going to commence the work of constructing the building?

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

2.—The answer is in the affirmative.

2. (a) and (b)—Having regard to the financial situation, it is not possible to undertake the constructions of a new permanent building at present. Temporary arrangements have however been made to accommodate the classes.

MAULAVI SAIYID SAMIUR RAHMAN asked :—

Waiting
room at
Kulaura.

3. (a) Are the Government aware that the Railway authorities have made no separate waiting-room for the inter-class passengers at Kulaura which causes inconvenience to the travelling public?

(b) Do the Government intend to ask the Railway authorities to make a separate waiting-room for inter-class passengers at Kulaura, Assam-Bengal Railway?

4. Are the Government aware that no members for the selection committees of Extra Assistant Commissioners, Sub-Deputy Collectors and Sub-Registrarships have been taken from Habiganj subdivision?

(a) Do the Government intend to have members from Habiganj subdivision in selection committees in future?

(b) Will the Government be pleased to lay on the table the names of members of the selection committees from the year 1918-23?

Selection
Committee.

MR. A. W. BOTHAM replied :—

3.—The Agent, Assam-Bengal Railway, has been asked for a report and the information will be supplied to the Hon'ble Member on receipt of his reply.

4.—Yes.

(a).—Government cannot undertake that a particular subdivision shall be represented on selection committees which necessarily consist of a limited number of members.

(b).—A statement is laid on the table.

Information regarding the composition of the selection committees for Sub-Registrarships is not available, but is being called for from the district of Sylhet and will be supplied to the Hon'ble Member.

Statement showing the names of gentlemen appointed to serve on Selection Committees for recruitment to the Assam Civil Service and Subordinate Executive Service.

Subordinate Executive ... Service, Assam Valley Districts, Committee (1919).	The Hon'ble Mr. W. J. Reid, C.S.I., I.C.S., Commissioner, Assam Valley Districts (President).
	Lieutenant-Colonel A. Playfair, I.A., Deputy Commissioner, Goalpara.
	D. E. Roberts, Esq., M. Sc., Principal, Cotton College.
	The Hon'ble Rai Bahadur Ghanasyam Barua.
	Khan Bahadur Kutub-uddin Ahmad.
Subordinate Executive ... Service, Surma Valley and Hill Districts Committee (1919).	H. C. Barnes, Esq., C.I.E., I.C.S., Officiating Commissioner, Surma Valley and Hill Districts (President).
	J. Hezlett, Esq., I.C.S., Deputy Com- missioner, Sylhet.
	A. C. Datta, Esq., Principal Murari- chand College.
	Khan Bahadur Muhammad Bakht Mazumdar.
	Rai Bahadur Nalini Kanta Ray Dasti- dar.

- Subordinate Executive ... B. C. Allen, Esq., I.C.S., Officiating
Service, Assam Valley Commissioner, Assam Valley Dis-
Districts Committee tricts (President).
(1920). Lieutenant-Colonel A. Playfair, I.A.,
Deputy Commissioner, Goalpara.
- D. R. Roberts, Esq., M. Sc., Principal,
Cotton College.
- The Hon'ble Rai Bahadur Ghanashyam
Barua.
- Khan Bahadur Kutub-uddin Ahmad.
- Subordinate Executive ... H. C. Barnes, Esq., C.I.E., I.C.S., Officiat-
Service, Surma Valley ing Commissioner, Surma Valley
and Hill Districts and Hill Districts (President).
Committee (1920). G. D. Walker, Esq., I.C.S., Officiating
Deputy Commissioner, Cachar.
- A. C. Dutta, Esq., Principal, Murari-
chand College.
- Rai Bahadur Nalini Kanta Ray Dasti-
dar.
- Khan Bahadur Abdul Nur, retired
Deputy Superintendent of Police.
- Assam Civil Service and ... B. C. Allen, Esq., B.A., I.C.S., Commis-
Subordinate Executive sioner, Assam Valley Districts
Service, Assam Valley (President).
Districts Committee A. H. W. Bentinck, Esq., I.C.S., Deputy
(1921). Commissioner, Kamrup.
- Khan Bahadur Kutub-uddin Ahmad,
Pleader, Nowgong.
- Srijut Nilambar Datta.
- Dr. F. W. Südmersen, Ph. D., Princi-
pal, Cotton College, Gauhati.
- Assam Civil Service and ... J. E. Webster, Esq., C.I.E., President.
Subordinate Executive G. T. Lloyd, Esq., I.C.S., Officiating
Service, Surma Valley Deputy Commissioner, Sylhet.
and Hill Districts A. C. Dutt, Esq., Principal, Murari-
Committee (1921). chand College.
- Khan Bahadur Muhammad Bakht
Mazumdar.
- Rai Sahib Bipin Chandra Deb Laskar.

