

Proceedings of the fifth session of the first Assam Legislative  
Assembly assembled under the provisions of the Government  
of India Act, 1935

THE ASSEMBLY met in the Assembly Chamber, Shillong, at 11 a.m. on  
Tuesday, the 6th September, 1938.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(to which oral answers were given)

(Further supplementary questions to starred question No. 30\* standing in the name of Mr. Baidyanath Mookerjee)

**Mr. BAIDYANATH MOOKERJEE:** Will the Hon'ble Chief Minister be pleased to state if there is any clause in the contract limiting the number of officers who are authorised to perform journeys on duty free?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Yes, Sir, the exemptions are noted.

**Srijut PURNA CHANDRA SARMA:** Will Government issue similar instructions now for subsequent years?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I have already stated yesterday, Sir, that when new contracts are given this matter will be reconsidered.

**Mr. BAIDYANATH MOOKERJEE:** Is there any limit of trips in the contract?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** No, Sir.

**Srijut PURNA CHANDRA SARMA:** Are not the ferries settled each year by the Public Works Department and Local Boards?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Not necessarily, Sir. Certain ferries are settled for a number of years.

**Srijut SARVESWAR BARUA:** May we know what is the position with regard to a new officer who is appointed in a place in addition to those who usually work there. What I mean to say is that when a new officer is appointed in a particular place in addition to those already there, there will be an addition to the previous list. Would not that affect the right of the lessee?

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Journey undertaken by members of the Assembly on public duty

Mr. Baidyanath Mookerjee asked;

\*30. Has the attention of Government been drawn to the statement made by the Hon'ble Chief Minister as reported at page 2300 of the official report of the Assembly proceedings, December Session, Vol. III, No. 19, in reply to question No. 194, to the effect that "If he (Member) goes to the constituency to appraise the constituency of the political situation or what was done in the Assembly, it will be considered a journey undertaken on public duty"?

(b) If so, has any order been passed in consonance with the above statement of the Hon'ble Chief Minister in respect of journeys undertaken by hon. members of this House, their respective constituencies on public duty?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

32. (a)—Two gun licenses of persons convicted in connection with the Civil Disobedience Movement of 1932 were cancelled but in one of these the license was transferred to the licensee's brother. There was no case of refusal.

(b)—The persons concerned were Babu Karuna Sindhu Roy, M.L.A., of Sunamganj and Srijut Rajendra Nath Barua, M.L.A., of Golaghat. The latter's license was transferred to his brother. The licenses were cancelled on account of the convictions.

(c)—This is a matter for the licensing authority and each case is decided on its merits.

(d)—It is regretted that this information is not available, and would require a great deal of time and labour to collect.

Mr. ARUN KUMAR CHANDA: If a person who was prosecuted for taking part in the Civil Disobedience Movement can get a license on becoming a Minister why should another man who was prosecuted for it be refused a license for a gun?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: It is a question of applying to the proper authority.

Srijut RAJENDRA NATH BARUA: What is the qualification?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Whether the person who applies for a license is a fit person to hold a license.

Srijut OMEO KUMAR DAS: Is taking part in the Civil Disobedience Movement a bar?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: It ought not to be a bar.

Mr. FAKHRUDDIN ALI AHMED: Are Government aware that one such person was refused the license?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Government is not aware.

Mr. FAKHRUDDIN ALI AHMED: Will the Hon'ble Chief Minister take it from me that one such person was refused the license?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: If the details are given I will make an enquiry.

Mr. ARUN KUMAR CHANDA: Was not Civil Disobedience a non-violent measure to hasten Swaraj?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Yes, but it became violent subsequently.

Mr. ARUN KUMAR CHANDA: Is there any material to say that the persons who were convicted for taking part in the Civil Disobedience Movement were convicted for offences of violence?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Yes, there are various instances.

Mr. FAKHRUDDIN ALI AHMED: Is the Hon'ble Chief Minister aware that Srijut J. N. Barua was refused when he applied for the re-transfer of the license to Srijut R. N. Barua?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The gun license was transferred to the name of Mr. Barua's brother.

Srijut RAJENDRA NATH BARUA: Are Government aware that the Manager of a Garden was refused a license for a gun?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Government is not omniscient to know what happens in every creek and corner.

Mr. FAKHRUDDIN ALI AHMED: Will Government issue instructions that persons who took part in the Civil Disobedience Movement should not on that account be debarred from being given the gun licenses?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: There is no necessity for such a circular. If any of these gentlemen applies to the proper authority and is refused and then comes up to the Government necessary action will be taken.

Srijut OMEO KUMAR DAS: Was Srijut Rajendra Nath Barua convicted on a charge of violence?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: No.

Srijut BELI RAM DAS: Why was his brother considered more fit to have a license?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Because the gentleman concerned went to jail and could not possess a gun, and therefore it was transferred to his family. (Laughter).

Srijut RAJENDRA NATH BARUA: My brother applied for a transfer of the gun to myself but was refused.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I have not heard of it.

Srijut MAHI CHANDRA BORA: Is it not a fact that District Officers have been instructed not to increase the number of gun licenses in their districts?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: No, Sir.

Mr. FAKHRUDDIN ALI AHMED: The Hon'ble Chief Minister has said that he had not heard whether Mr. R. N. Barua had been refused license. Will the Government therefore issue instructions to District Officers concerned not to refuse him a gun license?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: If Mr. R. N. Barua will apply for a license the matter will be considered.

Srijut OMEO KUMAR DAS: He has applied.

#### Rupee ratio: devaluation of the rupee

Mr. FAKHRUDDIN ALI AHMED asked:

\*33. Will the Hon'ble Minister in charge of Finance be pleased to state—

- (a) Whether the Provincial Government have received a communication from the Government of India requiring the former to express their views regarding the question of the rupee ratio?
- (b) If so, what views the Provincial Government have expressed or propose to express regarding the question of the rupee ratio?
- (c) Whether the Provincial Government propose to move and press the Government of India for the devaluation of the rupee?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

33. (a)—No.  
(b) & (c)—Does not arise.

**Mr. FAKHRUDDIN ALI AHMED:** Are Government aware that from all the other provinces representations have been made to the Central Government about the rupee ratio?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Does this question arise, Sir?

**The Hon'ble the SPEAKER:** There is a question (c) "Whether the Provincial Government propose to move and press the Government of India for the devaluation of the rupee", and I think in that connection the question arises.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** If you hold that the question is in order, my answer is "Yes, I have".

**Mr. FAKHRUDDIN ALI AHMED:** May I know what is standing in the way of the Assam Government in making a representation to the Central Government?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I consider that devaluation will not be an unmixed blessing.

#### Representation from members of Tezpur Local Board

**Srijut OMEO KUMAR DAS** asked:

\*34. Will the Hon'ble Minister for Local Self-Government be pleased to state whether he received a representation dated the 18th July, 1938 from Srijut Mahadev Sarmah and other members of the Tezpur Local Board, and the election of the office-bearers held on 28th June, 1938?

\*35. Will the Hon'ble Minister for Local Self-Government be pleased to state what steps he proposes to take on the representation referred to in question No. 34?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY** replied:

34.—Yes.

35.—Government have declined to interfere with the Board's proceedings.

**Srijut SARVESWAR BARUA:** Was any reply to this effect sent to the members who sent that representation?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** Yes.

**Srijut SARVESWAR BARUA:** When was it sent?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** About the 27th of August 1938.

#### Ayurvedic College at Gauhati

**Srijut GHANASHYAM DAS** asked:

\*36. (a) Are Government aware of the growing demands of the public for the Ayurvedic medicinal treatment?

(b) If so, do Government propose to render every possible help for the development of that system by reserving (i) an adequate area of land for the purpose of making an Ayurvedic garden for growing various herbs and medicinal plants and (ii) the plot of land at Gauhati within the boundaries on the north Municipal Road, on the South Railway Road, on the east Weaving School, on the west Museum, for the establishment of an Ayurvedic College?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY** replied:

36. (a)—Government are not aware that the demand for Ayurvedic medical treatment is growing.

(b)—Does not arise.

**Srijut GHANASHYAM DAS:** Do not the Government take any information as to how many Ayurvedic pharmacies are there in Bengal and how many in our own province of Assam?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** No, Sir.

**Mr. ARUN KUMAR CHANDA:** Is not the Hon'ble the Chief Minister a great patron of Ayurvedic treatment?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** I am not aware of it.

**Srijut GHANASHYAM DAS:** Have Government taken any information?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** We are trying to get information from several provinces as to what is being done in this matter.

**Srijut OMEO KUMAR DAS:** Are Government aware that many officers, including high Government officers, are getting Ayurvedic doctors for their treatment?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** I am not aware of it.

#### Nisf-Khiraj Rayat Sabha

**Srijut GHANASHYAM DAS** asked:

\*37. Has the attention of Government been drawn to an article appearing in the 'Assam Sevok' of July 31st of 1938 under the caption 'Nisf-Khiraj Rayat Sabha' and to the Leader of the 'Prativa' in its issue dated 4th August, 1938?

\*38. Will the Hon'ble Minister of Revenue be pleased to state—

(a) Whether he has received a copy of the resolution regarding the reduction of rent of Nisf-Khiraj Raiyat Sabha?

(b) If so, will Government be pleased to state whether Government propose to do anything to remedy their grievances?

**The Hon'ble Srijut ROHINI KUMAR CHAUDHURI** replied:

37.—Government have seen the article in the "Assam Sevok" and the Leader in the "Prativa".

38. (a)—Yes.

(b)—Government have no power to grant any concession to these people. It is their Nisf-Khiraj landlords under whom they are tenants, who should be approached in the matter.

#### Admission to the Berry-White Medical School

**Khan Bahadur Maulavi SAYIDUR RAHMAN** asked:

\*39. Will Government be pleased to state—

(a) Whether it is a fact that the application for admission of one Bimal Kanti Rai (I. Sc. passed, 1st Division) was not put up before the Managing Committee of the Berry-White Medical School when it sat on 24th June, 1938?

- (b) Whether it is a fact that the aforesaid student was subsequently admitted by the Superintendent on his representation ?
- (c) Whether the Superintendent consulted the Managing Committee before admitting him ?
- (d) Whether the Superintendent is competent to admit students on his own motion without reference to the Managing Committee ?

\*40. (i) Will Government be pleased to state—

- (a) The number of candidates selected for admission by the Managing Committee of the Berry-White Medical School on 24th June, 1938 ?
- (b) Whether it is a fact that besides the candidates selected, names of some candidates were kept in the waiting list by the said Managing Committee ?
- (c) If so, what is their number ?
- (d) How many of the candidates selected, actually joined the School ?
- (e) How many of the candidates in the "waiting list" were admitted ?
- (f) The total number of admissions made in the first year class this time ?
- (g) Whether it is a fact that the total number of admissions include a few, not selected by the Managing Committee ?
- (h) If so, how many; why, how and by whom they were admitted ?
- (ii) Are Government aware that much inconvenience is felt by the public for not putting up a list of candidates selected for admission together with the waiting list on the notice board of the School immediately after the deliberations of the Managing Committee ?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY** replied :

39. (a)—No.

(b)—Yes.

(c)—No. The application was put up before the Managing Committee who placed his name provisionally on the waiting list and consequently he was taken in when one of the candidates selected by the Committee failed to join.

(d)—No. The Superintendent may admit a candidate who has been provisionally selected by the Managing Committee to fill up subsequent vacancies.

**Khan Bahadur Maulavi SAYIDUR RAHMAN** : I am a member of the Managing Committee and will the Hon'ble Minister take it from me that the Managing Committee did not put down his name in the waiting list ?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY** : I have given my replies based on the report I received from the Superintendent of the Berry-White Medical School who is also in the Managing Committee.

40. (i) (a)—Sixty.

(b)—Yes.

(c)—Twenty-two.

(d)—Forty-four.

(e)—Thirteen.

(f)—Sixty-seven.

(g)—Yes.

(h)—Two—one Assam Valley Hindu and one Muhammadan.

As there was no other candidate to fill up a vacancy that had occurred among the Assam Valley Hindus, the candidate was admitted by the Superintendent. The candidate obtained recommendations from 3 members of the Managing Committee including the Deputy Commissioner before his admission.

The Muhammadan candidate applied late for admission after the date of selection, but he had recommendations from 3 members of the Managing Committee including the questioner and so he was admitted by the Superintendent.

(ii)—No. Government are not aware of this. However, in future a list of selected candidates together with those on the waiting list will be displayed on the notice board for information of such members of the public as are interested.

**Khan Bahadur Maulavi SAYIDUR RAHMAN** : With reference to the answers to (g) and (h), will the Hon'ble Minister explain to us why the Managing Committee could not be called ?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY** : I have no information regarding that.

**Khan Bahadur Maulavi SAYIDUR RAHMAN** : Does Government approve of the Superintendent admitting students without consulting the Managing Committee ?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY** : From what I find in the report I see that the students were recommended by members.

**Khan Bahadur Maulavi SAYIDUR RAHMAN** : Not all the members ; only three of the members.

**The Hon'ble Rev. J. J. M. NICHOLS-ROY** : I do not know what the reason is that the Managing Committee was not called, I have no information. I am sorry I cannot give that explanation until I get further report from the Superintendent.

**Khan Bahadur Maulavi SAYIDUR RAHMAN** : Will the Government be pleased to issue instructions for the guidance of the Superintendent that the Managing Committee should be called in all cases ?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY** : If it is a question of only one candidate and there is vacancy it would be troublesome for the Managing Committee to be called. I think the Superintendent should have such power as to be able to dispose of it.

**Khan Bahadur Maulavi SAYIDUR RAHMAN** : Will it be difficult to consult the members instead of calling the Committee ?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY** : In this case it appears that three of the members already recommended and so he took in the candidate. One of the members who recommended was, I find, the questioner himself.

**Srijut KAMESWAR DAS** : In reply to 39(d) it is said that the Superintendent was not competent to admit without reference to the Managing Committee. In 40(g) the Hon'ble Minister admits that a small number was admitted without any reference to the Managing Committee. May I know how the Hon'ble Minister reconciles the two ?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** From the report I have got, it appears that the Managing Committee was called and the name of one of the candidates was put in the list. The questioner said it was not put in the list before the Managing Committee. I said that from the report of the Superintendent it was so and possibly the hon. member forgot about it. When there was a vacancy, one student whose name was put in the waiting list was admitted.

**Overhanging trees on the road from Jorhat to Dibrugarh**

**Khan Bahadur Maulavi SAYIDUR RAHMAN** asked :

\*41. Is it a fact that on the motion of the Assam Branch of the Indian Tea Association, all the overhanging trees on the road side from Jorhat to Dibrugarh had been cut down by the Public Works Department ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** replied :

41.—Reply is in the negative.

**Nominated members to Mangaldai Local Board**

**Maulavi BADARUDDIN AHMED** asked :

\*42. Will Government be pleased to state—

- The names of the nominated members of the Mangaldai Local Board ?
- The principle followed in nominating the members to the above Board ?
- The community and interest, each of these nominated members represents ?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY** replied :

42. (a)—1. Srijut Purandar Sarma, M.A., B.L., M.L.A.  
2. Kazi Maniruddin Khondkar.  
3. Srijut Durlav Chandra Das.

(b)—Population and the factors mentioned in the Local Self-Government rule 19.

(c)—Hindus, Muhammadans and scheduled castes respectively.

**Maulavi BADARUDDIN AHMED:** Will the Hon'ble Minister please state how many members were elected from the caste Hindus to the Local Board ?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** I am afraid I have not got the figures with me. I gave full information yesterday in my speech.

**Srijut BEPIN CHANDRA MEDHI:** Is it a fact that the previous Government nominated one from the Scheduled caste, one from the Backward caste and the third from domiciled community.

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** I have not the information with me just now.

**Srijut BEPIN CHANDRA MEDHI:** Will Government please state why a Kachari whose population is very large in the subdivision is not nominated ?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** I have already made a very long explanation yesterday. I think I spoke for about 45 minutes and I also explained the reason why the nominations were given. In this case we have nominated one from the Hindu community who is under-represented, one from the scheduled caste who is also under-represented and one from the Muhammadan community who is also under-represented. There are only three nominations and we cannot give to all.

**Srijut BEPIN CHANDRA MEDHI:** Is it not due to the fact that a Kachari has been elected to Mangaldai Local Board on Congress ticket ?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** No. We do not consider it in that light at all. We considered that that community has been represented in the local board, and so we did not give further representation. The fact that a person comes on Congress ticket does not come into the calculation.

**Maulavi BADARUDDIN AHMED:** Will the Hon'ble Minister take it from me that 12 caste Hindu members have been elected to the local board ?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** There were ten members who were elected from the caste Hindus and two from the planting members. The caste Hindus should have been 12 elected but only 10 have been elected.

**Maulavi BADARUDDIN AHMED:** Do Government consider that with 10 elected members the Hindu community is under-represented ?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY:** They are not adequately represented. They are entitled to 12 members.

**Appointment of Sub-Inspectors of Police and of Assistant Sub-Inspectors of Police**

**Maulavi BADARUDDIN AHMED** asked :

\*13. Will Government be pleased to state—

- The number of direct appointments of Sub-Inspectors of Police and Assistant Sub-Inspectors of Police separately district by district from the Assam Valley districts in the years 1935-36, 1936-37 and 1937-38 ?
- The number of Muhammadans recruited for the above appointments from each of the districts of the Assam Valley in 1935-36, 1936-37 and 1937-38 ?
- The name of candidates appointed as Sub-Inspectors of Police from each district of the Assam Valley in the year 1937-38.
- The age of each of the candidates at the time of their appointment in 1937-38 ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** replied :

43. (a), (b), (c) & (d)—A statement furnishing the particulars is placed on the table.

Statement referred to in reply to starred question No.43(a), (b), (c) and (d) by Maulavi Badaruddin Ahmed

Statement showing the number of direct appointments of Sub-Inspectors and Assistant Sub-Inspectors from the Assam Valley Districts during the years 1935-36, 1936-37 and 1937-38.

43. (a)—

Name of district	Number of appointments during 1935-36		Number of appointments during 1936-37		Number of appointments during 1937-38	
	S. Is.	A. S. Is.	S. Is.	A. S. Is.	S. Is.	A. S. Is.
Goalpara	...	1	...	...	...	...
Kamrup	1	...	1	...	3	1
Lakhimpur	1	1	3	...	3	...
Sibsagar	1	2	1	2	4	2
Darrang	...	2	...	...	2	...
Nowgong	2	1	2	...	1	1
Total	5	7	7	2	13	4

43. (b)—Number of Sub-Inspectors and Assistant Sub-Inspectors recruited from the Muhammadans:—

Goalpara	...	...	...	...	...	...
Kamrup	...	...	...	...	1	...
Lakhimpur	1	...	...	...	2	...
Sibsagar	...	...	1	...	1	2
Darrang	...	...	...	...	...	...
Nowgong	...	...	...	...	...	...
Total	1	...	1	...	4	2

43. (c) & (d)—Name of Sub-Inspectors recruited from the Assam Valley districts during 1937-38 and their age at the time of appointment, i.e., on 1st January 1938:—

Name of district	Names of Sub-Inspectors	Age on 1st January 1938
Kamrup ...	(1) Probationary Sub-Inspector Girindra Kumar Bhuyan.	23 years.
	(2) Probationary Sub-Inspector Abdul Mazid.	20 years 5 months.
	(3) Probationary Sub-Inspector Sunil Kumar Mukerjee.	23 years 11 months.

Name of district	Names of Sub-Inspectors	Age on 1st January 1938
Lakhimpur	(1) Probationary Sub-Inspector S. M. Anowar Hussain.	21 years 10 months and 17 days.
	(2) Probationary Sub-Inspector Muhibar Rahman Hazarika	21 years 10 months and 17 days.
	( ) Probationary Sub-Inspector Jitendra Nath Saikia.	23 years.
Sibsagar ...	(1) Probationary Sub-Inspector Chandra Nath Bor Gohain.	23 years 11 months.
	(2) Probationary Sub-Inspector Safawat Din Ahmad.	20 years 9 months.
	(3) Probationary Sub-Inspector Prabhat Chandra Sarma Phukan.	23 years.
	(4) Probationary Sub-Inspector Uma Nath Sarma.	20 years 4 months.
Darrang ...	(1) Probationary Sub-Inspector Promode Kumar Das.	21 years 10 months.
	(2) Probationary Sub-Inspector Purna Kanta Saikia.	24 years 16 days.
Nowgong ...	(1) Probationary Sub-Inspector Upendra Nath Saikia.	24 years.