MAULVI ABDUL KHALIQUE CHAUDHURI asked :—

1. Will the Government be pleased to furnish the Council with the following informations regarding the Additional Police Force.
entertainment of Additional Police Forces in Assam as required in the form below :—

Names of Districts.	Remarks.																								
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	
1																									
Total of each subdivision																									
Total of each district ...																									
Grand total of the whole province.																									

THE HON'BLE MR. A. MAJID replied :—

1.—Figures are being collected and will be supplied to the Hon'ble Member as soon as possible.

MAULAVI ABDUL KHALIQUE CHAUDHURI asked :—

Kanaighat
affairs.

2. (a) Is the Government aware of the findings of the competent courts regarding the case of Kanaighat outrages in the Sylhet district ?

(b) Is the Government aware that the elected members of the Legislative Council are in duty bound to read the Political situation of the Province ?

If the replies to (a) and (b) be in the affirmative—

To give the Members of the Legislative Council an opportunity to read the Political situation of the Province, will the Government be pleased to lay on the table copies of judgments of *Janasakti* and Kanaighat cases ?

Pallakandi,
Elias Ali
and Ahmad
Kabir Ward
Estates.

3. (a) Do the Government intend to release the Pallakandi, Elias Ali and Ahmad Kabir Ward Estates ?

(b) Is the Government aware that (i) these estates were interested in the Title Suit Sydek Ali *versus* Prithimpassa Ward Estate ?

(c) Is it a fact that Syeda Tanjunessa Khatton, a ward of Pallakandi and Ahmed Kabir Ward Estates, has submitted petitions to the Government making some allegations ? If so, (i) will the Government be pleased to lay on the table the copies of the petitions and (ii) to state what steps the Government have undertaken in the matter ?

THE HON'BLE MR. W. J. REID replied :—

2. (a)—Yes.

(b)—The elected members of the Legislative Council are the best judges of their own duty.

(ii) Copies* of the judgments are laid on the table.

3. (a), (c), (i) and (ii).—The Hon'ble Member is referred to the answers given to the questions which he asked on the same subject at the March† session of the Council.

(b)—Yes.

MAULAVI RUKUNNUDDIN AHMAD asked :—

Toklai
streamlet.

1. (a) Are the Government aware that there is a streamlet called the Toklai running through the Kayapaty of the Jorhat town ?

(b) Are the Government aware that many of the Kayas have erected *pucca* walls from the bed of the stream ?

(c) Are the Government aware that on account of the obstruction afforded by these *pucca* walls to the running of the water of the streamlet in its proper and usual course, the streamlet is eroding the other bank, and causing damage to the land and crop belonging to the people on that bank ?

* Not published with the proceedings.

† Published with the Proceeding of the 6th April 1923.

(d) Are the Government aware that some of the Kayas have erected their latrines just on the streamlet and that the refuse from these latrines pollutes the streamlet and makes for insanitary conditions in the locality?

(e) If so, have the Government considered the advisability of taking steps as early as possible to remedy these state of affairs?

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

1.—Particulars will be collected and communicated to the Hon'ble Member in due course.

KHAN BAHADUR MUHAMMAD BAKHT MAJUMDAR asked :—

1. (a) Will the Government please state the average number of passengers that travel daily in the Sylhet-Kulaura branch line?

(b) Are the Government aware that there is always congestion in the passengers trains running in that line?

MR. A. W. BOTHAM replied :—

The Agent, Assam-Bengal Railway, has been asked for a report and the information will be furnished to the Hon'ble Member on receipt of his reply.

REV. J. J. M. NICHOLS-ROY asked :—

1. (a) Is it a fact that the Computers in the Assam Secretariat Press are put in two grades now?

(b) Is it true that in the Government Press in Simla the Computers are all put in the same grade?

(c) Is it a fact that according to the Government of India Hand Book (i) all the Computers do the same nature of work, (ii) all the Computers and estimators also do the same nature of work?

(d) Is it true that in the Assam Secretariat Press, the system of keeping accounts and preparing reports is the same as in all Government Presses in India according to the Resolution of the Government of India Commerce and Industry Department No. 11065—11085-25, dated the 8th December 1908?

2. Are the Government considering the advisability of putting all (i) the Computers, (ii) the Computers and estimators in one grade only?

3. (a) Is it a fact that the office hours of the Clerical Staff of the Assam Secretariat Press are from 10-30 A.M. to 5 P.M.?

(b) Is it true that according to the Government of India Resolution - Board of Industries and Munitions No. A-31, dated the 24th July 1920, the clerks, computers and estimators are to be on the same footing regarding hours of work as clerical establishments in other offices?

Liquor
shops.

4. Will the Government be pleased to state —

(i) the number of licensed stills and outstills and liquor shops during the current year in each subdivision and district separately ?

(ii) the names of all the villages in each district which have a liquor shop or shops and an opium shop or shops ?

Opium and
liquor
consumed
in 1922.

5. Will the Government be pleased to state district by district the amount of opium and liquor consumed during the last year ending with December 31st, 1922, in comparison with the amount consumed during the previous year ?

Opium
consumers.

6. (a) Is the Government still carrying on the recording of the names of the opium consumers ?

(b) Will they be pleased to state the result of the latest registration of the above names ?

THE HON'BLE MR. W. J. REID replied :—

1. (a)—Yes.

(b)—This Government have no information.

(c) (i) and (ii)—Apparently this is so.

(d)—Practically the same.

2.—The Government do not propose to alter the system in force.

3. (a)—Yes.

(b)—Yes. The Resolution applies only to Presses under the Government of India.

4. (i)—Complete information for 1922-23 is not yet available but a statement (A) is laid on the table giving information for 1921-22 for the districts in which liquor is supplied to shops at a contract price from a distillery outside the province. Figures for each subdivision separately are not available, but will be called for if the Hon'ble Member desires this.

In the North Lakhimpur Subdivision each of the five licensed shops manufactures its own liquor. In the hill districts other than the Khasi and Jaintia Hills there are no restrictions on the manufacture of liquor, but in the headquarters towns sale except from the licensed shops is not allowed. In the town of Shillong there are three licensed shops which have the right to vend but not to manufacture liquor which is obtained from licensed stills at a fixed price. In the rest of the district there are licensed stills which pay a fee. As the Hon'ble Member is doubtless aware there has for several years been a steady reduction in the number of these stills and a steady increase in the fees charged. A statement (B) showing the number of stills in the Khasi and Jaintia Hills in 1922-23 is laid on the table.

4. (ii)—The information will be obtained and supplied to the Hon'ble Member.

5.—A statement (C) is laid on the table, giving the information for the last two completed financial years. Figures for the year ending on the 31st December 1922 are not available.

6.(a)—Yes.

6.(b)—A statement (D) is laid on the table.

STATEMENT A.