**Maulavi BADARUDDIN AHMED:** May I know, Sir, whether there were any candidates for the post of Sub-Inspector of Police in the year 1937-38 from the Muhammadan community from the district of Darrang?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I have not got the papers with me to say that there was any candidate. I was asked only about the number of Sub-Inspectors and Assistant Sub-Inspectors recruited and I am sorry I have not got the figures required by the hon. member.

(The next question was called. Just then Maulavi Jahanuddin Ahmed rose to put a question.)

**The Hon'ble the SPEAKER:** I have already called out the next question. The hon. member should be more prompt in putting his supplementary questions.

**Maulavi JAHANUDDIN AHMED:** May I know from the Hon'ble Minister whether there was any advertisement in the year 1937-38 from the Goalpara district for Assistant Sub-Inspectorship?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** That is a substantive question, Sir. I require notice.

**Maulavi JAHANUDDIN AHMED:** Will Government take it from me that there was an advertisement in the district of Goalpara regarding an Assistant Sub-Inspectorship and many of the district men had applied for it? It was not given to a district man but to a Sylhet Hindu.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Sir, questions are put to elicit information and not to give information to Government. If my hon. friend says that a candidate from Sylhet temporarily resident in Goalpara was recruited in preference to a better local candidate I am prepared to look into the matter.

**Maulavi Syed ABDUR ROUF:** As regards under-representation of Muhammadans, will Government try to increase their number?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Sir, Government is doing every thing to give proportionate representation to all communities.

**Maulavi JAHANUDDIN AHMED:** May I know, Sir, why the post was given to a Sylhet Hindu without giving it to one of the under-represented community?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I am prepared to enquire provided my hon. friend will write to me a demi-official, because the proceedings may take time in print and I may overlook the point.

#### Norttomgaon Road

**Srijut PURNA CHANDRA SARMA** asked:

- \*44. Will Government be pleased to state—
- If the Norttomgaon Road which is a continuation of the Court House Road within the Municipality of Nowgong has been included in the list of roads to be compulsorily electrified as published with the license in the *Assam Gazette* in the month of July 1938?
  - If not, do Government propose to direct the licensee to include that portion of the road up to the junction of Ghanasyam Barua Road?
- \*45. Will Government be pleased to state—
- Whether the Licensee has sold any shares to the Assamese people of Nowgong?
  - If this Company has commenced work?
  - If so, when they will complete the work and will be in actual position to supply electricity?

**The Hon'ble Babu AKSHAY KUMAR DAS** replied:

44. (a)—No.  
 (b)—No. Government are not in a position to direct additions to the compulsory works once the license has been given.
45. (a)—Not yet.  
 (b)—The licensee is making arrangements for placing contract orders for equipment and materials.  
 (c)—The licensee must complete the compulsory works within two years from the date of notification of granting the license, *i.e.*, from the 9th July, 1938 for the purpose of supplying electrical energy to consumers.

**Srijut PURNA CHANDRA SARMA:** With reference to question 44, did not Government publish a draft license on the 5th January 1938?

**The Hon'ble Babu AKSHAY KUMAR DAS:** Yes.

**Srijut PURNA CHANDRA SARMA:** Did not that draft license include and give description of a particular area over which electric installation should be done?

**The Hon'ble Babu AKSHAY KUMAR DAS:** Yes.

**Srijut PURNA CHANDRA SARMA:** Is the present license issued just the same as the old draft license as published in the *Gazette*?

**The Hon'ble Babu AKSHAY KUMAR DAS:** I am not sure. There might be some alteration.

**Srijut PURNA CHANDRA SARMA:** Will Government direct the licensee to include the same area as in the draft license of 1938?

**The Hon'ble Babu AKSHAY KUMAR DAS:** I have already replied, Sir. Government are not in a position to direct the licensee to include that road.

**Srijut PURNA CHANDRA SARMA:** Was any objection called for when the license was granted?

**The Hon'ble Babu AKSHAY KUMAR DAS:** Government do things in a systematic way. The objection was not called for.

**Srijut PURNA CHANDRA SARMA:** Did not Government compel the licensee to electrify some particular roads?

**The Hon'ble Babu AKSHAY KUMAR DAS:** There was no necessity to do so.

**Srijut PURNA CHANDRA SARMA:** Is it not in the license itself that there should be some compulsory electrification of some roads?

**The Hon'ble Babu AKSHAY KUMAR DAS:** There are some roads to be compulsorily electrified.

**Srijut PURNA CHANDRA SARMA:** Cannot Government compel the licensee to include another road?

**The Hon'ble Babu AKSHAY KUMAR DAS:** Government cannot increase the number of roads there.

**Srijut PURNA CHANDRA SARMA:** Did not Government consult any authority before granting the license?

**The Hon'ble Babu AKSHAY KUMAR DAS:** Government did everything possible, but no objection was raised in regard to that road.

**Srijut PURNA CHANDRA SARMA:** Was any objection ever invited?

**The Hon'ble Babu AKSHAY KUMAR DAS:** Government did not think of inviting objections.

It is for the public to raise objections, if any.

**Srijut PURNA CHANDRA SARMA:** Is it on the petition of any people that these roads are to be compulsorily electrified?

**The Hon'ble Babu AKSHAY KUMAR DAS:** It shows the interest of the public and not the interest of Government.

**Srijut PURNA CHANDRA SARMA:** Did not the Government state in the license that such and such roads should be electrified?

**The Hon'ble Babu AKSHAY KUMAR DAS:** If the public had raised objection, then the particular road required could have been included.

**Srijut PURNA CHANDRA SARMA:** Sir, my question is simple. Did the Government say that such and such roads should be compulsorily electrified?

**The Hon'ble Babu AKSHAY KUMAR DAS:** It is for the Municipality to do that.

**Srijut PURNA CHANDRA SARMA:** Did any public body ever apply to Government saying that such and such roads should be electrified?

**The Hon'ble Babu AKSHAY KUMAR DAS:** The applicants wrote in their petition that they would take such and such roads.

**Srijut PURNA CHANDRA SARMA:** Did Government want that there should be applications stating that such and such roads should be electrified?

**The Hon'ble Babu AKSHAY KUMAR DAS:** I cannot say, Sir, off-hand.

## Jail visitors in Assam

Srijut PURNA CHANDRA SARMA asked :

- \*46. Will the Hon'ble Minister in charge of Jails be pleased to state—
- If the visitors for the jails have been appointed for 1938-39 ?
  - If so, will he kindly lay on the table a list of those visitors ?
  - If not, will the Hon'ble Minister be pleased to state when the visitors are going to be appointed ?
  - If any names have been recommended by the district authorities ?
  - If so, will Government be pleased to lay the same on the table ?
  - Do Government propose to amend any rule of the Jail Manual ?
  - If so, will the Hon'ble Minister be pleased to quote the changes proposed ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI replied :

46. (a)—Yes. The present jail visitors were appointed in 1936, 1937 and 1938. Their term will not be up until dates from November 1938 onwards.

(b)—A list is laid on the table.

List referred to in reply to starred question No 46 (b) by Srijut Purna Chandra Sarma

## LIST OF THE VISITORS OF THE JAILS

## TURA JAIL

- The Deputy Commissioner, Garo Hills—*Chairman*.
- The Head Master, Middle English School, Tura.
- Babu Janggin Laskar, M.B.E.
- Babu Ramsingh Sangma.

## DHUBRI JAIL

- The Deputy Commissioner, Goalpara—*Chairman*.
- The Senior Extra Assistant Commissioner, Dhubri.
- Babu Ramesh Chandra Mukherjee.
- Srijut Bhumidhar Roy, B.L.
- Srijut Rupnath Brahma, B.L.
- Maulavi Gyasuddin Ahmed B.L.

## GAUHATI JAIL

- The Deputy Commissioner, Kamrup—*Chairman*.
- The Senior Extra Assistant Commissioner, Gauhati.
- Mr. T. R. Phookan, Bar-at-Law.
- Maulavi Wazed Ali, B.L.
- Dr. J. N. Sanyal.
- Khan Sahib Md. Eda Khan.
- Dr. Miss Alice G. Mark.

## TEZPUR JAIL

- The Deputy Commissioner, Darrang—*Chairman*.
- The Senior Extra Assistant Commissioner, Tezpur.
- Rai Sahib Dalim Chandra Bora.
- Babu Jyotish Chandra Bose, Honorary Magistrate.
- Srijut Lalit Chandra Bhuyan, B.L.
- Srijut Mon Mohan Chaudhuri.

## MANGALDAI JAIL

- The Subdivisional Officer, Mangaldai—*Chairman*.
- The Senior Extra Assistant Commissioner, Mangaldai.
- Kumar Bhupendra Narayan Deb.
- Babu Suklal Ghosh.

## NOWGONG JAIL

- The Deputy Commissioner, Nowgong—*Chairman*.
- The Senior Extra Assistant Commissioner, Nowgong.
- Khan Bahadur Nuruddin Ahmed.
- Rai Bahadur Brindaban Chandra Goswami, B. L.
- Srijut Mahendra Lal Das, B. L.
- Maulavi Mohibuddin Ahmed, Honorary Magistrate.

## JORHAT JAIL

- The Deputy Commissioner, Sibsagar—*Chairman*.
- The Senior Extra Assistant Commissioner, Jorhat.
- Rai Bahadur K. K. Barua.
- Rai Bahadur H. P. Barua, M. A., B. L., M. L. C.
- Khan Sahib Maulavi Rukunuddin Ahmed, B. L., M. L. C.
- Dr. H. W. Kirby.

## SIBSAGAR JAIL

- The Subdivisional Officer, Sibsagar—*Chairman*.
- The Senior Extra Assistant Commissioner, Sibsagar.
- Khan Sahib Osman Gani.
- Srijut Ratna Kanta Sarma, Head Master, Bezbarua High School.

## GOLAGHAT JAIL

- The Subdivisional Officer, Golaghat—*Chairman*.
- The Senior Extra Assistant Commissioner, Golaghat.
- Srijut Brahmananda Dutta, Pleader.
- Maulavi Sikender Ali, B. L.

## DIBRUGARH JAIL

- The Deputy Commissioner, Lakhimpur—*Chairman*.
- The Senior Extra Assistant Commissioner, Dibrugarh.
- Rai Bahadur Napatrai Kedia.
- Rai Bahadur Nilambar Dutta.
- Khan Bahadur Sayidur Rahman, M. A., B. L., M. L. C.
- Dr. Batrish Chandra Gogai, M. B.

## NORTH LAKHIMPUR JAIL

- The Subdivisional Officer, North Lakhimpur—*Chairman*.
- The Extra Assistant Commissioner, North Lakhimpur.
- Srijut Bisweswar Changkakati.
- Maulavi Zubed Ali Hazarika, Honorary Magistrate.



## SILCHAR JAIL

1. Reverend T. W. Reese.
2. Rai Sahib Brindaban Chandra De.
3. Rai Sahib Nava Kumar Das.
4. Maulavi Arjan Ali Mazumdar.

## HAILAKANDI LOCK-UP

1. Babu Hirendra Chandra Chakravarty.
2. Maulavi Montaz Ali Laskar.

## SHILLONG JAIL

1. Mrs. C. Dennehy.
2. Miss Mavis Dunn Lyngdoh, B. L., M. L. A.
3. Rai Sahib Shiva Nath Datta.
4. Rai Sahib Hormu Rai Diengdoh.
5. Lala Bijoy Kumar De, M. A., B. L.
6. Maulavi Wahed Ali.

## SYLHET JAIL

1. The Deputy Commissioner, Sylhet—*Chairman*.
2. The Senior Extra Assistant Commissioner, Sylhet.
3. Mr. A. F. Bendall, M. L. A.
4. Maulavi Ashrafuddin Muhammad Chaudhury, M. L. A.
5. Babu Suresh Chandra Das, M. L. C.
6. Mr. Baidya Nath Mookerjee, M. L. A.
7. Miss H. Evans.

## KARIMGANJ JAIL

1. The Subdivisional Officer, Karimganj—*Chairman*.
2. The Senior Extra Assistant Commissioner, Karimganj.
3. Khan Sahib Abdus Salam Chaudhury.
4. Babu Rabindra Nath Aditya, M. L. A.

## HABIGANJ JAIL

1. The Subdivisional Officer, Habiganj—*Chairman*.
2. The Senior Extra Assistant Commissioner, Habiganj.
3. Babu Bipin Behari Das, M. L. A.
4. Maulavi Nurul Hossain Khan.

## SOUTH SYLHET JAIL

1. The Subdivisional Officer, South Sylhet—*Chairman*.
2. The Senior Extra Assistant Commissioner, South Sylhet.
3. Babu Dakshina Ranjan Gupta Chaudhury, M. L. A.
4. Maulavi Abdul Aziz, M. L. A.

## SUNAMGANJ JAIL

1. The Subdivisional Officer, Sunamganj—*Chairman*.
2. The Senior Extra Assistant Commissioner, Sunamganj.
3. Maulavi Abdul Bari Chaudhury, M. L. A.
4. Babu Mon Mohan Chaudhury, M. L. C.

**Srijut PURNA CHANDRA SARMA:** Was it not almost assured by Government in the discussion of one of the cut motions in one of the budget sessions that the members of the Legislature would also be taken in a visitors of Jails?

**The Hon'ble Maulavi ABDUL MATIN CHAUDHURI:** In some of the jails, they have already been taken.

**Srijut PURNA CHANDRA SARMA:** When will the appointments in other jails take place?

**The Hon'ble Maulavi ABDUL MATIN CHAUDHURI:** They will be appointed on various dates during the years 1938, 1939 and 1940.

(c)—From various dates in 1938, 1939 and 1940.

(d)—The names of non-officials are reported by the Commissioners, not by District Officers.

(e)—There are no recommendations at present pending.

(f) & (g)—Amendments of the rules are made from time to time whenever it is found necessary. The only change now pending consideration concerns the transfer of prisoners convicted of Excise offences who belong to other provinces, *vide* rule 509 of Volume I.

#### Distribution of the additional grant of Rs.12,000 to Local Boards for primary education

**Srijut PURNA CHANDRA SARMA** asked:

\*47. (a) Will Government be pleased to state why the additional grant of Rs.12,000 to the Local Boards for expansion of primary education made in the last Budget has not been distributed yet?

(b) Will Government be pleased to state when and how this grant is going to be distributed?

**The Hon'ble Maulavi MUNAWWAR ALI** replied:

47. (a) & (b)—Government have postponed consideration of expenditure of the sum till the Assembly has decided whether to accept the Primary Education Scheme which is being formulated

**Srijut PURNA CHANDRA SARMA:** Was not this amount granted by this House for the entire year 1938-39?

**The Hon'ble Maulavi MUNAWWAR ALI:** Yes.

**Srijut PURNA CHANDRA SARMA:** How long will Government take to distribute this grant?

**The Hon'ble Maulavi MUNAWWAR ALI:** Government will distribute the grant as soon as possible.

**Srijut PURNA CHANDRA SARMA:** Was not a sum of Rs.5,000 earmarked out of this grant for expansion of education among the backward and tribal communities?

**The Hon'ble Maulavi MUNAWWAR ALI:** Yes.

**Maulavi SYED ABDUR ROUF:** Are Government aware that in the Assam Valley in the flood affected areas primary school buildings have been either damaged or washed away?

**The Hon'ble Maulavi MUNAWWAR ALI:** That is so.

**Maulavi SYED ABDUR ROUF:** If that is so, will the Government be pleased to give a bigger share of this amount to the Local Boards concerned?

**The Hon'ble Maulavi MUNAWWAR ALI:** The suggestion will be considered.

**Maulavi ABDUR RAHMAN:** Under what principle the amount will be distributed to the Local Boards?

**The Hon'ble Maulavi MUNAWWAR ALI:** The sums will be placed at the disposal of the Commissioners in the two Divisions and they will distribute them according to the well known principle.

**Srijut PURNA CHANDRA SARMA:** When the amount is going to be distributed?

**The Hon'ble Maulavi MUNAWWAR ALI:** As quickly as possible.

**Maulavi ABDUR RAHMAN:** In distributing this amount will Government make consideration as regards the number of venture schools under the Local Boards ?

**The Hon'ble Maulavi MUNAWWAR ALI:** The number of venture schools under each Local Board will certainly be taken into account while distributing the money by the distributing authorities

#### Change of timings in the Gauhati-Shillong Road

**Srijut PURNA CHANDRA SARMA** asked :

- \*48. Will Government be pleased to state—
- When and why the timing in the Gauhati-Shillong Road was changed ?
  - Whether the change was notified for the information of the public ?
  - If so, how and when ?
  - Are Government aware that many visitors to Shillong suffered great loss and inconvenience for not notifying the change ?
  - Do Government propose to notify any change in future through newspapers and the Gazette ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** replied :

48. (a)—The timings had to be changed with effect from 27th July 1938 owing to a breach on the Eastern Bengal Railway.

(b) & (c)—The new timings were due to emergency owing to events over which Government had no control, and the timely notice which Government would furnish for any changes made at their own wish could not be given. Copies were immediately circulated for the information of the public in Shillong and at Gauhati. The emergency timings were published in the earliest possible *Assam Gazette*, that of the 3rd August, 1938 and the Superintendents of Police were asked to publish the change in all districts. The Secretary of the Legislative Assembly was also informed.

(d)—Government have no doubt that travellers were inconvenienced, and they regret the fact. But they have no information of any loss resulting from the change.

(e)—The timings and any change therein are always notified in the *Assam Gazette*. They accept the hon. member's suggestion and will in future draw the attention of the newspapers to any changes.

**Srijut PURNA CHANDRA SARMA:** Are Government aware that many visitors coming from Upper Assam did not come in touch with Gauhati while coming to Shillong and they were inconvenienced by this non-publication of the change in the Gazette ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I say Government regret the fact. As there was no time to publish the change in the Gazette, all the Superintendents of Police were asked to publish the change in all the districts.

**Srijut PURNA CHANDRA SARMA:** Was not this instruction issued to the district officers in the Upper Assam ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** The Superintendents of Police were informed and not the district officers.

**Srijut PURNA CHANDRA SARMA:** Did Government inform the Superintendent of Police at Nowgong ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Yes.

#### Transfer of control and management of public ferries to Local Bodies

**Srijut PARAMANANDA DAS** asked :

\*49. (a) Will the Hon'ble Minister in charge of the Public Works Department be pleased to state whether Government propose to transfer the control and management of public ferries to Local Bodies in near future ?

(b) Do Government propose to amend the present Northern India Ferries Act to make it up-to-date ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** replied :

49. (a) & (b)—No.

(Starred Questions 50-53 standing in the name of Srijut Bhuban Chandra Gogoi were not called and answered as the questioner was absent.)

#### Auditors of Local Fund Accounts

**Maulavi ABDUR RAHMAN** asked :

\*54. (a) Is it a fact that Auditors, Local Fund Accounts, are very often sent to their home subdivisions for audit purpose ?

(b) Do Government propose to stop this practice ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** replied :

54. (a)—Very rarely.

(b)—Efforts are made to avoid this but it is not always possible.

**Maulavi ABDUR RAHMAN:** With regard to 54(a), the answers given is that very rarely Auditors of Local Fund Accounts are sent to their home subdivisions for audit purpose. But as far as my personal knowledge goes, I can tell the Hon'ble Minister that this is being always done. Is it sound and reasonable to send these auditors to their own place where they are likely to be influenced by their friends and relatives who have got some concern in the Local Self-Government institutions ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I sympathise with my hon. friend, but this is inevitable so far as Habiganj subdivision is concerned. Out of 7 Auditors as many as 5 are from the Habiganj subdivision. (Laughter.)

#### Whether Heads of the Departments are the sole authority to transfer their subordinate officers

**Maulavi ABDUR RAHMAN** asked :

\*55. (a) Will Government be pleased to state whether the Heads of the Departments are the sole authority to transfer their subordinate officers from one place to another occasionally ?

(b) Is it a fact that Babu U. C. Roy, Extra Assistant Commissioner, Habiganj, is posted to his home subdivision ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** replied :

55. (a)—The power to transfer members of the subordinate services only is vested in Heads of Departments.

(b)—Yes. But orders have been issued since to transfer this officer to Sylhet.

**Maulavi ABDUR RAHMAN:** May I know if the order of transfer of this officer to Silchar was issued some time past, but was kept in abeyance?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Yes, this officer was ordered to be transferred to Silchar, but it was found that he was recently transferred from Silchar to Habiganj. We have now issued orders transferring him to Sylhet Sadr.

**Srijut SANKAR CHANDRA BARUA:** Is it not the policy of the Government not to post officers at their home district?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Yes.

**Srijut SANKAR CHANDRA BARUA:** Is it observed?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Yes, as far as possible.

#### Appointment of members of the Retrenchment Committee

**Maulavi ABDUR RAHMAN** asked:

\*56. Will Government be pleased to state—

(a) The principle on which the members of the Retrenchment Committee were appointed?

(b) Whether the Hon'ble Minister of Education was a member of the Retrenchment Committee?

(c) Who was appointed in his place after his elevation to the Cabinet and on what principle?

(d) The number of days the Committee has sat up till now?

(e) The expenditure incurred on this account up till now?

(f) The number of Committees appointed by the Assembly up till now?

(g) Whether it is a fact that the same member was appointed to more than one Committee?

(h) If so, what is the maximum number of Committees in which an individual member was appointed both by the House and Government?

(To be shown separately)

(i) Will Government explain the principle underlying the appointment of the same set of members in every Committee?

(j) Do Government propose to discontinue the practice of appointing the same set of members in every Committee?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** replied:

56. (a)—The principle followed was that of having every party represented on each Committee.

(b)—Yes.

(c)—Maulavi Abdul Aziz, M.L.A., to represent the group from which the Hon'ble Minister was selected before his inclusion in the Cabinet.

(d)—54 days.

(e)—Rupees 7,164.

(f)—Committees appointed by the Assembly..... 4.

Committees appointed by Government at the instance of Legislature...4.

(g)—Yes.

(h)—In the 4 Committees appointed by the Assembly the maximum is 4.

In the 4 Committees appointed by Government the maximum is 3.

(i)—The principle is to have every party represented on each Committee. As the election to different Committees is made on party basis, it is likely that the same member may have been selected by the party to more than one Committee. Recognised parties are consulted to select their nominee or nominees.

(j)—This question does not arise.

**Maulavi ABDUR RAHMAN:** As regards recruitment to the various committees appointed by the Government, does not Government think it desirable that all members should be given facility to learn something as regards what is going on in these committees?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** The suggestion will be considered in nominating members to the future committees.

#### Amount defalcated in the Patharkandi Tahsil Office

**Maulavi MABARAK ALI** asked:

\*57. Will Government be pleased to state—

(a) The amount defalcated in the Patharkandi Tahsil office in the Karimganj subdivision?

(b) Who were the officers in charge of the Tahsil office during the time of defalcation, i.e., from the beginning up to the time of detection?

(c) Who were the Subdivisional Officers and the Deputy Commissioners during that period?

(d) Whether the Deputy Commissioner, and the Subdivisional Officers inspected the Tahsil office during that period?

(e) Whether they drew any travelling allowance for the purpose of inspection and what is the amount drawn by each of them?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** replied:

57. (a)—Rupees 9,093-2-6 as ascertained upto 6th August 1938.

(b)—1. Babu Manmatha Kumar Chaudhuri.

2. Babu Sailendra Kumar Kar.

3. Maulavi Abdul Gafur.

4. „ Zahiruddin Ahmed Chaudhuri.

(c)— SUBDIVISIONAL OFFICERS

1. Mr. Satyadas Goswami, A.C.S.

2. Babu Abani Mohan Dam, A.C.S.

3. Babu Radharanjan Dhar, A.C.S.

4. Mr. M. H. Hussain, I.C.S.

5. Maulavi Md. Moshud, A.C.S.

6. Maulavi Abdul Hye Chaudhuri, A.C.S.

#### DEPUTY COMMISSIONERS

1. Mr. C. S. Gunning, I.C.S.

2. Mr. A. G. Patton, I.C.S.

3. Mr. G. P. Stewart, I.C.S.

4. Mr. H. G. Dennehy, C.I.E., I.C.S.

5. Mr. K. W. P. Marar, I.C.S.

(d)—Yes, some of them.

(e)—The inspections were done while on tour in connection with other works. No separate sum was incurred exclusively in this connection.

**Maulavi MABARAK ALI:** May I know if these Subdivisional Officers and Deputy Commissioners inspected this office?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I have no doubt that some of them did inspect the Tahsil office.

**Maulavi MABARAK ALI:** May I know whether they did draw any travelling allowance for this purpose?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** For going to Patharkandi from Karimganj?

**Maulavi MABARAK ALI:** Yes.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Yes, Sir, they did.

**Maulavi MABARAK ALI:** Will they refund it?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** That is more than I can say.

**Maulavi MABARAK ALI:** Are Government aware of the fact that criminal proceedings are pending against the defalcator?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Yes, Sir.

**Maulavi MABARAK ALI:** May I know whether any criminal proceedings have been filed against these officers?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Criminal proceedings cannot lie for negligence of duty.

**Maulavi MABARAK ALI:** Is negligence of duty no criminal offence?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** This is no criminal offence.

**Maulavi MABARAK ALI:** Have Government done anything with regard to these officers?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** A Government officer cannot be proceeded against criminally for negligent work.

**Maulavi MABARAK ALI:** Have departmental proceedings been taken up against these officers?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** We cannot do that till the disposal of the criminal case.

#### Earle Bridge of Karimganj

**Maulavi MABARAK ALI** asked:

\*58. Are Government aware of the fact that owing to the increase in traffic and the running of big and heavy buses, the foot traffic over the Earle Bridge, in the subdivision of Karimganj, has become unsafe?

\*59. (a) Is it a fact that the Karimganj Municipality brought this to the notice of the Commissioner, Surma Valley and Hill Division and the Commissioner recommended to Government for the extension of the Earle Bridge?

(b) If so, what steps have been taken by Government for its extension?

(c) If not, why not?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** replied:

58.—Government are aware of the increase of traffic over the bridge which is likely to inconvenience foot traffic.

59. (a), (b) & (c)—No proposal of the Karimganj Municipality appears to have been received by Government. The widening of the bridge is, however, under the consideration of Government.

**Babu RABINDRA NATH ADITYA:** Will Government allot money in this year's budget for the purpose?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Government have no money to spend from the provincial funds. They have recommended the widening of this bridge from the petrol fund.

**Babu RABINDRA NATH ADITYA:** Will it be taken over this year?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** A recommendation has just gone to the Central Government. If they accept the proposal and provide funds, work will be taken up.

#### Suspension of business of all Courts at 3 p.m. in the month of Ramzan

**Maulavi Mabarak Ali** asked:

\*60. (a) Are Government aware of the fact that the Muhammadan officers and the litigant public suffer much in the month of Ramzan as the Courts in Karimganj sit up-till 5 p.m.?

(b) Do Government propose to consider the desirability of suspending the business of all Courts at 3 p.m. every working day in the month of Ramzan?

(c) If not, why not?

**The Hon'ble Maulavi Abdul Matin Chaudhuri** replied:

60. (a)—Government are prepared to accept to a certain extent the implication contained in the question.

(b)—Government have no such intention at present.

(c)—The hours are fixed according to the civil rules of the High Court. Muhammadan officers and employees in all Government offices and all revenue and magisterial courts, who observe fasting during the month of Ramzan are allowed to attend and leave office during that month one hour earlier than the prescribed hour.

**Maulavi ABDUR RAHMAN:** Are Government prepared to issue general instructions to the district authorities to suspend all works in all Courts from 1 p.m. to 2 p.m. for saying *jahar* prayer.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Does that question arise, Sir?

**The Hon'ble The SPEAKER:** The question does not arise. The question is about Ramzan.

#### Detention of motor buses by the Police Inspector, North circle, Habiganj

**Maulavi Dewan ALI RAJA** asked:

\*61. (a) Are Government aware that the Police Inspector, North Circle, Habiganj, is in charge of the control of motor buses in the Baniyachong-Habiganj road?

(b) If so, is it a fact that he detains the motor buses at times at the cost of the passengers' time and detriment to the punctuality of the officials and the litigant public of Habiganj?

\*62. Will Government be pleased to state—

- (a) Whether he detained any bus on 16th May 1938 near "Atukura" for nothing for a good length of time, out of a number of buses running to Habiganj ?  
 (b) If so, will Government be pleased to state the reason for it ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** replied :

61. (a)—The Subdivisional Police Officer, Habiganj, is in charge throughout the subdivision. The Inspector, North Circle, is empowered to check motor buses throughout his circle.

(b)—He does not detain the motor buses any longer than is required to count passengers, check permits and driving licenses, and otherwise satisfy himself that the Motor Vehicles Law is observed.

62. (a)—According to report from Superintendent of Police, Sylhet he checked several buses on that date, but the maximum period of detention was about four minutes in any case.

(b)—The question does not arise.

**Maulavi ABDUR RAHMAN:** Are Government aware that these officers, when they do not find any opportunity to get into a bus, unnecessarily detain the people and bus owners ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Government have no such information.

**Khan Bahadur Maulavi KERAMAT ALI:** May I know if the Superintendent of Police made any personal enquiry into the matter ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** This is the report which I obtained from the Superintendent of Police. I am not sure whether he made a personal enquiry.

**Khan Bahadur Maulavi KERAMAT ALI:** Is it not a fact that the report of the Superintendent of Police is based upon the report of the Inspector concerned ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** No, Sir. The report was obtained from the Assistant Superintendent of Police, Habiganj.

#### Tours of the Hon'ble Ministers

**Babu DAKSHINARANJAN GUPTA CHAUDHURI** asked :

\*63. (a) Is it a fact that the Hon'ble the Chief Minister, the Hon'ble the Education Minister and the Hon'ble the Minister for Agriculture went on tour to certain subdivisions of the Surma Valley Districts together, in April and May last ?

(b) If so, what was the object of that tour and what were the urgent matters which called for such joint tours ?

(c) Is it a fact that they carried on Muslim League Propaganda all through their tours ?

(d) If so, will Government please state whether the Muslim League Propaganda is a part of the Government programme ?

\*64. (a) Will Government please state whether Government provided for their travelling and halting expenses ?

(b) Has the attention of Government been drawn to the article with the heading "Assam Mantri Mandalir Sylhet Paribhraman" published in the *Jugaveri* of 26th Baisakh 1345 B. S.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** replied :

63. (a)—Yes.

(b)—The object of the tour was for each Minister to acquaint himself with the working of the Departments under him and also to know the conditions and requirements of the people.

The tour was undertaken jointly by three Hon'ble Ministers with a view to reduce dislocation of work of the officers in the District and Subdivision to the minimum.

(c)—It is not a fact,

(d)—Does not arise,

64. (a)—Yes.

(b)—Yes.

**Babu DAKSHINARANJAN GUPTA CHAUDHURI:** May I know whether on any other occasion these three Hon'ble Ministers travelled together and went on tour together ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** No, Sir.

**Srijut SARVESWAR BARUA:** May I know why the other Ministers did not go to minimise the work of the staff there ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** They were busy otherwise.

**Babu DAKSHINARANJAN GUPTA CHAUDHURI:** Will the Hon'ble Minister state that, while touring, he asked people to join the Muslim League ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Yes, Sir, if the Agriculture Minister is referred to. There is another set of questions, and the hon. member may put his questions after knowing the replies that I give to that set.

#### Fee concessions in High Schools

**Babu RABINDRA NATH ADITYA** asked :

\*65. Will Government be pleased to state the percentage of the fee-concessions sanctioned for each community in a High School ?

\*66. Does the Hon'ble Minister of Education propose to revise the percentage of fee-concessions in order to allow greater facilities to the scheduled caste students ?

\*67. Do Government propose to consider the question of fixing the percentage on the strength of each community in the rolls of the schools and modify the rules accordingly ?

**The Hon'ble Maulavi MUNAWWAR ALI** replied :

65.—The hon. member's attention is invited to the rules in Part I, section 22 at page 45 of the Education Rules and orders, a copy of which is available in the Assembly Library.

66.—The matter is under consideration.

67.—Apart from the question of increasing the concessions for Scheduled castes and Tribal classes Government have no such proposal under consideration.

**Babu RABINDRA NATH ADITYA:** Do Government admit that the scope of giving facilities to the scheduled caste students is very narrow under the present rules regarding allocation of fee-concessions?

**The Hon'ble Maulavi MUNAWWAR ALI:** Government do not admit that this is very narrow, but that they will consider the matter.

**Babu RABINDRA NATH ADITYA:** Do Government admit that without changing the rules they cannot give proper facilities to the students of the scheduled castes?

**The Hon'ble Maulavi MUNAWWAR ALI:** Yes.

**Babu RABINDRA NATH ADITYA:** Do Government propose to alter the rules so as to grant fee-concessions amongst the students from that particular community?

**The Hon'ble Maulavi MUNAWWAR ALI:** All the circumstances will be considered by Government. They cannot do anything just now.

#### Bridges on the Khandajan and the Bornadi in the Mangaldai Sub-division

**Srijut BIPIN CHANDRA MEDHI** asked :

\*68. (a) Is it a fact that Rs.70,000 (Rupees seventy thousand only) has been ear-marked by Government for the two bridges on the Khandajan and the Bornadi in the Mangaldai Subdivision?

(b) If so, will Government be pleased to state when Government is going to take up the construction of the bridges?

\*69. (a) Is it a fact that the Eastern Bengal Railway authorities have raised objection as to the construction of these two bridges?

(b) If so, on what ground?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** replied :

68. (a) & (b)—The project for bridging the Khandajan and the Bornadi in Mangaldai Subdivision estimated to cost Rs.70,000 has been submitted to the Government of India for being financed from the Central Road Fund, and their approval is still being awaited.

69. (a)—Yes.

(b)—On the ground that the construction of these two bridges will open up route competitive with the railway.

**Srijut BIPIN CHANDRA MEDHI:** Is the objection made by the Eastern Bengal Railway a valid one?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** The Provincial Government is not the final arbitrator in the matter. They agree with the hon. member that the objection is not a valid one, and they have made protest to the Central Government.

**Srijut BIPIN CHANDRA MEDHI:** Do not Government think that the public need is of greater importance than the objection made by the Company?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I do not know what further information my hon. friend wants. I have already said that the Local Government has protested to the Central Government against the objection of Eastern Bengal Railway.

**Maulavi BADARUDDIN AHMED:** Did Government receive the proceedings of the meeting held by the public of Mangaldai urging Government the necessity and desirability of the two bridges and requesting the completion of them within this year?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Government have already prepared the estimates and have sent the project to Central Government for funds.

**Maulavi BADARUDDIN AHMED:** When Government will take up the work?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** We cannot take up the work unless and until we get money from the Central Government.

#### Relations of the members of the Legislatures with the Police officers

**Srijut PARAMANANDA DAS** asked :

\*70. Will the Hon'ble the Chief Minister be pleased to state in what relation the people's representatives of both the Houses of this province stand with the Police Officers?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** replied :

70.—The hon. member's enquiry is of too general a nature to form the subject of a question to Government. The relations between members of a Chamber and the police outside the House are generally the same as those between the public and the police. Instructions about such relationship were impressed upon the Subordinate Police Officers by circular No.9 of 1937, a copy of which is placed in the Library table.

**Srijut SARVESWAR BARUA:** Is it the relationship of a ward and a guardian? (Laughter).

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** No, Sir.

**Srijut BELIRAM DAS:** Did Government enquire as to whether these orders have been acted upon by the Superintendents of Police?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Government have no reason to believe that these orders are not observed. If there is any breach, it is open to the public to inform Government.

#### Preparation of a Flood Relief Code

**Srijut PARAMANANDA DAS** asked :

\*71. Will the Hon'ble the Chief Minister be pleased to state whether Government propose to prepare a flood relief code in order to obviate unnecessary delay in rendering help and to check wastage of public money?

**The Hon'ble Srijut ROHINI KUMAR CHAUDHURI** replied :

71.—A set of detailed instructions for relief work in time of flood, based on the experience of several officers over a number of years, was approved by Government and inserted at page 89 of the Executive Manual only two years ago. It is not considered necessary to enlarge this at present. (At this stage the clock struck 12 noon).

**The Hon'ble the SPEAKER:** Order, order. We have reached the time fixed for the adjournment motion. Babu Rabindra Nath Aditya may move his adjournment motion.

126 COMPLAINT FOR REALISING TOLL FROM [6TH SEP.  
SOME M.L.As.]

**Complaint for realising toll at the Dawki gate while some M.L.As. were coming in a taxi to Shillong to attend the session of the Assembly**

**Maulavi ABDUR RAHMAN:** Sir, before we proceed with the business of to-day, I like to discuss something. Yesterday I also tried to point out this matter which involves the prestige of the hon. members of this House. We were informed by the Government that when the hon. members of this House would come to attend the session they would be exempted from paying any tolls but during this time when we four M.L.As., were coming, having engaged a taxi for our journey, we were not allowed to pass the Dawki gate unless we promised to pay the toll. We are to pay the toll though we were coming to attend the Assembly session. So the point at issue is that whether the taxi is to be exempted or the M.L.As. to be exempted. (Laughter).

**The Hon'ble the SPEAKER:** I think this question is not addressed to me. It is addressed to Government.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Sir, is it desirable that I should make a statement?

**The Hon'ble the SPEAKER:** When the hon. member wants to know, I think there is no objection.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** The hon. members are perhaps aware that for each bus that plies on the Sylhet-Shillong road Government realise a royalty of Rs. 3,000 annually. If the taxis which are not meant to ply on this road are allowed on this road without paying any toll or royalty to Government then it will be ruinous to the bus people who pay Rs. 3,000 annually and therefore the Public Works Department have ruled that anyone passing by the gate or using the Sylhet-Shillong road in a private car has got to pay Rs. 2-8-0 but if he travels in a taxi, the *taxiwalla* has to pay Rs. 16 as toll. In view of this order the Time Keeper at Dawki realised tolls from my hon. friends who travelled in the taxi, but the toll has to be paid not by the passengers but by the *taxiwalla* who will not be allowed to ply the taxi unless he has paid the toll. If my hon. friend made any *bandabast* with the taxi people that they being the members of the Legislative Assembly will be exempted from paying any tolls the gatekeeper may not have known about it. However, when this point has been raised by my hon. friend, I will consider whether any relief can be given in the matter.

**Adjournment motion for acceptance of tender of the Commercial Carrying Company for operation of Motor Transport Service on the Pandu-Gauhati-Shillong Road—Leave of the House**

**Babu RABINDRA NATH ADITYA:** Sir, I like to ask for your consent to move the adjournment motion.

**Babu HARENDRA NARAYAN CHAUDHURI:** On a point of information, Sir. May we know whether the motion of Babu Rabindra Nath Aditya was submitted yesterday or to-day?

**The Hon'ble the SPEAKER:** It is well-known that it was also submitted yesterday.

**Babu RABINDRA NATH ADITYA:** I have renewed it to-day also.

**The Hon'ble the SPEAKER:** He has also submitted fresh motion to-day.

**Babu HARENDRA NARAYAN CHAUDHURI:** I think, yesterday's motion will be discussed.

**The Hon'ble the SPEAKER:** The hon. member has tabled a fresh motion because I was willing to wave urgency.

**Babu RABINDRA NATH ADITYA:** On a point of information, Sir, shall I ask for leave or for the consent of the Hon'ble Speaker?

**The Hon'ble the SPEAKER:** The hon. member has to ask for the leave of the House and whether the leave of the House should be granted or not will be dependant upon the consent of the Speaker. If the Speaker says that the motion is in order then the House will be asked to give permission.