District.	No. of liquor shops under contract supply system during 1921-22.	Remarks.
1	2	3
Cachar ...	23	
Sylhet ...	39	
Naga Hills ...	2	In the plains portion of the district.
Goalpara ...	24	
Kamrup ...	9	
Darrang ...	16	
Nowgong ...	16	
Sibsagar ...	31	
Lakhimpur ...	17	In the Dibrugarh Subdivision only.
Garo Hills ...	1	In the plains portion of the district.
Total ...	178	

STATEMENT B.

Number of licensed stills in the Khasi and Jaintia Hills during 1922-23 :—

		No. of stills.
Sadr Subdivision	Shillong—five miles radius ...	51
	Khasi States and British villages	285
Jowai Subdivision	Jowai town and four miles radius	12
	Villages	144
Total		492

C.

Statement showing the consumption of opium and country liquor during the financial years 1920-21 and 1921-22.

District.	Consumption of opium during—		Consumption of country liquor during—	
	1920-21.	1921-22.	1920-21.	1921-22.
1	2	3	4	5
	Seers.	Seers.	L. P. gallons.	L. P. gallons.
Cachar	1,392	1,219	22,022	11,792
Sylhet	337	272	39,314	24,005
Khasi and Jaintia Hills...	1,242	1,103	...	...
Naga Hills	434	377	1,874	1,089
Goalpara	260	195	14,099	6,444
Kamrup	7,547	4,201	8,682	5,526
Darrang	8,301	4,387	36,744	14,972
Nowgong	11,923	5,824	14,569	7,566
Sibsagar	13,847	10,286	62,545	38,563
Lakhimpur	19,137	13,975	104,481	42,225
Garó Hills	Nil	Nil	242	165
Total	64,420	41,839	304,572	152,352

STATEMENT D.

Number of opium-eaters in each district according to the last census :—

District.					No. of opium-eaters.
1					2
Cachar	...	...	...	...	2,920
Sylhet	...	...	...	...	888
Khasi and Jaintia Hills	...	...	...	...	3,137
Naga Hills	...	...	...	...	2,183
Goalpara	...	...	...	...	1,102
Kamrup	...	...	...	...	13,214
Darrang	...	...	...	...	10,630
Nowgong	...	...	...	...	25,754
Sibsagar	...	...	...	...	25,016
Lakhimpur	...	...	...	...	43,282
Total					1,28,126

THE ASSAM STUDENTS AND JUVENILE SMOKING BILL, 1922.

REV. J. J. M. NICHOLS-ROY :—Sir, I beg to present the Report of the Select Committee on the Assam Students and Juvenile Smoking Bill, 1922.

I hope that the Bill will be taken into consideration at the next session of the Council.

The motion was adopted.

Prorogation of the Council.

His Excellency the Governor in proroguing the Council said :—

Mr. President and hon. members of the Legislative Council of Assam,

I shall not detain you for many minutes this morning, but I have been so closely in touch with your proceedings during your recent meetings that I feel it would be hardly courteous of me to let you disperse to your homes without a word of farewell. Apart from that, there is a question which closely concerns you individually and in regard to which I should like to take this opportunity of explaining my intentions to you. As you doubtless know, the Legislative Council of Assam having met for the first time on the 22nd of February 1921 comes automatically to an end on the same date in 1924 in the absence of orders extending or curtailing its existence. The end of February would however be a very inconvenient time for the dissolution because it would mean that the country would be in the throes of a general election during March and there would be no Council in existence before which Government could lay its budget proposals at the ordinary time. It is true that the Government of India Act gives the Governor power to extend the life of the Council but the Act makes it clear that that power is only intended to be used in very exceptional circumstances, and I do not think that such circumstances exist at the present time. Moreover even if I extended the life of this Council so as to enable it to pass the budget in March 1924, it would have to be dissolved immediately afterwards, and I do not think it would be right for a moribund Council to take the responsibility of passing a budget on which its successor would have to work. I think you will all agree therefore that the dissolution of this Council ought to take place at such a time as will enable the new Council to meet next March in order to deal with the budget of the following year. As to the most suitable time for the general election I have discussed the matter with several of you and I think we are all agreed that it would be most convenient for everybody if the election took place in the early part of the cold weather. A general election in the middle of the cold weather would interfere with or would be interfered with by the winter harvest at which time people are busy with more important matters than politics. I have come to the conclusion therefore that the best time for the general election would be early in November and in order to give you plenty of time for your electioneering activities I propose to hold the autumn session of this Council early in August instead of in September as has been the practice hitherto. That then is the programme which we propose to carry out in the absence of any unforeseen circumstances