**Babu RABINDRA NATH ADITYA:** I beg leave of the House to move the adjournment motion which runs as follows:—

“This Assembly do now adjourn for the purpose of discussing a definite matter of urgent public importance namely acceptance of tender of the Commercial Carrying Company, Ltd., by the Government of Assam for the operation of motor transport service on the Pandu-Gauhati-Shillong road without giving this House an opportunity of discussing the subject”.

Sir, this is one of the greatest sensations of this season and as is well-known, this Gauhati-Shillong road is the main artery of this province because it supplies the life blood in the economic life of the province. Sir, as it was anticipated that the term of the lease of the present contractors would come to an end very shortly, the matter was discussed in the last session of the Assembly and I think everybody knows the views of this House which were pronounced on this matter. The Hon'ble Chief Minister gave us an assurance that he would try his best to place the matter before the House so that the members could give their opinion on it before the matter was finally disposed of.

**The Hon'ble the SPEAKER:** The hon. member should not deliver a speech.

**Babu RABINDRA NATH ADITYA:** No Sir. I am only stating the urgency of this matter.

**The Hon'ble the SPEAKER:** The hon. member need not say anything because it was waived by me yesterday.

**Babu RABINDRA NATH ADITYA:** Then it goes without saying that this is a definite matter of urgent public importance. We have also come to know of it very recently and the Government of Assam issued a statement in the Press, which was published in the *Statesman* of the 4th instant. So the matter is of recent occurrence and as such I hope I shall get leave of the House to move the adjournment motion.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Sir, as I gave assurance yesterday, I welcome the discussion, I do not oppose it.

**The Hon'ble the SPEAKER:** Having heard the hon. member who has tabled this adjournment motion and having heard the Hon'ble Chief Minister, I find that the motion is in order.

The motion before the House is that:—  
“This Assembly do now adjourn for the purpose of discussing a definite matter of urgent public importance, namely acceptance of tender of the Commercial Carrying Company, Ltd., by the Government of Assam for the operation of motor transport service on the Pandu-Gauhati-Shillong Road without giving this House an opportunity of discussing the subject”.

[More than twenty members then rose in support of the motion].

**The Hon'ble the SPEAKER:** The motion will be taken up to-day.

**Srijut GOPINATH BARDOLOI:** May I make a submission with regard to time, Sir? 5-30 p.m. was found inconvenient to many of the hon. members yesterday. Some of the members complained about sitting beyond 5 p.m. So will you please fix the time a little early?

**The Hon'ble the SPEAKER:** Very well, I fix it at 2-30 p.m.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** If we start at 2, Sir, we can rise at 4-30 p.m.

**The Hon'ble the SPEAKER:** I believe the Hon'ble Leader of the Opposition is ready to sit up to 5 p.m.

**Srijut GOPINATH BARDOLOI:** Yes, Sir, it should not be continued after 5 p.m.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I have no objection, Sir. I can concede up to 7 p.m.

**The Hon'ble the SPEAKER:** Then I fix 2-30 p.m. as the time.

*Re address to Peasants by the Ministers*

**Babu KARUNA SINDHU ROY:** Sir, the tenants who have come here from Sylhet want to hear the Ministers. So I want to know from the Ministers whether they are in a position to see them and address them within the Assembly compound after 5 p.m.

**The Hon'ble the SPEAKER:** I do not know whether the Hon'ble Ministers are willing to address the peasants who have come to Shillong. It is not my business. I do not know whether the Hon'ble Ministers will be agreeable to say anything on this matter on the floor of the House.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** If you will allow me, Sir, I will just say this much. Two members of the demonstration of last evening went to my house at half past ten this morning. I was out, but they were waiting. They had a petition asking me to meet them at 5 p.m. and address them. Not merely that; they wanted to know what was the view of the Ministry as regards relationship between Zemindars and tenants. I told them I was very sorry, because I had a party meeting immediately after the rising of the House to-day. I also told them that the time for the party meeting was fixed yesterday, so I would not be able to meet them at 5 p.m. to-day.

**Babu KARUNA SINDHU ROY:** Can it not be arranged before or after that time?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** It cannot be done before 5 p.m., and I don't know how long the party meeting will continue. It continued up to half past seven last night.

*Re limitation of the number of members of the Select Committees and the revision of the list of persons, bodies, etc., to whom Bills should be sent for eliciting public opinion*

**Mr. F. W. HOCKENHULL:** Mr. Speaker, Sir, before we commence the business of the day I would like to raise a matter which, I think, is of some interest to the House, though it should more appropriately be raised on the occasion of the discussion of the Rules which govern our procedure. I refer to the appointment of Select Committees. We shall however be appointing several Committees before the 11th instant, the time appointed for discussing the new Rules. Yesterday we appointed a Select Committee consisting of 11 members. With your permission, I would like to raise one or two points.

The first is that we should limit the number of members of our Select Committees primarily because it involves considerably less expenditure and secondly, a small Select Committee will work with greater celerity.

The second point I would like to raise is that Select Committees should bear some relationship to the strength of the various parties in the House (*Hear, hear*). I would urge, if I may, that before any more Select Committees are appointed, all party leaders might assemble and the matter might be amicably settled amongst themselves and then the proposals put up to Government for approval.

There is another point, I think it is time that we should overhaul the list of those to whom Bills and legislative proposals are sent for eliciting public opinion. I presume that the list has not been revised for a considerable time. While we are discussing the matter of Select Committees it may not be inappropriate to take up that list also.

**The Hon'ble the SPEAKER:** I quite appreciate what the hon. Mr. Hockenhull has said on the various points he has raised. I remember these points were also raised on a previous occasion and hon. Mr. Hockenhull perhaps recall to his mind what I said on that occasion.

Now it is perfectly true that when Select Committees are formed, the party leaders should be consulted and should be asked to supply the names of members who are to be on the Select Committee. With regard to that, the Hon'ble Chief Minister said that when the parties were not well-defined it was difficult to follow that procedure. But now, as the parties in this House have been well-defined I think that procedure can be followed with advantage to the House. It is also true that Select Committees should not be unwieldy bodies and in electing members to Select Committees care should be taken to include members who would be interested in the subject-matter of the legislation, and would be in a position to give real advice. To achieve that object, if Select Committees be not made as unwieldy as is the practice now, I think, it would be of a great advantage to the House also.

Then, with regard to the question of selecting the persons to whom Bills should be sent for opinion—that point was also raised and it was my opinion that names of persons should be supplied by the Assembly. Of course Government has also a right to select the persons to whom Bills should be sent. I think it would be better if both the House and the Government join in selecting the persons to whom Bills should be sent in future. This is what I have got to say on the points raised by hon. Mr. Hockenhull.

**Srijut GOPINATH BARDOLOI:** Mr. Speaker, Sir, I have a complaint to make in this respect. We on this side are in perfect accord with what Mr. Hockenhull, the leader of the European Group, has said. The Select Committee should consist of as small a number as possible, and only those members from the different parties who are really capable of giving their best attention and advice on the subject, under reference, should be selected but it has been our sad experience that not only on the question of the number of representation but also selection on the basis of strength of parties in the House have been neglected by Government. Although I must say that the Hon'ble Chief Minister has been pleased to give me an assurance in a private letter to the above effect, I find that our contention has been more disregarded than accepted. So far as we are concerned, we are a compact group and we form a certain proportion of this House and could be represented by two or three members in a Select Committee of 6 or 7



members, but I find that the committees have been always very unwieldy consisting of 16 or 17 members. In order to put a stop to this sort of thing, I think the Government is the best agency, and they should take steps to do so.

**Maulavi JAHANUDDIN AHMED:** May I know from the Leader of the House.....

**The Hon'ble the SPEAKER:** The Leader of the House is not speaking.

**Maulavi JAHANUDDIN AHMED:** May I know from the Leader of the Opposition whether proportionate representation is to be given from each party.

**The Hon'ble the SPEAKER:** That is what he has said.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Mr. Speaker, Sir, I have got very little to say on the point that has been raised by my hon. friend, the Leader of the European Group. It has been the endeavour of the Government to limit Select Committees to the barest minimum consistent with the principle of giving representation to the different parties within this Chamber. I hope in spite of what my hon. friend Mr. Bardoloi has said—the Leader of the Opposition will bear me out when I say that the leader was approached every time a selection had to be made from his party. As a matter of fact some times he protested against the small number of representation given to his group and I had to accede to his request by increasing the number of his group. I pause for a reply.

**Srijut GOPINATH BARDOLOI:** I would just like to say that in the Revenue Enquiry Committee the number of members was 18, and only 3 members were taken from my group. Only yesterday two Select Committees were formed, but I was not consulted.

**The Hon'ble Srijut ROHINI KUMAR CHAUDHURI:** On a point of personal explanation, Sir. I went to the hostel to see the leader of the party, but I found him absent, but I saw another member from that party—Mr. Omeo Kumar Das—and I told him for what purpose I had called. I also met him in the Assembly Chamber and I told him that some names had been given to me on which I would like to have his opinion. During the recess I again went to see him, but he was out on some other business, and then I spoke to Mr. Das, and I told him the object of my visit.

**Mr. F. W. HOCKENHULL:** I think, Sir, that the details regarding the proposal that I have advanced might very well be discussed in this very small committee which I would like to form—a small committee representing the Government and the leaders of the party groups in the House.

**The Hon'ble the SPEAKER:** Very well. Mr. Hockenhull may do it afterwards at a convenient time—not now.

**Srijut GHANASHYAM DAS:** On a point of information. Why are Government members appointed to Select Committees?

**The Hon'ble the SPEAKER:** What officials?

**Srijut GHANASHYAM DAS:** Officials and Secretaries.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** There are certain committees where the Secretaries have been put in for the sake of supplying information, but they have been deprived of vote.

**Resolution Re increase of pay of Primary School teachers (discussion continued from the 5th September 1938)**

**The Hon'ble Maulavi MUNAWWAR ALI:** Mr. Speaker, Sir. Yesterday I was dealing with the expenditure side of the question—the expenditure involved in the schemes and the Government grants. I quite unequivocally stated about the sympathy towards the emoluments of the primary and primary venture school teachers. For the information of the Hon'ble House I will tell you, Sir, that as long ago as 1922 a recurring grant of over two lakhs of rupees was given to the Local Boards to enable them to raise the pay of the primary and venture school teachers raising the minimum from Rs. 8 to Rs. 12. In connection with this I had referred to the neighbouring province of Bengal yesterday. I now refer to our own province. As long ago as 1912 a primary school teacher's pay varied from Rs. 4 to Rs. 8, and as I have just now indicated, in 1922 their pay was raised from Rs. 8 to Rs. 12 with a recurring cost of 2 lakhs of rupees to the exchequer of the province. So far as I am personally concerned it is a well-known fact that I have endeavoured my level best throughout my political career to see the emoluments of these teachers being increased. In 1928 I was myself responsible for sponsoring a resolution which proposed an increase. At that time the Government showed to this House that the expenditure involved was Rs. 1,37,000 at the least. Now, Sir, in this year of 1938, as I pointed out yesterday, that the number of lower primary School teachers was about 8,000 but now from Mr. Small's Quinquennial Report I see that the number of male teachers during 1936-37 was 8,117 and female teachers 765, making a total of 8,882. As all hon. members are aware, only last year Rs. 50,000 was added to the expenditure for expansion of primary schools. That raises the number of schools by 347. And we may take it that they would give us approximately 368 teacher raising the total to the figure of 9,000 school teachers. If an increase of only one rupee were given even then it would require a sum of Rs. 1,00,000 if not Rs. 1,11,000 and if the proposal of an increase from Rs. 12 to Rs. 15 were accepted, that is an increase of Rs. 3 in the case of those whose pay is Rs. 12 per mensem.....

**Rai Bahadur PROMODE CHANDRA DUTT:** How many get Rs. 12?

**The Hon'ble Maulavi MUNAWWAR ALI:** Most people are getting Rs. 12. Let us take it that 75 per cent. of the teachers get Rs. 12. If three rupees increase is given for these 75 per cent. the amount of recurring expenditure involved would be about Rs. 2,00,000.

For the information of Hon'ble House, I will quote the figure which Government annually contributes towards the cost of Primary Education. It is Rs. 8,46,645 for boys and Rs. 1,41,559 for girls. That gives us the figure of Rs. 9,88,204 recurring cost. Now, Sir, when the country is faced with devastating floods and we have been hearing tales of sorrows and miseries of the people due to the great flood that has overtaken as many as 7 districts in the Brahmaputra Valley, is it not for us now to think and pause whether this is an opportune moment to give an increment to the pay of the teachers? As I have stated at the very outset this Government is most sympathetically disposed towards the demands and requirements of the Lower Primary teachers. The Government realises and considers it of great importance that rather than an increase in the pay of the teachers an increase in the number of schools is preferable. This is the issue which the hon. members would do very well to ponder over, whether if possible it would not be better to increase the number of schools

and expand primary education rather than increase the teachers' pay just now. As I suggested yesterday, it is not in terms of rupees, annas and pies that the economic condition of the teachers has to be looked at. But it is the facilities for the improvement of their economic condition that should be looked at. I propose that they should get vacations during the ploughing and harvesting season. I think that would be more acceptable to them. Many of the teachers who approached me were in favour of vacation being granted during the ploughing and harvesting seasons.

**Mr. BAIDYANATH MOOKERJEE:** They do not agree now.

**The Hon'ble Maulavi MUNAWWAR ALI:** As to the resolution itself, let us see what will be the effect if it is carried. It is proposed that the minimum rate of pay of the teachers of the Lower Primary Schools in the province of Assam be fixed at Rs. 15 a month. All right. If that is the intention of the hon. mover, I shall be the first person on the floor of the House to agree to it. But as I asked, what would be the effect of its acceptance? This will be a direction to the local bodies to so fix the scale and they have to provide the money accordingly. No other interpretation can be given to this resolution which will be only a pious wish of the Assembly if the resolution is accepted. So, I think, Sir, what was at the back of the hon. mover's mind was something like that which underlies resolution No. 21 in the name of Maulavi Abdul Bari Chaudhury or in No. 82 in the name of Maulavi Matior Rahman Mia. With your permission, Sir, I will read the resolution. It is: "This Assembly recommends to the Government of Assam that sufficient funds be placed at the disposal of the local and municipal boards for an immediate increase in the pay of the Lower Primary School Teachers". But the resolution which is now being discussed does not carry that idea. And if the Hon'ble House would permit me, I would not hesitate for a moment to accept the resolution that has been brought forward by my hon. friend.

I have simply shown to the hon. mover the inefficacy of the resolution if carried. I think he had at his back what is meant in the resolutions Nos. 21 and 82. I have simply drawn the hon. mover's attention to this that even if this resolution is accepted by this House, there will be no responsibility on the part of the Government to provide money. So this resolution will rather be nugatory. Therefore, I would suggest to the hon. member that he would do well to withdraw this resolution and wait for the resolution No. 21 which is very likely to come up during this Session.

**Mr. ARUN KUMAR CHANDA:** Was the implication of the resolution so deep that it was beyond the comprehension of the Hon'ble Minister? It is well known that Government supply funds to the local boards for this purpose.

**The Hon'ble Maulavi MUNAWWAR ALI:** Certainly not. It is not the Government that supplies funds. Government gives grants for primary education and it is not the duty of the Government to supply the entire amount.

**The Hon'ble the SPEAKER:** When the Hon'ble Minister referred to the resolution in the name of Maulavi Abdul Bari Chaudhury, the House may make a pertinent enquiry whether if this resolution is accepted the Government are willing to take steps under that resolution to implement this resolution?

**The Hon'ble Maulavi MUNAWWAR ALI:** No, that cannot be, Sir. Because there are certain other things to bring to the notice of the House.

**Mr. ARUN KUMAR CHANDA:** This is merely a resolution and if accepted, it is for the Government to implement that.

**The Hon'ble Maulavi MUNAWWAR ALI:** That resolution will be sent to the respective local boards.

**Srijut BELIRAM DAS:** Just now, Sir, the Hon'ble Minister told us that he would be willing to grant holidays during the time of ploughing and harvesting. May I enquire what is the period of harvest in the year?

**The Hon'ble Maulavi MUNAWWAR ALI:** That will vary from locality to locality.

**Srijut BELIRAM DAS:** How many days will that cover?

**The Hon'ble the SPEAKER:** The hon. member should not ask such questions. He is quite at liberty to carry on debate but such questions should not be put.

**Srijut PURNA CHANDRA SARMA:** Sir, the Hon'ble Minister for Education in opposing this resolution of my friend, Mr. Kar, has referred to certain statements and certain facts that he has gathered at Sylhet about the inclination of the teachers towards cultivation rather than for increment of their salaries. On this point, Sir, there was enough discussion outside the Assembly between the Hon'ble Minister and some members of the House. It can easily be imagined by any hon. member of this House how a Pandit will feel in the presence of the Hon'ble Minister. We know that before a higher official a Pandit ordinarily shivers, and before the Hon'ble Minister he should shiver more. It is impossible to think of an ordinary village Pandit opposing the views of the Hon'ble Minister in his face. It may be possible that he agreed, as the Hon'ble Minister suggested that holidays in the ploughing and harvesting seasons would be more suitable than an increment of pay.

Sir, an increment of Rs. 3 from Rs.12 in the case of a Pandit would be more than the equivalent of an increment of Rs.300 in the pay of an Hon'ble Minister. We always find and we always complain that the village Pandits are inefficient because they are not qualified, that they should be trained, that they should be made to work harder and at the same time we want them to impart a sort of education which will create a nation out of what we are at present and more especially that they should be able to build a nation free economically and politically and more developed both morally and socially. This education we want to give through a band of teachers who are not qualified—a fact which we all admit. They are not qualified, because they are not paid well and because they cannot give their sole attention to education. Qualified people do not come in for so low paid salaries. Sir, the lower primary teachers are the real builders of the nation. But a hundred of them do not draw as much salary in a month as one of the Hon'ble Ministers does. At least this Government does not spend for the education of 4,000 pupils in a month as much as they spend on the salary of an Hon'ble Minister.

Now, Sir, the whole objection comes from the Government when we want to increase the salary of a teacher from Rs.12 to Rs.15. We know it well that about 20 per cent. of these teachers draw more than Rs.15 a month. But what is the lot of the majority of these teachers? As has been admitted by the Hon'ble Minister himself, about 75 per cent. of them draw only Rs.12 a month. So then, Sir, if we do really want to increase the efficiency of the teachers and schools, we must increase the salaries, so that they may work harder and give some real education to the boys under their charge.

Sir, a number of holidays during the harvesting season is not going to help all the teachers. That may help a few, but it cannot help the general mass of teachers, which is about 9,000 and which will increase if ever the Hon'ble Minister's scheme is put into action. It may then increase to about 40,000, within a year or two—of course if the scheme comes into operation.

In supporting the resolution of my friend Mr. Kar I have taken this occasion of only repudiating some of the arguments advanced by the Hon'ble Minister.

**Maulavi ABDUL BARI CHAUDHURY:** Mr. Speaker, Sir, we are really gratified that at last we have been afforded an opportunity for ventilating the grievances of the lower primary school teachers. For the last two years I, along with several other members have been trying to bring a similar if not an identical resolution before the House. But the mystery of the ballot so long denied us an opportunity of moving such a resolution before the House.

Sir, the lower primary school teachers are not under the direct control of the Local Government; it is the local bodies who pay them out of their own funds. As matters stand, Government has no hand in the increase of pay of these teachers, and the resolution in its present form, therefore, will serve no useful purpose. Such fixing of the minimum pay of teachers by Government will ultimately turn into a pious wish, which the local boards with their limited resources would not be in a position to implement.

Sir, I have got a resolution on the same subject. I mean resolution No. 21, which has already been referred to by the Hon'ble Education Minister. It reads as follows:—

"This Assembly recommends to the Government of Assam that sufficient funds be placed at the disposal of the local and municipal boards for an immediate increase in the pay of lower primary school teachers." This resolution is more comprehensive and perhaps the mover of the first resolution has got the same aim in view.

Sir, the deplorable condition of the lower primary school teachers can better be imagined than described. With the abnormal rise in the cost of living they have reached the lowest depth of poverty and degradation. The majority of the teachers are getting at the minimum rate of Rs.12 per month, though burdened with an ever-increasing family. In the Sunamganj Local Board, as many as 100 teachers are being paid at this minimum rate of Rs.12 for the last 16 years. Even some normal passed trained Pandits are being paid at the same rate. During this long period, Sir, they have been duped with many a false hope coming from the lips of big personages of the country. During this period they saw the rise and fall of many a provincial magnate. But their poor lot remained the same. This stagnant state of affairs has inevitably deteriorated the efficiency of the lower primary teachers. And who are to be blamed for it? All blame rests with those who were responsible for the administration of the country. This unhappy lot of people did not receive sympathetic and kind consideration in their hands.

Sir, on a previous occasion, I said that the lower primary school teachers—who are supposed to be entrusted with the moulding of the future hope of the country, were receiving pay at a lower rate than the menials of the Shillong Secretariat. It is time that earnest efforts are made to ameliorate their condition.

Sir, I am fully conscious of the demand for expansion of education all over the country. The introduction of compulsory primary education is the cry of the day. But that hardly minimises the claims of the teachers to an increase of their pay. It will not be paying to have a greater number of schools with ill-paid inefficient teachers. Better pay would mean better efficiency.

Sir, Rs.15 as quoted by the hon. mover as the minimum pay of lower primary teachers is nothing but a most moderate demand. There are something like 9,000 teachers under the local boards at present. So the financial implication would be a sum of about Rs.3,00,000 per annum. But this big amount should not terrify us. The Retrenchment Committee can well afford to provide this money to be placed in the hands of the local bodies for this deserving cause.

**Babu KAMINI KUMAR SEN:** Sir, I have heard with rapt attention to the rather long speech of the Hon'ble the Education Minister, in which he has shown tons of sympathy for the poor lower primary teachers and no less unwillingness to pay. But afterwards he has taken recourse to legal quibbles to avoid an uncomfortable situation. He now takes the plea that, while Government is ready to accept this resolution and to forward copies of the resolution to the local bodies concerned, they are not going to pay. But may I ask the Hon'ble Minister for Education, who fixes the minimum pay of these teachers? Is it not the Government that fixes their pay? Is it not Government that insists on the local boards to give at least the minimum pay of Rs. 12 to their teachers? I had some personal experience of this only last year.

**The Hon'ble Maulavi MUNAWWAR ALI:** May I explain for a moment, Sir. Perhaps this statement of the hon. member might mislead. Government once in 1922 fixed a minimum of Rs. 12. That is all. They always see that that minimum is not reduced and no further.

**Babu KAMINI KUMAR SEN:** Only last year the Karimganj Local Board was asked to take over some scheduled castes schools which were so long maintained by the missionaries. There, some of the teachers were getting a pay from Rs. 8 to Rs. 9 per month and we asked the Government for sanctioning the pay of the teachers at the old rate, but we were refused to do that. Now if the Government fix the minimum rate of pay and if the ear-marked grant for primary education is distributed on the basis of that pay, then how the Hon'ble Education Minister says that he will accept the resolution and at the same time will not pay anything? So I think the contention of the Hon'ble Minister that he will accept the resolution and at the same time make no grant for the purpose has no meaning at all. I would like to know from the Hon'ble Minister of Education whether the Government is definitely accepting the resolution as it stands.

**Maulavi ASHRAFUDDIN MD. CHAUDHURY:** Sir, I shall fail in my duty.....

**Babu KAMINI KUMAR SEN:** Sir, I expect an answer from the Hon'ble Education Minister whether Government is ready to accept the resolution as it is drafted.

**Khan Sahib Maulavi MUDDABIR HUSSAIN CHAUDHURI:** From the speech of the Hon'ble Minister we could not exactly follow whether he is accepting or refusing the resolution.

**The Hon'ble Maulavi MUNAWWAR ALI:** I was not avoiding the issue, but I was simply pointing out the inefficacy of the resolution as it is worded.

**Babu KAMINI KUMAR SEN:** We would like to know whether the Hon'ble Minister accepts or opposes the resolution.

**The Hon'ble Maulavi MUNAWWAR ALI:** Government accepts the resolution because it is innocent.

**Maulavi ASHRAFUDDIN MD. CHAUDHURY:** Sir, I shall fail in my duty if I do not say a few words in this connection. On this subject there is another resolution in the name of hon. Maulavi Abdul Bari Chaudhury although it differs to a great extent from the resolution now moved. But whatever may be the difference between the two resolutions it is a fact that there is a real grievance of our lower primary teachers. Sir, it is no good showing sympathy by words. We must come forward with funds to improve the lot of poor teachers to some extent. Somehow or other funds may be raised to help them. Primary responsibility lies with the school teachers to shape the career of our future citizens. So it is no good simply passing resolutions. In 1933 a similar resolution was moved and carried in the Council, but it has brought nothing to the poor teachers. So I say that effective measures must be taken in this respect.

**Mr. BAIDYANATH MOOKERJEE:** Mr. Speaker, Sir, I rise to support the resolution of my hon. friend Mr. Lalit Mohan Kar. The Hon'ble Minister for Education has already stated that, as the resolution is an innocent one, the Government were prepared to accept it. I think, therefore, so far as the meaning of this resolution is concerned, I need not take the valuable time of this House. But, Sir, towards the end of his statement the Hon'ble Minister stated that on consulting many of [the] lower primary teachers of Sylhet district, he was of opinion that most of them were ready to accept the vacation during the time of ploughing and harvesting rather than taking any increment in their salary. But in this connection I have got something in my hand and I would read a letter from the President, Executive Committee, Sylhet District Lower Primary School Teachers' Association, dated 1st September 1938. It runs thus:—

The Members, Legislative Assembly, Assam.  
Dear Sirs,

The miserable plight of the Lower Primary Teachers of Assam, has been for many years a subject of discussion at the Legislatures. Although resolutions aiming at its alleviation were adopted in the past, nothing tangible has yet been accomplished. Srijut Lalit Mohan Kar's and Maulvi Mabararak Ali's resolutions fixing a minimum pay with effect from a definite date are before you for consideration and Sylhet District Lower Primary School Teachers' Association fervently hope that you will kindly lend your support to them".

Sir, the letter is dated 1st September 1938. So it is very recent. As my hon. friend Mr. Purna Chandra Sarma said perhaps these teachers when they met the Hon'ble Education Minister having failed to get a favourable reply from the Hon'ble Minister with regard to their pay, agreed to the proposal of the Hon'ble Minister. But now they have expressed their real desire. So I hope the Hon'ble Minister for Education will accept our last appeal and without any hesitation accept the resolution as it is before the House.

**Mr. NABA KUMAR DUTTA:** The scandalous low grade of salary of primary school teachers and the legitimate demands for its betterment are too well-known to all of us. Yet though we have been talking of compulsory primary education and of diffusion of education amongst the masses, yet the special attention of the Government is hardly drawn to the deplorable condition of these primary school teachers in whose hands we have left the task of building up of the careers of our future citizens.

Sir, the necessity of having trained teachers is admitted on all hands, but does the present scale of pay ensure a steady flow of suitable recruits? It is all very easy, Sir, to talk of honorary school teachers and honorary school inspectors, but we must not forget that when the stomach is empty the brain does not work at all, not to speak of intellectual achievement.

I admit, Sir, there will be no dearth of applicants for teacherships even at the present scale of pay. I may go a step further and say that there may be many candidates for honorary jobs who will be coming with the fond hope of getting permanent jobs afterwards. But these are no reasons why we should try to exploit the situation. Whereas the Trade Unions and the Labour Unions have succeeded in placing their demands successfully for living wages, our poor primary school teachers are being robbed right and left. After all, Sir, the brain work is not less, if not more arduous than physical labour. Considering, Sir, that a day to day labourer earns eight to ten annas a day the lot of these primary school teachers makes us ponder seriously. In the pre-war days when price level and cost of living was almost half than that in the present day.....

(Here the clock struck 1 p.m.)

**The Hon'ble the SPEAKER:** The hon. member will get time after lunch.

#### Adjournment

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

#### After adjournment

The Assembly re-assembled after lunch at 2 p.m.

**Mr. ARUN KUMAR CHANDA:** Mr. Speaker, Sir. It is indeed a pathetic sight to find.....

**The Hon'ble the SPEAKER:** No. Mr. Dutta is to continue.

**Mr. ARUN KUMAR CHANDA:** Oh. I am sorry.

**Mr. NABA KUMAR DUTTA:** Mr. Speaker, Sir. From whatever aspect the future of primary education is considered, it is certain, that the staff must be well qualified and well paid. In pre-war days, Sir, when the price level and the cost of living were almost half than that of the present day, the wage of the primary school teachers was fixed at Rs. 12 per month in many provinces, but to-day the price level and the cost of living on account of all the paraphernalia of civilisation have greatly increased but the poor primary school teachers are still working for the same wages which they used to get in pre-war days. After all, Sir, no Government in the present century has allowed the wages to be fixed by a free play of supply and demand of labour. I hope, Sir, the hon. members of this House will give humane consideration to the conditions of these poor teachers and will pass this resolution.

**Mr. ARUN KUMAR CHANDA:** Mr. Speaker, Sir. It is indeed a very pathetic sight to find Hon'ble Maulavi Munawwar Ali trying to hedge under a quibble in order to shirk his responsibility as a Minister in-charge of Education. It would have been far more honest for him to plead the inadequacy of funds in the matter of implementing the resolution than to say that he was ready to accept in the form in which it was brought before this House because it was a very innocent resolution.

**The Hon'ble Maulavi MUNAWWAR ALI:** On a point of personal explanation, Sir. On account of sympathy I drew the attention of the hon. mover. I wanted to draw the pointed attention of the hon. mover to the defects of the resolution, and also in the resolution No. 21 I went out of my way to do so. So it shows that I was not dishonest in my motive. I do not understand how can Mr. Chanda attribute dishonesty.

**Mr. ARUN KUMAR CHANDA:** I did not attribute dishonesty, but I merely said that it would have been far more honest on the part of the Hon'ble Minister to plead inadequacy of funds. Well, those of us who have any knowledge of the work that Hon'ble Maulavi Munawwar Ali has performed in the Legislature during the last 15 years know that he was a very zealous advocate in the cause of the amelioration of the condition of the poor teachers of the primary schools. It is really a melancholy sight to see him speaking in a different strain to-day. Is it because he has been translated into office that his fountains of sympathy have dried up? I will only place before this House some of the observations which he made in the past Councils to make myself clear. I think, in 1928, he actually moved a resolution himself and drew a very vivid picture of the miserable condition of the poor teachers of the primary schools. But at that time, Sir, he was Maulavi Munawwar Ali and now he is Hon'ble Maulavi Munawwar Ali.

**The Hon'ble Maulavi MUNAWWAR ALI:** One is honourable even as a member in the House. *(Laughter.)*

**Mr. ARUN KUMAR CHANDA:** He moved the resolution as follows:—

“That this Council recommends to the Government that the pay of the lower primary teachers be so increased as to afford them a fair living”.

Sir, my resolution itself involves the idea that the present pay of the lower primary teachers is such as not to afford them a fair living. The poor teachers do not get even as much pay as an ordinary Peon or a Government Chaprasi. Rupees 12 to Rs. 20 is his lot and a vast majority of them get Rs. 12 only. Is it possible for a man to get on in this world with Rs. 12 when the price of the bare necessities of life has risen so high? Sir, if the poor teacher cannot satisfy his belly he cannot of course satisfy the needs and requirements of a teacher in the school. With a hungry stomach he can really do no good work. Should he have no children to maintain? Taking all these things into consideration the lot of our lower primary teachers is very miserable indeed. That these teachers deserve an increment of pay has been even admitted in the Quinquennial Education Report that has just been published. The primary school teachers build the foundation of the future nation. In the boys, the budding boys of the community lies the future and the superstructure of the nation. If we build this superstructure on flimsy grounds of course our future will be tottering and we cannot get on in this world with rapid strides in the competition and in the scale of civilisation. If funds could be found for other things that are less essential and that are less material I do not know how it could be contended that funds are not available. If the Ministry of Education really means to do the greatest good to the country and if with a determination and resolution that is proper for it it takes up this cause I think funds will be available for increasing the poor teachers' pay.

I think, Sir, that no one in this House could give a better description of the miserable condition of the poor primary school teachers than this. I would also like to draw the attention of the House to the fact that when this proposal was before the Council the then Leader of the European Community Mr. Witherington observed as follows:—

“If a man is badly paid, his mind is occupied with difficulties at home

and he cannot give his whole attention to his work. The work of training a child's mind and character in its infancy when it is in its most receptive condition is a work needing the utmost care. If the teachers cannot give their fullest attention to their work, then the whole character of the child will suffer. I consider that money should be secured for the poor teachers in order that we may procure efficient teaching for the children. I therefore support this resolution.”

Then Sir, there was another proposal in 1935 before the Government of Assam. The resolution recommended that the provident fund system for the middle vernacular school teachers should be accepted. On that motion also, Hon'ble Maulavi Munawwar Ali delivered a very illuminating speech. So, Sir, in view of the fact that such an ardent advocate of the poor teachers of the primary schools is now in the Cabinet, they naturally raised an expectation that he would take up an attitude which would be in keeping at any rate with his past attitude in this matter. Of course, Sir, there is no denying the fact that Government will have to find funds if this resolution is adopted. For all these years this matter has been pending before the Government. This resolution was moved once in 1928 and then again in 1931 and 1935. Rarely has another matter come up before the House with such insistency. Yet during all these years that this matter has been hanging fire, various proposals have been put forward from time to time at the instance of Government and great expenditure has also been incurred, but the lot of the poor teachers was not considered by Government important enough to be attended to. If it would be the position that Government were unable to extend any of their activities for want of money then the position would have been different. But I beg to submit, Sir, that there have been many projects to our knowledge for which an expenditure of huge amount has been incurred without a thought. But this small and very modest project regarding the pay of the poor teachers has not been attended to. If this is not callousness, then what is callousness I ask? Is not the Chaprasi who goes with the Inspector of Schools when he goes to inspect the schools paid more than the poor teachers? Is this state of affairs conducive to the growth of their self-respect? Is that how we should treat our teachers? It is well known the teachers have not only to maintain their families on their poor pittances, but they are also charged with the duty of keeping the school houses in repair. I will just refer to a quotation from the annual report of Mr. Small, the Director of Public Instruction. “Pay continues unimproved. The average was somewhat under Rs.14 a head. Rupees 12 the standard wage. The pay of a postman is Rs.20—40, of a constable Rs.18—22 and a coolie family in a tea garden may earn Rs.25 or Rs.30 in a month.

Repairs continue to be a difficulty. The Boards are not in funds to provide for the maintenance of the buildings. The rules seek to impose an obligation in this matter upon local agency and local aid in labour and materials. The aid is frequently wanting. It is difficult to enforce a floating obligation and too often the teacher has to maintain the structure or to contribute towards maintenance from his own poor earnings.

So, Sir, I do not think I need mention anything more about the miserable condition of the primary school teachers; it is well-known to the hon. members of this House. What I want to submit before the House is that we have now what we are told a responsible form of Government. It may be that in the last Government, which brought a different angle of vision into their outlook, the question of teachers did not find that prominence and did not receive that consideration. We have now what we call the beginnings of Provincial Autonomy. We have Ministers who

are responsible to the House and who are, I hope, also responsive to public opinion. If that is the position, I say it is the incumbent duty of the present Ministry to find funds for implementing the promises that have from time to time been made on behalf of Government indicating a generous attitude towards poor primary school teachers. I do not think there is another matter which has been so frequently ventilated on the floor of this House. There have been at least three occasions to my knowledge when resolutions have been adopted unanimously with the object of improving the lot of the poor primary school teachers, but their lot goes on the same whereas the lot of many of us has since improved. With these words, Sir, I lend my emphatic support to this resolution and commend it to the acceptance of the House.

**Col. A. B. BEDDOW:** Mr. Speaker, Sir, I would like just to say a very few words on this measure. I am not clear in my mind even now as to whether Government are opposing or accepting the resolution as it stands. I am not sure as to whether the House is clear as to that position and to be perfectly frank with you, I am not quite clear whether I am myself opposing or supporting it. It all depends, Sir, upon certain conditions about which I have no knowledge. What I do want to say is this that we have the greatest sympathy for the object behind this resolution. We Tea Planters, move about the countryside and we know the condition of the village school master; we know it intimately; we know their hard-lot, their meagre outlook and we know the inequitously small pay. This pay many a tea garden cooly can and does earn and even improve on; such pay is absolutely inadequate to my mind.

Unfortunately the educationalist all over the world, is a badly paid man. I can never understand why. A great responsibility rests on him—his duty towards mankind, towards the future generation cannot be overestimated and he, to my mind, should be the best paid man in the State. But why this is so, I do not know; the fact remains that it is so. The question is what is to be done under the present state of affairs? Sir we are like the small boy who wanted to eat the cake and have it too. If we increase the pay of the teachers fewer boys will be taught; if we reduce the pay of teachers more boys are taught. But we want to see better paid teachers and more boys taught.

But where is the money coming from? I do not know that; I am not the Finance Minister. Sir, I heard a most extraordinary statement made by the mover of the resolution yesterday. He said that it was not difficult to obtain money. That was the most extraordinary statement I have heard. If it is true, and if he goes to the office of the Education Minister and shows him how to make money without difficulty I am sure the Minister will gladly pay him a minimum of Rs.15 per month. But that is the whole point of the question. Can Government do anything to implement this resolution or raising the pay of school teachers? If they can, we whole-heartedly support the resolution. If they cannot, we hope they will find their way to do so.

**Babu BALARAM SIRCAR:**—সভাপতি মহোদয়, এই প্রস্তাব সম্বন্ধে আমার কয়েকটি আপত্তিজনক কথা বলিবার আছে। আমি সদর শ্রীহট্ট, করিমগঞ্জ ও মৌলভীবাজার মহকুমা পরিভ্রমণ করিয়া দেখিয়াছি যে প্রত্যেক স্থানেই এখনও অনেক অসাহায্যকৃত স্কুল রহিয়াছে। তারপর দিন দিন অনেক স্কুলও স্থাপিত হইতেছে। প্রথমে গভর্নমেন্টের এই সকল স্কুলে সাহায্য দেওয়া উচিত। অনেক এমনও স্কুলও আছে, যে সব ৩৭ বৎসর

হইল স্থাপিত হইয়াছে কিন্তু শিক্ষকেরা বেতন পাইতেছেন না। তাঁহারা বর্তমানে ৮১০০ টাকা বেতনেও কার্য্য করতে প্রস্তুত, কিন্তু এমতাবস্থাতেও টাকার অভাবে গভর্নমেন্টের পক্ষ হইতে এই সকল স্কুলে সাহায্য দেওয়া হইতেছেন না। অতএব এই সকল অসাহায্যকৃত স্কুলে সাহায্য দেওয়ার পর শিক্ষকদের বেতন বৃদ্ধি করাতে আমার আপত্তি নাই। কিন্তু হইটা এক সঙ্গে হওয়া সম্ভবপর হইবে বলিয়া আমি মনে করিনা। অসাহায্যকৃত স্কুলে সাহায্য দিতে হইলে আমি হিসাব করিয়া দেখিয়াছি অন্ততঃ ৩ লক্ষ টাকার দরকার হইবে। অল্পরত সম্প্রদায়ের গ্রাম সমূহে অসাহায্যকৃত স্কুলের সংখ্যা প্রত্যেক মহকুমায় ৩০ হইতে ৫০ পর্য্যন্ত দাড়াইয়াছে। মুসলমান ও বর্ণ হিন্দুদের গ্রাম সমূহে তদবস্থা। অতএব সমস্ত স্কুলগুলিকে সাহায্য দিতে হইলে অন্ততঃ ৩ লক্ষ টাকার কম হইলে চলিবে না। এমতাবস্থায় শিক্ষকদের বেতন যদি বৃদ্ধি করা হয় তাহা হইলে অসাহায্য কৃত স্কুলে সাহায্য দেওয়া হইবে না। অতএব অসাহায্যকৃত স্কুলে সাহায্যের ব্যবস্থা করা হউক এবং তাহার পর শিক্ষকদের বেতন বৃদ্ধি করা যদি সম্ভব হয় তাহা হইলে তাহাদের বেতন বৃদ্ধি করা হউক।

**Srijut GAURI KANTA TALUKDAR:** Mr. Speaker, Sir, the deplorable condition of our village school masters has been fully and vividly pictured before us by several hon. members. And I do not desire to dwell upon that point any further. But what I want to say is that it surprises me very much to find the Hon'ble Minister in charge of Education trying to minimise the gravity of the deplorable plight of the poor teachers by giving instances of the so-called unhappy state of affairs in other provinces. Now, whatever may be the condition of school teachers in other provinces, nobody can deny that the lower primary school teachers of our province are in a very bad plight. Sir, they get Rs.12, some of them not even so much. According to our Hon'ble Education Minister 75 per cent. of them get Rs.12. Besides that, they do not get anything more. They are not given the advantages of provident fund or pension. The pay which they get is much less than what is earned by a day labourer in a month. It is certainly the bounden duty of the Government to ameliorate their condition. The Government is certainly conscious about it. But still instead of coming forward with an offer of a decent grant for raising the pay of the poor teachers, our Hon'ble Minister for Education has thought fit to present us with a suggestion of giving them relief by way of granting a vacation during the harvest season to enable them to work in the field and to earn a part of their livelihood. This proposal of the Hon'ble Education Minister, Sir, is impracticable and also undesirable.