—a farewell session of the Council early in August to be followed by a dissolution which will enable the general election to take place early in November. I trust that this programme will be convenient to all of you.

Now, gentlemen, I have to thank you for your attendance at this session of the Council and for the useful work which you have done since I met you here for the first time at the beginning of March. You have considered and passed an important Act which will I hope facilitate and advance the progress of municipal administration in this province on modern lines. You have signified your willingness to consider a Bill designed to improve the financial position of Local Boards, and though your consent to the introduction of the Local Rates Bill in no way binds you either as to its principles or as to its details, I sincerely trust that your consideration of the measure will result in putting the Boards in a better position to discharge their responsibilities to the public. You have discussed at length the financial situation of the Province and you have sanctioned the Demands for Grants which were made to you by the Government for the purpose of carrying on the Administration during the year which has just begun. You have also debated a number of interesting and in some cases important resolutions brought before you by private members. You have got through this programme of work with punctuality and with businesslike despatch. I thank you in particular for the confidence which you have shown in the Government by assenting to its Demands for Grants. I am well aware that some of you do not agree with us in regard to all the details of our financial administration, but I think I am justified in claiming that your attitude indicates that while you in no way relax your insistence on the necessity for rigid economy you are on the whole satisfied with the retrenchment and other measures which Government have taken to meet the difficult financial situation in which we find ourselves. I can assure you that we in the Government fully appreciate your general attitude in the matter of finance, that we value very highly your criticisms and suggestions and that we will scrupulously follow the policy of economy to which you have given your general approval.

I have been present at most of your important discussions and I think I may say that I have gained in that way a knowledge of your methods of thought and work which will be useful to me in my administration of the Province. I do not want to flatter you, but I must say that in the dignity and decorum of your proceedings, in your freedom from personalities, in your respect for the Chair and in the common sense and moderation which you have displayed in discussing public questions, you have shown an example which might well be followed by the Legislative Council of another Province with which I happen to be well acquainted. If I may take a particular instance, I would mention the debate on the vexed question of women's suffrage. Some of you are in favour of that measure on general grounds and some of you I think were strongly in favour of it, though I gather that the hon. member who brought this matter before the House is himself a bachelor and therefore not particularly qualified, in the opinion of those of us who are married men, to express an opinion on the subject. However, that is a side issue. What did strike me was that after the matter had been thoroughly threshed out in debate the whole Council, including the advocates of the measure, came to the conclusion that it would not be right to give effect to so important and far-reaching

a change without a fuller knowledge of what the country at large thinks about it. In this decision, if I may say so, you showed not only wisdom and prudence but also an understanding of the principles underlying the Reforms scheme and of your responsibilities to your constituents, which augurs well for the future of responsible government in Assam.

And now, Sir, I have nothing more to say except to congratulate you on the success of the opening of your term of office in the responsible post of President of this Council. Gentlemen, I bid you farewell and wish you a safe and pleasant journey to your homes. I look forward with pleasure to meeting you again in August.

I now declare this session terminated and the Council stands prorogued until a later date which will be notified in due course.

SHILLONG,

The 12th April 1923.

A. MELLOR,

Secretary to the Legislative Council, Assam.