It is expecting too much of the school masters that they should teach boys and work in the fields as well for earning their livelihood. If they are allowed to cease to work for several months, the students who happen to be placed in their charge will suffer very much. Moreover those teachers who have to work far away from their homes and those who have no means of carrying on cultivation will not get any advantage from the proposed vacation.

The Hon'ble Minister has said that he has every sympathy with the resolution and that he is going to accept it. What does it mean? He says that he will simply forward it to the local boards with a recommendation. But how can the local boards ameliorate the condition of the school teachers with the empty recommendation unless the Government

come forward with an adequate grant? It is not enough to say that they accept the resolution unless they accept it in all sincerity and for that purpose provision of a good grant in the next budget should be made.

With these few words, Sir, I support the resolution of my hon. friend Babu Lalit Mohan Kar.

**Miss MAVIS DUNN:** Mr. Speaker, Sir, I listened with great attention to the speech of the Hon'ble Minister in which he revealed the great sympathy he has for the primary school teachers whose lot is indeed very hard. But according to him, rather than raise the salary of the said teachers, he would open more primary schools in this province. I do not like this alternative, as I am sure it would involve Government in financial difficulties as great as would occur if this resolution is accepted.

My second objection to the proposal of the Hon'ble Minister is with regard to the granting of holidays during the ploughing and harvest seasons, which, he says, would benefit the teachers to a greater extent than a raising of salary to Rs.3 each. This project is all very well in the case of village school male teachers; but of what benefit will it be to teachers in town schools and to lady teachers who do not go out into the fields and work? On the other hand, to give effect to this resolution "from the next financial year" is quite impossible, as everyone knows the present financial condition of the province, which is further aggravated by the recent floods.

I shall support this resolution whole-heartedly if the mover will agree to amend the resolution by saying that it should take effect within two or three years.

**Mr. JOBANG D. MARAK:** Mr. Speaker, Sir, I have heard the discussion in this House, and I wish to say a few words. (*Laughter.*) No, Sir, I am not going to speak about the Garo Hills. The Garo Hills is all right as regards this matter. All the school teachers in Government Primary schools are getting the minimum pay of Rs.15—1—20, and there is a selection grade of 20—1—25 and a further selection grade of Rs.25—1—30. The Hon'ble Minister considered the question—expansion side as well as concentration side. The Hon'ble Minister proposes an expansion of schools to more areas. Of course this may be very well, but in my experience it does not do well because an inadequately paid teacher always does poor work (*Hear, hear*). So if we want to build many houses with a little money we cannot expect to get good results. What we want is good results, and this can only be achieved with a smaller number of schools with better qualified and adequately paid teachers. I was quite ready and prepared to support this resolution, but (*laughter*) I am not without reason. The question before the Government is that of possibility or impossibility. It is a question of funds. The village school teacher is to teach various classes and various subjects. The Hon'ble Minister spoke of working in the fields by teachers. But this labour is not possible in the plains, it is only possible in the hills and in countries like America, where I have seen many professors working with lawnmowers during the recess. But this is not possible in India particularly Bengalee gentlemen who are doing teaching work will not be able to work in the fields. These civilized people are not like our people of India (*laughter*).

**Maulavi ABDUR RAHMAN:** Are the Indians uncivilized?  
**Mr. JOBANG D. MARAK:** I do not say that the Indians are uncivilized. I am speaking about the plains Bengalee Babus—no one can deny this fact—it is an admitted fact, Sir, that they cannot work in the fields in the day after teaching boys in the morning. Labour teaching is only possible in the hills.

**The Hon'ble the SPEAKER:** The hon. member has taken exception to the word "uncivilized".

**Mr. JOBANG D. MARAK:** I do not mean that they are uncivilized. What I mean is that their mode of living is different. A Bengalee gentleman may have 2 or 3 brothers, one of whom may have secured an appointment, but the other two brothers are not making any contribution towards the maintenance by earning anything by labour. Of course I mean the educated people.....

**Mr. ARUN KUMAR CHANDA:** Can the hon. member spread this disaffection against the Bengalees in the House, Sir?

**Mr. JOBANG D. MARAK:** No, Sir. I am not speaking against them. But the fact is admitted by all that they both teach and labour.

Sir, the department of Education is a most important nation-building department. At the same time this primary education is the foundation of education. We should see that the pay of the primary school teachers should be adequately fixed. As I say I was quite prepared and ready to support the resolution provided the fund was forthcoming. I hope the Hon'ble Minister will be agreeable to see that as soon as funds are available he will accept the resolution.

With these few words, I would appeal to the hon. mover to withdraw his resolution.

(Here the clock struck 2-30 p.m.)

#### Adjournment motion for acceptance of tender of the Commercial Carrying Company, for operation of motor transport service on the Pandu-Gauhati-Shillong Road (Discussion).

**Babu RABINDRA NATH ADITYA:** Sir, I beg to move, that: "This Assembly do now adjourn for the purpose of discussing a definite matter of urgent public importance, namely, acceptance of tender of the Commercial Carrying Company, Limited by the Government of Assam for the operation of motor transport service on the Pandu-Gauhati-Shillong road without giving this House an opportunity of discussing the subject".

Sir, while asking for leave, I have stated that this is one of the most important events, one of the most outstanding events of the season. It seems that the Commercial Carrying Company has carried our Cabinet Members on commercial merits. Of course, I shall not refer to the ugly rumours afloat in the town and it is not for me to refer to them in connection with this motion. But I may say at the outset in the strain of the statement issued by Government, that I have no interest present, or prospective in the Company. What strikes me is that this question of transport on the Gauhati-Shillong road affects vitally the interests of agriculture and industry in the province. And as such it cannot be allowed to be handled in the way in which it has been done.

Sir, the transport facilities are undoubtedly the greatest factors in the development of trade and industry and the Gauhati-Shillong road forms one of the main chord of that communication. When nationalisation of such key industries is the order of the day, it would be quite in fitness of things, if the Government would be ready to undertake the management of this service over this road and that proposal was also advanced on the floor of the House times without number during the last session of the Assembly. But, Sir, if in accordance with modern tendencies, the Government were not ready to take over the management, then of course comes the question of preferential claim of the intending parties.

Sir, there are two things to consider, the interest of the public and the interest of the State, in the matter of the distribution of the contract for transport service. Now if considerations of Government revenue are considered, we find that Government have incurred a substantial loss in accepting the tender of the Commercial Carrying Company. In the other tenders the royalties that were offered were certainly much higher than the royalty offered by the Commercial Carrying Company. As regards the rate of goods we have noticed that the tender of the Commercial Carrying Company does not compare favourably with the offer made by the other tenderers. We may compare the tender of the Sree-Lakshmi Company. As for instance in the transport of potato, I will discuss the relative traffic rates offered by the various companies. Everybody knows that in the Khasi Hills potato is the only source of income for the Khasi people and about 3½ lakhs of maunds are transported annually. Now there is a strong grievance of the Khasi people that the rates of the Commercial Carrying Company is too high for the industry to bear. The rates in the new contract offered by the Commercial Carrying Company is Re.1-8-0 per maund whereas.....

**Mr. BAIDYANATH MOOKERJEE:** How do you know?

**Babu RABINDRA NATH ADITYA:** Whereas we got it from reliable information that the rates offered by the other companies is much less, it varied from one rupee to Re.1-4-0. Similarly in the rates of rice, there is a substantial variation. The transport price of rice is also intimately connected with the well being of the people of Shillong. So if in any one minor item or two the Commercial Carrying Company have given a lower rate, in the others they have been more than doubly compensated. In the most important items of traffic they have counterbalanced the indulgence given to minor items by very high rates perhaps too high for the industry to bear. Then again, Sir, there was a natural tendency, and the view of the House is pronounced on that, that preference must be given to the companies floated within the province. But the Commercial Carrying Company has got its head office in Calcutta. So the income tax that has to be assessed on the profits of the Company also goes to the other province and we do not get any share of that company's payment made in the other province on this account. That is also another loss to be sustained by this province.

Now, Sir, a statement has been issued by the Government on the various aspects of the question. One is that they could not accept the tenders of the Assam companies because they could not unite. Of course, united we stand and divided we fall, we know that. But here my point is this. Could not the Assam Government have asked the other party to unite with the Assam company? If this advice was given by the Assam Government to the local companies, why did they not give the same advice to the foreign company to combine with any or more of the local concerns? As regards the question of unity also, our information is rather otherwise. We have it on reliable information that Mr. R. K. Barua and Mr. J. N. Barua (retired Judge) saw the Hon'ble Chief Minister at his house and they were informed that they must unite in order that they might make their cases secure. That was on the 17th of August. Whereas in the Government statement, dated the 2nd September 1938, we find: "The facts are that the Government had given close and anxious attention to the tenders and came to the unanimous conclusion a fortnight ago that the present contractors had made the best offer, considering both reduction in charges and increase in royalties."

So, Sir, it seems that, long before Government gave advice to the different companies of Assam to unite, or at least at the same time that they gave the advice, they had made up their minds to accept the tender of the Commercial Carrying Company. Was this a mere dodge?

Then, Sir, the Assam Valley tenderers gave the Hon'ble Chief Minister to understand that, if any definite assurance could be given that they would get the contract, they would try their level best to combine. But no such assurance was forthcoming from the Hon'ble the Chief Minister.

Then again, Sir, on a later date Mr. J. N. Barua went to inform the Hon'ble the Chief Minister that the Sri-Lakshmi and the Assam Motor Transport Companies were agreeable to join and they gave him also the terms under which they agreed to join. So even with this information in the hands of the Hon'ble Chief Minister, the Government did not take into consideration all these facts in disposing of this matter.

Of course, Sir, these are questions of detail which I have stated so far as I know, although I am not directly concerned with them. But what strikes me most is this, that, when there was some discussion on the subject in the last session of the Assembly, it was stated that the whole matter would be placed before the House, so that the House might give a considered opinion which would help the Government in disposing of the matter. In the face of this I cannot account for the indecent haste of the Government in disposing of the contract just on the eve of this session of the Assembly. At the time the contract was concluded, there were only 10 or 15 days more for the sitting of the Assembly and Government could have waited for some time more to ask for the opinion of this House before coming to a decision on the matter.

Then, Sir, there is another allegation made in the Press statement by the Government. It has been stated there "that certain Ministers have been interested in the company, that the Ministry have been sharply divided in their views on the matter, and that they have nevertheless renewed the contract on practically the same terms as at present, deliberately ignoring the offer from certain tenderers of the province to share profits with the Government". In regard to this point also we are informed that the Hon'ble Chief Minister definitely informed some of the respectable people of Assam that the Sylhet Ministers were not in agreement with the Assam Ministers and that they were in favour of granting the contract to the Sri-Lakshmi Company. This is an important information and I challenge the Ministry to refute it. So the statement issued by the Government is all a hoax and the assurance that was given by the Hon'ble the Chief Minister on the floor of the House during the last session has been ignored. The public opinion on the matter has been manifested in various representations and letters submitted to the Government in the course of the last few months. If public opinion is thus flouted by the Ministry in such an important matter, I do not know, Sir, if this Government can be said to be responsible to the people.

With these few words, Sir, I beg to move my motion before the House

**The Hon'ble the SPEAKER:** The motion moved is: "That the Assembly do now adjourn."



Before the debate commences I would intimate to the House that I require the co-operation of hon. members in the matter of putting this motion to the vote. Yesterday when an adjournment motion was discussed, the Hon'ble Minister gave his first reply at a very late stage of the debate and when he gave the points in his reply, I felt it my duty to give an opportunity to the other party to say their say. I wish to draw the attention of hon. members to rules relating to adjournment motions. Hon. members will see that, if a debate is intended to be talked out, the Chair is really powerless. The rule as to asking for closure is a very difficult rule. When a party would want that the question be now put, the rule is such that a closure can never be carried in view of the high majority that is required for a closure motion to be carried. Having regard to all these facts, I wish that the hon. members will give their co-operation to me so that the motion may be put to vote.

The instances of adjournment motions being talked out are not rare. In other Assemblies we find that most of the adjournment motions are talked out. I do not like to speculate about the reasons why they are talked out, but this practice of talking out a motion is certainly not consistent with the desirability of transacting real business in the House. Hon. members know that adjournment motions are encroachments on the time of the House. So, having wasted two and a half hours if there is no tangible result, really it is no achievement. With these words, I would ask hon. members to start their discussion.

**Mr. BAIDYA NATH MOOKERJEE:** Mr. Speaker, Sir, before any tender was called for, I invited the attention of the Government to certain matters, and now I wish to bring some of those before the hon. members of this House. The letter I am going to read was written before the tender was published in the Gazette.

"To

The Hon'ble the Chief Minister, Assam.

Dated Shillong, the 3rd June 1938.

Sir,

The Government is certainly at present contemplating the issue of public notice calling for tenders for licenses to ply motor vehicles on the Gauhati-Shillong road and it is desirable that you should have before you certain materials to assist the Government in arriving at a definite decision in the matter. I take the opportunity to place certain facts in respect of matters concerning the revenue position, freight and fares as between the different roads so that they may be of some help to you in choosing the best course conducive to public interest. It goes without saying that you have in mind to secure the way how best to improve the financial resources of the province without embarrassing the placid and steady flow of traffic existing on the road as well as without creating unpopularity in public mind.

2. The Commercial Carrying Company, Limited, the present contractors, have been permitted to run at least a fleet of 30 passengers and 22 goods vehicles and paying under the terms of the contract a total annual revenue of Rs. 76,000 to the Government which bears a proportion of less than Rs.1,500 per vehicle. The rates of fares fixed by the Government on the Gauhati-Shillong road vary from Rs.4 to Rs.18. The standard pay load of goods lorries on the Gauhati-Shillong road is 130 maunds.

3. As regards the Sylhet-Shillong road, permits were issued for 19 passenger and 14 goods lorries at the rate of Rs.3,000 for each passenger vehicle and Rs.4,000 for each goods lorry, accruing an annual revenue of Rs.1,13,000. The rates of passenger fares vary from Rs.2-8 to Rs.3 and the standard pay load is 80 maunds.

4. The annual permit fee per vehicle on the Shillong-Cherrapoonji road is Rs. 1,800 with a pay load of  $1\frac{1}{2}$  tons and that on the Shillong-Mawflang road with only a seasonal running and a mileage of 7 miles is Rs. 760 with a pay load of  $1\frac{1}{2}$  tons.

5. You will thus observe that if roads of lesser importance can bear the license fee fixed by Government, the Gauhati-Shillong road—a road of long standing and well developed traffic much of which are incapable of diversion by other roads, is paying only an annual revenue of less than Rs.1,500 per vehicle. If other roads can bear a comparatively high revenue there seems no reason why the Gauhati-Shillong road should not bear a much greater revenue than what the present contractors are paying. They having a monopoly should at least pay a permit fee of Rs.3,500 per passenger vehicle. As regards the goods vehicles, the private permit-holders on the Gauhati-Shillong road pay an annual revenue of Rs. 4,250 per lorry for eight such lorries and for the similar number of lorries outside their contract, the Commercial Carrying Company also pays a similar sum. It therefore simply proves that even the sum of Rs. 4,250 does not fail to attract a good number of competitors for the road and the various problems that Government is confronted with in the matter of distribution of these outside permits sufficiently show that there is a good margin of profit in any case.

6. As the Government of necessity ought to be on the look out for fresh sources of revenue for the general economic improvement of the province, the new licenses that will shortly have to be granted on the Gauhati-Shillong road provides sufficient room for an increment in the revenues at present realised from the road. And I, as a member of the Retrenchment and Resources Committee would suggest for the consideration of Government the alternative courses that may be suitable for inviting tenders from the public.

7. For this purpose, my suggestion is that Government call for tenders on the following two basis and decide after receipt of tenders by both basis, which would be more profitable to Government as well as popular in public estimation :—

*First basis*

(i) On the existing basis of monopoly fixing an annual upset fee as under, for a tenure of five years, without any clause for renewal—

	Rs.	Rs.
For six 1st class cars @ 1,500	...	9,000
twelve passenger buses @ 3,500	...	42,000
twelve combined buses @ 3,500	...	42,000
22 goods lorries @ 500 ,, each	...	1,10,000

The Government can reasonably expect a total revenue of Rs.2,03,000 as against the present revenue of Rs.76,000 paid by the contractors for plying the above vehicles. Besides these there are 16 outside lorries permitted on the road, and these may yield a further revenue of Rs. 80,000 thus raising the total revenue for the road to Rs.2,83,000.

*Second basis*

(ii) Follow the existing procedure of the Shillong-Sylhet road, call for tenders on group basis, and distribute to not more than 4 or 5 parties, for a period of five years. A minimum upset fee is to be fixed by Government in calling for tenders on this basis.

8. The maximum fares and freights in either case should be substantially reduced. At least for ordinary passenger vehicles, the fares ought not to go beyond Rs. 3 for 2nd class and Rs. 2-8 for 3rd class.

9. On the Shillong-Sylhet road—a distance of 86 miles as against 68 on the Pandu-Gauhati-Shillong road the maximum fares are not more than what I have mentioned above.

10. I have suggested the above measures with diffidence having not in possession of the facts and figures and the margin of profit which the present Company makes on the basis of the existing contract, but seeing that there is enough competition even with a license fee of Rs.4,250 per lorry per annum on this road, and also an acute keenness on the part of the present Company to renew their contract, I am convinced that there is enough room for reduction of freights and fares and also for the Government to make more revenue.

I have the honour to be,  
Sir,  
Your most obedient servant,  
Sd/- B. Mookerjee, M. L. A.,  
Member of the Retrenchment and  
Resources Committee.

Copy forwarded to the Chief Secretary to the Government of Assam, Shillong.

After this when the tenders were called, unfortunately none of my suggestion was accepted. Of course, I do not mind because Government—especially those who are in touch with these affairs—are in possession of better facts, figures and materials. To me the question of upset price was most important which was totally overlooked.

Just after the tenders were called, there was some agitation in the public. The reason was that it was not mentioned in the advertisement if any Company or person who wanted to submit this kind of tenders had to deposit Rs.10,000/- for each tender. So I wrote to the Hon'ble Chief Minister who was very kind to reply. The contents of my letter are as follows:—  
“As the advertisement calling for tender in respect of the Shillong-Gauhati Road is creating some confusion in the public mind, may I have the honour to ask for a little further elucidation on some points:—

- (1) Will it be considered to be a disqualification if a party offer more than one tender in the same name?
- (2) Is it open to a party to give alternative proposals embodied in a single tender? To give an instance, can a party say that in the case of fares being X, Y, Z, his fee will be A; and fares being P, Q, R, his fee will be B, and so on?

As the last date for submitting tenders is the 7th, I shall feel thankful if you will kindly have the matter expedited.”

It was written on the 1st and I got the reply in time for which I thank the Hon'ble Chief Minister.

**The Hon'ble the SPEAKER:** 1st of which month?

**Mr. BAIDYANATH MOOKERJEE:** 1st of July 1938.

Then, Sir, if I say something about our discussion (not in detail but only the substance) and the opinion given by the Hon'ble Chief Minister during our sitting in the Resources Committee, I hope he will not mind. If he has any objection I will not mention these discussions. Of course I am not going to say anything in detail, but only what was decided by the majority of the committee and also by the Hon'ble Chief Minister. I want to mention some points here.

**The Hon'ble the SPEAKER:** The hon. member has got only five minutes more.

**The Hon'ble Maulavi ABDUL MATIN CHAUDHURI:** On a point of order, Sir. Apart from the question whether the Hon'ble the Chief Minister has any objection or not to refer to any private discussion, I think it is out of order to refer to a conversation outside in a discussion within a Chamber. I may refer to a ruling given by the President of the Indian Legislative Assembly at page 253.

“Reference to private conversation not allowed”.

**The Hon'ble the SPEAKER:** Between whom?

**The Hon'ble Maulavi ABDUL MATIN CHAUDHURI:** Between members.

“In the course of his speech a member referred to what happened at a private meeting. The President intervened and said he could not allow such references as obviously members present at such meetings might differ as to what had occurred and these differences had no place in the Assembly debates”.

**The Hon'ble the SPEAKER:** The hon. member was not speaking of a private correspondence with the Hon'ble Chief Minister. It was a public matter; the hon. member is entitled to represent the case he has to push forward before the Hon'ble Chief Minister, and the correspondence read out were really in the nature of a representation to Government through the Hon'ble the Chief Minister. In that view, I do not think the letters were not of the nature of private correspondence.

**Mr. BAIDYANATH MOOKERJEE:** As soon as the tenders were received, I requested the Hon'ble Chief Minister to publish all the tenders, to which he kindly agreed. But after a few days, when I myself saw him, he told me that owing to pressure of work he forgot to do so, but these would be published soon. Then on a second occasion I requested him; then also he told me, that he totally forgot about the matter and requested me, as I was going to my own place, to request someone here to communicate to me when the tenders are published within a day or two. But after 7 or 8 days I came up here again for some Committee and on enquiry, I learnt that they were not published. Then I wrote a letter and I do not know if the Hon'ble Chief Minister got it or not. I sent it through a peon and got a signature in my Peon Book. Few days later I again wrote to the Hon'ble Chief Minister, but no reply has yet been received. I told interested parties, as the Hon'ble Chief Minister promised me, that all these things would be published. But when more than a month had elapsed, I wrote my last letter—I do not know whether he received it or not.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Yes I received two letters—not more than two.

**Mr. BAIDYANATH MOOKERJEE:** Thank you. But still the tenders were not published. So, in this case when the Hon'ble Chief Minister has agreed that he has already received my letters, I do not know why he did not extend his kindness to me by asking even somebody else, if he himself was very busy, to acknowledge my letters. This courtesy was not extended to me.

Further, Sir, in the Retrenchment Committee it was accepted by the Hon'ble Chief Minister, and also by a majority of the members of that Committee that the natives of the province would get preference even if the royalty in tenders from the outsiders exceeded more than Rs.10,000. He has not worked on this basis which would have given sufficient encouragement to the natives of the province so far as adequate relief to the public was concerned. Sir, up till now we do not know what the tenders

are. So it is very difficult for us to say whether he has kept his promise or not. So far as we can gather from private inquiry, the accepted tender is not the best, and even I think Mr. Aditya spoke from his knowledge of private information, and had not seen any of the tenders himself. So I do not want to go into this matter unless I see the tenders myself. I heard from some responsible persons that the terms of the tenders are such and such, but I cannot or do not like to rely on private speculative information. Sir, as you have limited the time.....

**The Hon'ble the SPEAKER:** Rules limit your time—and not I.

**Mr. BAIDYANATH MOOKERJEE:** Now I shall deal only with the Press note.

"The facts are that Government have given close and anxious attention to the tenders and came to the unanimous conclusion a fortnight ago that the present contractors had made the best offer considering both reduction in charges and increase in royalties". Sir, he promised me three times, but he did not publish the tenders.

Then, Sir, it is stated in the note—

"They nevertheless postponed decision in the hope that bidders who are indigenous to the province would be able to unite and undertake the contract instead of leaving it to a concern with headquarters in Calcutta. Not only was this hope not realised, but no unanimity could be reached even as between bidders in the Assam Valley".

This has been published. I challenge that, because I have heard from more than one tenderers that there was no correspondence from the Government asking the parties to unite together. I do not know whether there was any private talk among the Ministers and the parties. So far as I know from one concern there was none, and the authorities were never informed about this. I challenge this portion of the statement also.

"The profit sharing basis offered by the latter was also not such as, in fact, to secure any advantage to the public exchequer, nor did their terms offer reasonable relief to the users of the service. Government had, therefore, no option but to accept the tender of the present contractor on the conditions that they will in future follow the provincial system in vogue for the public services when recruiting their staff and would dispose of two-fifths of their capital to *bona fide* residents of the province".

**The Hon'ble the SPEAKER:** The hon. member will please finish soon.

**Mr. BAIDYANATH MOOKERJEE:** I am coming to my concluding sentence. So, Sir, if the Hon'ble the Chief Minister gave others the same preference as he has given to this company imposing the same conditions it would have been most honourable and honest on his part, but he did not do this, why I cannot say, I leave it to the hon. members of the House to decide.

**Babu HARENDRA NARAYAN CHAUDHURI:** Mr. Speaker, from the very day, Sir, when it was known to the public that the previous monopoly of the Commercial Carrying Company to run motor service from Shillong to Pandu was coming to an end, that monopoly became an all-absorbing topic of the province.

It became veritable bone of contention, an apple of discord or shall I say a suddenly discovered gold mine with prospectors not only from this province, but from the neighbouring province of Bengal ready to work it out. Then came the Government advertisement calling for tenders. I understand as many as 10 or 11 tenders were submitted. From that moment till the final order of the Government many anxious days and sleepless nights were passed by the parties concerned. Now everything is set at rest, the Commercial Carrying

Company is now the lucky winner of the race. I do not grudge it, Sir; I rather congratulate it on its success but alas, had it been a clean race! It is said in the Government communiqué that Assam concerns could not combine. But why, I say. How I wish I could disclose the facts that happened during the interval, how I wish I could raise the curtain to show what transpired behind the scene! How some of the high persons interested themselves in the matter, how emissaries and spies of the Commercial Carrying Company were let loose throughout the province, how they ransacked both the valleys to drive a wedge between the two. But for reasons obvious I am not going to mention these facts before the House and also for fear of my friend Hon'ble Maulavi Abdul Matin Chaudhuri lest he should come down upon me with a ruling of President Patel.

Sir, I am not a financial expert, nor am I a mathematical demonstrator, so I cannot say what financial aspects and mathematical calculations actuated our Hon'ble Chief Minister, a financial expert as he is known to be, to brush aside the claims of the concerns belonging to this province. So far as my information goes the tender of the Sree-Lakshmi Motor Company of Sylhet was the best. Its tender stood on its merit. Why was it refused? Shall I be mistaken, Sir, if I say that the very name of the Sree-Lakshmi Company scared away our Chief Minister, a religious and pious Muhammadan as he is. Perhaps he could not tolerate the much maligned 'Sree' and above all, instead of all, the lotus, the Goddess of Lotus—I mean 'Lakshmi'—was too much for him. If that is the cause for the refusal of the tender of the Sree-Lakshmi Company. I do not blame him. Now I ask my hon. friend Mr. Rabindra Nath Aditya what is the use of tabling this adjournment motion? The die is already cast, the Rubicon is crossed; thousands of adjournment motions will not be able to revoke the decision of the Government.

To-day the only thought uppermost in my mind and the only thought that is tormenting me is the utter helplessness on our part to enforce the popular will on our so-called popular Ministers. Alas! had it been in an independent country, instead of a black flag demonstration before the House of the Hon'ble Mr. Chaudhuri at Gauhati, at-least some of the members of the Cabinet would have been by this time torn to pieces by the angry and indignant public for betraying the interest of the province, for shamelessly and ignominiously ignoring the claims of the children of the soil. But subject-nation as we are, we are only to curse our lot and heave a sigh.

After all, what was the determining factor of the contract? Was it the question of Sree-Lakshmi Motor Company, was it the question of Assam Transport Company, or was it the question of the Commercial Carrying Company? No. It was not the question of Surma Valley, it was not the question of Assam Valley, nor was it a question of Bengal. It was something else, it was something tangible in which some persons placed in high positions were interested. What is that something tangible and who are those persons placed in high positions I am not going to mention; I leave it to the hon. members to draw their own conclusion.

With these words, Sir, I support the adjournment motion of my hon. friend Mr. Aditya.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Mr. Speaker, Sir. As you were pleased to rule yesterday that even in adjournment motions you will allow the Minister to speak twice, I think, I should intervene at this stage. I will first congratulate the hon. mover of this adjournment motion for giving me an opportunity of explaining the real position before this House and through this House to the public. Having said that, I must say that I condemn the way in which my hon.

friend drew largely upon imagination. I know, Sir, that he has got a very sharp brain. He can reason well. I would never quarrel with him if he would stick to facts. But his speech was mostly based on rumours, on newspaper reports and private conversations, etc., but I again thank him for letting the cat out of the bag. Although in the name of justice, fair play and equity this adjournment motion was brought, his speech contained nothing but special pleading in favour of a particular tenderer who stands poor in comparison with other tenderers. He has gone to the length of quoting certain conversations which in all fairness and justice should not have been discussed, I had with the members of that particular tenderer. He has stated here various times that those gentlemen had been to my place. That clearly shows that this adjournment motion is not what it is. From the pleading of an able lawyer like my hon. friend, it really seems that he has taken the brief of one particular company. Having said that, Sir, I will come to the main point that has been discussed in this debate. My hon. friend started with a very cryptic, quibbical, but very poisonous expression that the Commercial Carrying Company carried the Cabinet commercially. Another gentleman who has just now spoken has mentioned of a gold mine. I know that some of my hon. friends who have spoken in this debate have been transported materially by particular tenderers in this matter. Similarly another gentleman had dreamt of a prospective gold mine and I am going to detail that later on. The same hon. member said that if Assam were an independent country, then instead of making black flag demonstration before the houses of the members of this Cabinet, some of them would have been torn to pieces. I wonder, if this is the kind of Government to be followed by the Indians of his political creed and follow the American method of lynching against Red Indians and Negroes. There is no limit to savagery amongst certain class, but I never expected that an hon. member of this House coming from a very well-known, rich and influential family of Sylhet would be saying that instead of black flag demonstration some of the members of the Cabinet should have been torn to pieces. Sir, I appeal to the hon. members of this House to take some reasonable attitude as my hon. friend Mr. Mookerjee has taken in this matter. I congratulate him for having taken from the very start keen interest in seeing that the provincial revenues are augmented by means of the settlement of this contract. He has read his very first letter which he wrote to me sometime in June. He suggested therein that Government should call for tenders suggesting certain rates for passengers and freights.

I gave all the consideration that his well-meant suggestion carried. But I thought if Government suggests a limit to fares or freight it would prevent some tenderers to quote a lower figure although they may be willing to do so. Therefore, I left it to the tenderers themselves to suggest what increment they propose to give to Government, in the shape of royalty, over the present rates and what benefit they intend to give to the travelling public by reduction in the fares and freight for passengers and goods. I think, Sir, every reasonable man will say that what I did was in the best interests of the Province.

Then, Sir, my hon. friend raised this question in the Retrenchment Committee along with the learned Leader of the Opposition. They said that this was a question of resources and we should thoroughly discuss it. The discussion in the Retrenchment Committee is confidential. Even then as my hon. friend has spoken on the matter I will very briefly touch the point that was raised and discussed.

My hon. friend the Leader of the Opposition said that Government should run this transport business. Another hon. member of the Retrenchment Committee went to the length of saying that Government should monopolise the transport business in all high roads of Assam. I had to point out that I had received the tenders by that time, and that it would be very unwise on the part of Government to nationalise transport service. Government administration is always costly, and Assam cannot afford to gamble on such a gigantic scale. If Government get what they are getting now without spending a farthing why should they land themselves into this gambling?

It was stated by the hon. Leader of the Congress group that they had drawn up a scheme and according to that scheme the revenue that would be derived was much higher. I humbly asked him to give me a copy of the scheme and I thank him publicly for giving me their estimate drawn up by their business head Srijut Jadav Prasad Chaliha. I have got that in my possession. I carefully went into it. I find from the estimates drawn up by the Congress Party that by running diesel engine cars and lorries on this road a net profit of Rs.1,90,000 would be had. The estimate purports to include the profits that would be derived by running 38 lorries on the road. At present the Company which gets monopoly of passenger traffic on the road has got the right of having 29 lorries, and the other 9 lorries are thrown open to public by open competition. But the Congress Party's calculation is based on the full 38 lorries.

As everybody knows, the running of diesel engine cars is much cheaper than running cars by petrol, I brush aside all these, but the astounding facts remain. According to the estimates framed by the Congress Party the profit that would be derived by running 38 lorries on this road is Rs.1,90,000. I had to point out that I had received certain tenders which propose to give Government very much higher than this and this was given expression to by my hon. friend Mr. Baidyanath Mookerjee. He has complained that although I promised that tenders would be made public or at least I would give a copy to him, it was not done. Sir, it was found during the discussion of the Retrenchment Committee that he had full copies of all the tenders at the time. I asked him how and where could he get them. He said that tenderers exchanged by mutual consent their tenders. After the sealed tenders were opened they were no longer secret and so each tenderer had exchanged their tenders and he obtained copy from one of the tenderers. It is for this reason, Sir, that I did not comply with his request to give official copies when he held private copies.

Sir, there was a question about publishing tenders. Unfortunately the reply could not be given to that question as yet. But a statement summarising the tenders has been laid on the table of the House this morning. If nobody looked at it, it is not my fault. I had it placed within the Hall to the left of the Hon'ble Speaker for consideration by members, before the discussion started. During the discussion in the Retrenchment Committee my hon. friend Mr. Baidyanath Mookerjee vehemently pleaded that his Company Sri-Lakshmi in which he is a shareholder if not a Director (I don't know)—had given a very good offer to Government, and therefore it was no use considering the question that Government should run this business. I agree with him and therefore I did not discuss the estimates given by the Congress group before the Retrenchment Committee. The hon. Leader of the Opposition said that the Sree-Lakshmi's tender was speculative.

**Srijut GOPINATH BARDOLOI:** No, I never said that.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** He did not mention the name of Sree-Lakshmi. He said that some tenders were speculative. I therefore had an estimate made by a quite different expert, our own Chief Engineer. I have got his estimate with me just now, according to his estimate—calculating the profits on the basis of 29 cars, which the successful tenderer of this road is allowed to run—the total profit that would be made on this line is Rs.1,90,000. I may mention in this connection that the Congress estimate had deducted 10 per cent. as depreciation whereas the Chief Engineer's calculation is based on a 20 per cent. depreciation of the cars. I need not tell the House that it is the opinion of most of the experts that considering the nature of this road and the load that is carried, five years life for a car is the proper depreciation value and not 10 per cent. When it was found that the total profit on this road on 29 cars was Rs.1,90,000 out of which income and super-tax have to be paid, I had to go into tenders very carefully. As the tenders have already been public now, I hope I will be excused if I make a very hurried comparison of the different offers. Undoubtedly so far offers of royalty are concerned the offer of the Sree-Lakshmi Company is the best, and my hon. friend Mr. Harendra Chaudhuri need not think that because the name of the Company is Sree-Lakshmi I as a Muhammadan would not like to consider their offer. As a matter of fact I had to use more night oil, or rather electric current, in order to find out what was the nature of the different tenders. The Sree-Lakshmi Company gave three alternative tenders. In the first one they offered the Government for the running of 20 lorries only a royalty of Rs.1,76,000, and for the outside lorries Rs.6,000 annually, and the successful tenderer has the right of bidding for half the outside lorries, *i.e.*, 9 lorries. So all told between the 9 outside lorries and the 20 lorries included in the passenger traffic monopoly, they offered to Government Rs.2,30,000, and they proposed the following rates for the passenger traffic:—Rs.3-8-0 for third class, Rs.6 for inter class, Rs.10 for second class and Rs.18 for first class. Their second tender is Rs.1,26,000 plus this Rs.54,000 for the 9 outside lorries. That means Rs.1,80,000, and the proposed passenger rates were Rs.2-8-0 for third class, Rs.5 for inter class, Rs.8 for second class and Rs.16 for first class.

**Babu RABINDRA NATH ADITYA:** What about goods and potatoes?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Let me proceed in my own way. Let not the member think that I am going to omit mentioning that. I am coming to it immediately.

The third tender offered the Government Rs.1,06,000 for 20 lorries, and the same amount of Rs.54,000 for the 9 outside lorries, or a total of Rs.1,60,000, and here the rates for passengers were Rs.2-8-0 for third class, Rs.4 for inter class, Rs.8 for second class and Rs.16 for first class.

There were two other tenders from the Surma Valley by detailing the terms of which I do not want to take up the time of the House, as they are in no way better than the terms offered by the Sree-Lakshmi Company.

Now let me come to the two tenderers from the Assam Valley. One Company, styled the Assam Motor Transport Company, have submitted two alternative tenders. By the first one they offered the Government Rs.85,000 as royalty, and for the 9 outside lorries the present rate of Rs.4,250 for each lorry. Their rates for passengers were Rs.3 for third class, Rs.6 for inter class, Rs.10 for second class and Rs.16 for first class. Their alternative tender was keeping everything in tact only they offered Rs.76,000 as royalty to Government, and proposed that if there be any surplus profits made after deducting  $7\frac{1}{2}$  per cent. for dividend and portion for reserve, the balance would be divided in a ratio of half and half between the Government and the Company.....

**Mr. F. W. HOCKENHULL:** On a point of information. What was the first of these tenders? A royalty of Rs.85,000 plus?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Rs.4,250 for each outside lorry annually. Next there was a tender submitted by 4 gentlemen who are all Baruas—most probably members of the same family—and I will simply term this tender as the Barua tender. This Barua tender offered a royalty of Rs.80,000 and for the outside lorries the same, *i.e.*, Rs.4,250 each annually, and the proposed passenger rates were—third class Rs.3, inter class Rs.7, second class Rs.12 and first class Rs.18. These are the two tenders that came from persons residing in the Assam Valley.

There are other tenders from persons residing outside the province. Only one of these tenders was better than the Commercial Carrying Company but less than that of the Sree-Lakshmi Company. I do not propose to take up the time of the House by going into the details as they are companies from outside the province and need not be considered for purposes of this motion.

Now I come to the Commercial Carrying Company. They offered Rs.90,000 as royalty in connection with the main contract, and the same amount, *i.e.*, Rs.4,250 per lorry for the outside lorries. Their rates for passengers are—Rs.2-4-0 for third class, Rs.5 for inter class, Rs.10 for second class, and Rs.17 for first class.

Some of my hon. friends questioned just now that I have not spoken about goods. Each tenderer has given his own quotation and the maximum rate that he is prepared to work for, but fortunately for the public, as well as for us, we need not consider this matter at all, for there being 9 outside lorries carrying goods on the line, the rate fixed is neither the minimum nor the maximum—it is regulated by the demand of the market for transit of goods and although in the last contract, the Government had fixed a maximum of Re.1-8-0 per maund it has been found from the licensees who are running lorries on the road that the average that they have been receiving for the last 2 years ranges between 12 and 13 annas per maund. Therefore although the tenderers tendered that they will carry goods between Re.1 and Re.1-8-0 per maund, it is immaterial, for it will be regulated by the demand for carriage irrespective of any maximum or minimum fixed by Government.

At the time of calling for tenders, Government had to reserve the right of fixing what royalty the successful tenderer shall have to pay as regards the 9 outside lorries for the simple reason that soon after Government will have to settle the remaining nine outside lorries at rates deemed best.

Although these tenderers gave their own figures for the nine lorries that they think they will take, we have yet to decide if we should ask the public to submit tenders for the nine lorries. It may be that the outside people will give a better royalty and then Government will come to a decision, as regards the royalty, the tenders will have to pay for the 9 outside lorries. Therefore I say that the only thing that concerns the public is really the passenger rates which are monopoly rates and Government decision was based on that. My hon. friend Mr. Mookerjee, said that in the Retrenchment Committee I made three factors as guiding principles for the acceptance of tenders by Government. I stated clearly, and I think my hon. friend Mr. Hockenhull was there at the time, that Government would favour that tender which gives the best advantage to the travelling public with also a corresponding advantage to the public exchequer. And things being equal or very nearly

equal, I would support a local tenderer. I also gave a figure, that if the difference between an outside company and a local company is ten thousand rupees, I shall brush aside the ten thousand and prefer the local company.

**Mr. BAIDYANATH MOOKERJEE :** From your figures that has not been proved.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** Let me finish. Sir, as I started by saying that Sree-Lakshmi Company's tender, from the point of view of Government as well as public, barring the third class rate, is the best and I wish.....

**Mr. BAIDYANATH MOOKERJEE :** Thank you, Sir.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** I wish I could help my hon. friends Mr. Mookerjee and Mr. Harendra Narayan Chaudhuri who is the financier of the company.

**Mr. BAIDYANATH MOOKERJEE :** I am not at all anxious for the Sree-Lakshmi Company. I may say that I am ready to sell my shares if you wish to purchase. What I care is our province. There were many others than Sree-Lakshmi Company what about them ?

**The Hon'ble the SPEAKER :** Order, order.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** The hon. member is perfectly right in drawing my attention to that and I was going to answer him. Sir, this Sree-Lakshmi Company runs a transport service between Shillong and Sylhet. Although the total number of permits for buses and lorries on that road is in the neighbourhood of 32, this Company with other companies have formed into a combine and they are managing as many as 22 lorries and buses on that road. But about three months ago this company represented to the Government that according to their audited accounts they have suffered a loss of about Rs. 28,000 in six months. No wonder why my hon. friend is trying to sell his shares (laughter).

**Mr. BAIDYANATH MOOKERJEE :** On a point of personal explanation, Sir. At first it was decided that only 27 will be run on the roads. Afterwards when the file was conveniently lost three more lorries were allowed on the Road.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** Here again the hon. member is mistaken. Six lorries more were allowed on the road.

**Mr. BAIDYANATH MOOKERJEE :** I may tell this House that this company is run so as to provide for the unemployed youths of the province. That is their main object and not with the intention of swelling their purse. It is meant for the benefit of the public (laughter).

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** Sir, that petition to Government some three months ago, that was much before the question of this tender arose, has taken away the credit of this company. Latterly again, the Inspector of Factories who under the new Indian Companies Act has to look into the regular payment of the wages of the labourers received petitions from some of the servants of this company asserting that they have not been paid their monthly wages for a number of months and that whenever this company was approached for payment, they paid in dribbles of one or two rupees.

**Maulavi ASHRAFUDDIN MD. CHAUDHURY :** May I know the date of this petition from the employees ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** I have not got the exact date just now but I can say that roughly it was about two months ago. Mr. Allsup sent this file to Government saying that

he was helpless to do anything in the matter as Sree-Lakshmi Company has not got a Factory and, therefore, he cannot intervene. Then there was a petition by interested parties most probably, alleging that this Company is not in a sound position. I had to make enquiries and it was revealed that this particular company, the Sree-Lakshmi branch is not in difficulties, but the other companies of this combine are indebted and that a sort of Receiver is there to take the daily collections and distribute it over to the creditors carefully.

**Mr. BAIDYANATH MOOKERJEE :** These are straws to catch.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** I am not catching at any straw and the hon. member sees for himself that I have a strong rock to fall back upon.

Under these circumstances, I had to be very very circumspect ; for if on the lure of a very tempting offer that this company has made as regards royalty, Government is to settle with this particular company and if, God forbid, the Company fails in a year or two, in that case no other contractor will be willing to come and offer Government what they are getting even now. Therefore, Sir, I had to scrutinise the offers made by this Company on the basis of the estimates that the Congress Party so kindly gave me as also on the basis of the estimate that was framed by our own expert the Chief Engineer. In the light of these estimates, there can be no doubt whatever that the first two tenders are in the nature of being speculative. It is only the third tender which may be said to be within the bounds of practical and business possibilities.

Sir, when I was compelled to go deeply into this matter, I found that it will not be possible to accept this tender unless there was financial stability behind it. I had next to see whether the Assam Companies who have tendered should be given preference. As I have already given the figures it will be seen that their rates of royalty are the lowest although their rates for passenger traffic is the highest. In spite of my best endeavours to see that the contract should be granted to a company or a combine of our local people, I saw no justification whatever in allowing any of these tenderers, by accepting their tender to have free hand to tax each third class passenger travelling on the road to the tune of 12 annas per trip. There is a limit to everything and even patriotism.

**Srijut PURNA CHANDRA SARMA :** On a point of information, Sir. Will the Hon'ble Minister kindly quote the luggage charges tendered in each of these tenders ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** Those are already in the statement on the table. But if my hon. friend wants, I shall give them again. There are two kinds of luggages, I find, for which quotations have been made. One is called the rate for advance luggage and parcel and the other is for goods to be delivered within six days. If my hon. friend wants the rate for advance luggage, I am prepared to give him the figure.

**Srijut PURNA CHANDRA SARMA :** I want both.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** Very well, Sir. As regards (1), namely passengers' luggage, that is fixed in the rate of the contract, and as regards goods to be delivered within six days, and that rate is regulated by the market demand and not by any of the rates given. Now as regards this, the Barua tender offered Rs. 2/4, or 9 annas per ten seers. The Assam Transport Company also gave the same 9 annas rate between Pandu and Shillong and 8 annas between Gauhati and Shillong. But the line is from Shillong to Pandu. The rate of the Commercial Carrying Company is 10 annas per 10 eers.

**Srijut PURNA CHANDRA SARMA:** May I know, Sir, what quantity of free luggage is given by each company to the third class passengers?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** The free luggage proposed by the Baruas is 15 seers for third, 15 seers for inter, 30 seers for second and 1½ maunds for first class passengers. The Sree-Lakshmi Company gave 15 seers for third, 20 seers for inter, 30 seers for second and 1½ maunds for first class passengers. The Commercial Carrying Company did not quote anything, as they thought that their present rates would apply.

**Mr. BAIDYANATH MOOKERJEE:** Then it was not a tender at all.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Whatever that may be I will not travel on a side line.

The Assam Transport offered 15, 20, 40 seers and 1½ maunds. These are the rates that were quoted. What I was saying, Sir, was that on the ground of valley connection only if I had to give this tender to either of the Baruas or the Assam Transport Company, the result would have been that the Government did not benefit much, at the same time allowing these people to charge Rs. 3, whereas another tenderer was offering Rs. 2/4 for 3rd class passenger. In other words, this tenderer would be in a position to charge 12 annas more per trip from the poor public whenever they have to travel on this road. To give an idea of the enormity of this, I will give the following figures, which give the average of passengers carried annually on this line:

First Class	...	...	2,600	in round figures.
Second Class	...	...	1,400	.....
Inter Class	...	...	3,200	.....
Third Class	...	...	37,300	.....

That shows that the entire bulk of the passengers is carried by the third class, and I leave it to the opinion of the House as to what amount this will come to if an extra amount of 12 annas is to be paid by the third class travelling public.

Sir, therefore, I thought it very inequitable to accept the tender of any Assam companies, merely because the bulk of their share-holders come from Assam Valley. And what would be the justification? Two points were urged before me and were also advanced here. One is that if a company were run by the local people, the money will remain in Assam. The other is, as my hon. friend Mr. Baidyanath Mookerjee has said, that these people would be running the business with a charitable purpose, namely that of giving employment to our unemployed youth. Sir, unfortunately for these two tenderers from the Assam Valley, as I have already mentioned, one of them namely the Barua Company comes from the family of the late Rai Bahadur Shiva Prasad Parua who, as every one knows, was the richest man in the Assam Valley. Will it help the Assam Public in any way if the Government allowed this particular family to add to their own fortunes (laughter)?

**Mr. BAIDYANATH MOOKERJEE:** Why did you not impose conditions, Sir?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Next comes the Assam Motor Transport Company. This company, which was registered just on the eve of submitting tenders was registered as a private company, and any one who knows company law knows full well that the share-holders of such a company cannot be more than 50. That is in one case Government would have allowed 4 people to participate in

the profits and in the other they will increase the number to 40 or 49. Was there any justification for a combine of this nature to get the monopoly of passenger traffic which would give them the right to impose a much higher rate upon the travelling public?

**Srijut PURNA CHANDRA SARMA:** Will the Hon'ble Minister kindly give the history of the Commercial Carrying Company?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** The Commercial Carrying Company, Sir, has been running this line, as every one knows quite well, very successfully and very efficiently, for the last 16 years. To oust such a contractor without any rhyme or reason will be the height of injustice.

I will just now detail, Sir, that no less a person than the Managing Director of the Sree-Lakshmi Company, Mr. Hemendra Sen.....

**Mr. BAIDYANATH MOOKERJEE:** No, Sir, he may be an employee of the Company, or holding any other position, but not the managing Director of the Sree-Lakshmi Company.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I am glad to learn it, Sir, because throughout the talk that I had with the different tenderers and throughout the endeavour which I made to have a sort of combine between the Assam Valley and the Surma Valley tenderers this Mr. Hem Sen used to come and negotiate with me and say that they were ready to join the two Assam Companies. That is, instead of their own low rates and very high royalty offered, they would like to come and accept the tender which the Assam companies have given. No wonder, Sir, as he thought that he would be able to pay Government as much as Rs. 17,600, and even then make profit, he sees greater chance of profit when the Government royalty offered by these Assam companies is no better than Rs. 85,000. But when the contrary was placed before the gentlemen who used to see me on behalf of the Assam Transport Company, they declined to agree to that proposition, one of them told me that they had spent sleepless nights in making all sorts of calculations and could not see how anybody could make profit beyond the terms which they have offered, and he said that it would be cutting their throat if they go to accept that Sree-Lakshmi tender. In spite of our best efforts no combination could be arrived at.

One gentleman has said that it was on account of the emissary of the Commercial Carrying Company that there could not be such a combine.

It is not so. Throughout the period these two parties were negotiating there was no sign of any emissary of the Commercial Carrying Company. It was for the fundamental difference between the two rates and royalties offered that they could not come to a decision. And there were some other minor difficulties also.

**Mr. BAIDYANATH MOOKERJEE:** Who gave this information to the Hon'ble Chief Minister that Mr. Hemendra Kumar Sen is the Managing Director of Sree Lakshmi Company?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I was so long thinking that he was the Managing Director and he had the authority to come to such an agreement. In one official report I found Mr. H. K. Sen mentioned as the Managing Director and that he distributes the day's collection between the different share-holders.

**Mr. BAIDYANATH MOOKERJEE:** I challenge that. He is not at any rate the Managing Director of Sree-Lakshmi Company. Tenders will bear me out. He may be holding any other position in this Company.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Thank you. I am glad to get this information and henceforth I will not negotiate with him as the Managing Director.

Sir, many of my hon. friends have spoken of very many rumours—specially about the division in the Cabinet. There was absolutely no division in the Cabinet. The only thing is that when in spite of my best efforts to have a sort of combination between the two parties, they failed to come to a decision, my Hon'ble friend the Minister for Education said that he got an opportunity that he would be able to bring a combination and asked for one week's time and we very gladly gave him that one week's time. But he also miserably failed although he spent hours and hours with them in order to come to a settlement.

The last thing that I have got to reply is this. I think, the adjournment motion as I read it consists of two parts, firstly the mover and those of his thinking are not satisfied with the acceptance of the tender of the Commercial Carrying Company and secondly he wants to charge Government with this that it has been granted without giving this House an opportunity to discuss the subject.

Sir, this raises a very contentious constitutional issue: whether the Ministry as the Executive of Government has got any right to do anything. If we are to consult on the floor of the House whether Government should give contract to A, B or C, then the logical conclusion will be that for every Public Works contract of considerable magnitude (and as a matter of fact we are now going to give contracts of considerable magnitude in connection with our Road Board Programme) Government shall have to consult with the House every time before they accept the tender of any particular company. Questions have been tabled very many times why this particular company has been accepted and why not the other. Sir, if we submit to this, then I should say that the ordinary administration of the day to day routine work will be at a standstill. Moreover, somebody said that I made a promise to this effect on a previous occasion. I find, Sir, that on the previous occasion—during the last budget session my hon. friend Sriyut Debeswar Sarmah rose on a point of information and said, "May we learn from the Hon'ble Chief Minister whether he would be pleased to give this House an opportunity of discussing this matter before the lease is finally given out? It is a matter of great importance to the public". I said, "That is also rather difficult to say just now. If the negotiations with any company are finished before the calling of the session, then surely the matter will be placed before the House. But if the negotiations are completed at a time when there is no immediate chance of the House being called, it would be difficult only for that purpose to convene our meeting. But as far as possible it is now intended to decide whether it should be run by Government or given to any company and that will be decided by the middle of this year. So it may be that the House when they meet next will know what Government decide".

I think, I have given sufficient materials for the House to come to its own judgment whether Government had done their best in this respect.

Well, in order to safeguard the question of employment for our local people we put this to the Commercial Carrying Company whether they are willing to accept for the purpose of employment in their service the percentages which Government give to different communities in the province. We also stipulated that if there be sufficient number of applications for share in the company from the local people, they should throw out to the *bona fide* natives of Assam as much as 40 per cent. of their share capital.

In this way, Sir, I have guarded both the points, namely, that local people would be able to participate in the management of this company and secondly that the local public is assured of employment in this company.

In these circumstances I request the hon. members of this House to ponder deeply before casting their votes and I hope they will see the justice of the government action in this matter.

**Sriyut GOPINATH BARDOLOI:** I feel, Sir, that I neither have the time nor the opportunity, within the time given to me to reply to the points that have been raised by the Hon'ble the Chief Minister; but all the same I shall try to show that some of the arguments that he has put forward are not correct that the conclusions which he wants the House to arrive at are not acceptable from the facts and the circumstances and the conclusions that we have got to draw naturally from the circumstances will not reflect any credit on the Government in respect of this matter. The main charge that has been conveyed in the motion is that the Ministry did not give the House any chance to express their opinion on this subject which has been considered to be vital to all sections of the House practically, and to wider public at large. In that respect, I had the privilege of addressing more than one letter to the Hon'ble the Chief Minister and I can only tell him that he had not the courtesy even to reply to these letters (*shame*). Then, Sir, we wanted to discuss the matter in the Retrenchment Committee and even there, Sir, it was on the initiative of my humble self that the matter could be brought up for discussion in the Retrenchment Committee. It was surely, a matter of resources and it was only when that factor was pointed out to the Hon'ble the Chief Minister that he was pleased to fix some time for the purpose of discussing this matter. What passed in the Retrenchment Committee, has been said to be confidential, but I find from the speeches made, the confidence has been broken only a few days ago, the tenders were disposed of: could not the Government wait three days to take the House into confidence. But he would not do so and for what reasons? The Hon'ble the Chief Minister made certain references in his speech of what attitude I took in the Retrenchment Committee and, therefore, I desire to place before the House certain aspects of the matter. What position has been taken by the Ministry in respect of accepting the tenders of the Commercial Carrying Company has not been in accordance with the conclusion which he himself arrived at in the course of the sitting of the Retrenchment Committee.

The first thing we as a party want to place before the House is that monopoly as a system should not be given unless of course this monopoly was a monopoly in which the State itself was the monopolist or has sufficient control over the concerns.

Therefore we put forward two alternative proposals. The first proposal was that the whole concern should be a State concern, so that whatever profit might be coming forward should come to the State and not to a particular individual or set of individuals. According to a rough proposal submitted by us the State would have gained Rs.1,90,000.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Total.

**Sriyut GOPINATH BARDOLOI:** Then it was pointed out. Sir, that there was a tender there from which the same income might be obtained. Why, then, did not the Government accept that tender? If the principle of giving it to a private Company was based on the assumption that the same income would be coming to the State then it should be given to that Company. That argument was entirely set at naught when the tender of the Commercial Company was accepted.



The next alternative was, if there is any reason for which Government could not run the concern it would be better for the State to give it to representative company of the province for in that case also the benefit would have come to some members of the State. The Hon'ble Chief Minister did not consider that in spite of his professions. He gave it to a private company outside the province which is going to give to the State far less income than probably two other companies would have given. We find still that he is utilising the particular argument of more benefit to the state to defeat the claim of the particular company but he is not adopting the alternative which he himself would like to suggest. I question for what reason Sir?

Then, Sir, as I said, I have very little to compare between the two tenders, namely, of Sree-Luxmi and of the Commercial Carrying Company. It has been freely admitted by the Hon'ble the Chief Minister that the former gives really more to the State than the Commercial Carrying Company does. That fact I suppose is not controverted, but of course the Chief Minister wants us to understand that the Company is not a right type of Company to run this concern. Now, Sir, so far as the Sree-Luxmi Company is concerned, there is absolutely no doubt that if they could run one side of the road with a certain degree of efficiency I do not see why they should not be able to run the other side also.

Then, Sir, comes the question of the Assam Transport Company. I can boldly submit that their tender was certainly superior in point of giving relief to the people than that of the Commercial Carrying Company. It is quite true that their tender gives the third class rate at Rs.2-12, eight annas in excess. That has been accepted by Government.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Rupees 2-12 upto Gauhati, but up to Pandu it is Rs.3.

**Srijut GOPINATH BARDOLOI:** It will be seen that the majority of passengers go up to Gauhati.

Now, the total number of third class passengers is in the near proximity of 27,000, and if we take into account this loss of eight annas, then the public would lose nearly 13,500 rupees. But if the tenders in respect of goods and parcels are taken into consideration it will be seen that there will be a clear gain of 21,500 rupees for the public.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I would just like to give the correct figure of third class passengers. It is 37,310.

**Srijut GOPINATH BARDOLOI:** In this case also the total loss would appear to be about only 19,000 rupees. But so far as goods and parcels traffic is concerned we stand to gain about 21,500 rupees. That directly concerns the agriculturists. It concerns the people of the Assam Valley; they send definitely a large quantity of rice to Shillong. It concerns also the Shillong agriculturists: potato growers here send large quantity of potato to Gauhati and to many other places *via* Gauhati. Therefore this relief was really a better relief than the one which the Commercial Carrying Company gives. Then Sir, we have heard the Hon'ble Chief Minister saying just now that had it been a difference of 5,000, 10,000, or even 15,000 rupees he would consider and give it to a concern which is resident in the province. Now it would appear that there has not only been deficit, but there would have been positive gain to the public in this particular matter.

In regard to royalty also, it would be seen that the royalty of the Commercial Carrying Company amounts to Rs.90,000 and the royalty that was proposed by the Assam Transport Company, was Rs.85,000 and therefore there is a difference of only Rs.5,000, and if along with that, the

gain in the traffic of parcels and goods is also taken into consideration, this Assam Transport Company was on a far better position. Therefore Sir, the facts remain established namely whether the company was from the Surma Valley or from the Assam Valley—each tender from the province was better than that of the Commercial Carrying Company (*Hear, hear*). We do not know the reasons why these two tenders should have been set aside in favour of the tender of a person who certainly does not belong to this province. Well, I leave it to the hon. members of the House to draw their own conclusion and I have nothing more to say beyond that they are doing great injustice to the people of the soil. Then, Sir, this fact has been sought to be explained by showing that there is a difference in the two Valleys. I admit that really there has been some difficulty, but I should say that if the Government was really sincere in trying to bridge over this difference, they could have done it. On the other hand, I have facts in my hands to show that not only no attempt was made to bridge this difference, these differences were rather allowed to be widened by interested parties. Moreover there is a reference in the Press Note that the two Valleys could not combine. I definitely know from both of these companies that if the contract would be given to any of these two companies, the other one would not grudge it and that fact was communicated to Government. Therefore, Sir, where is the justification of that Note? There would have been some justification if the contract would have been given to a man of the province. We do not see any reason for brushing aside the claims of both the Valleys.

**The Hon'ble the SPEAKER:** The hon. Leader of the Opposition will get two minutes more.

**Srijut GOPINATH BARDOLOI:** Therefore, Sir, I submit that the Ministry stands condemned. If there would be any larger royalty then there would be some reasons for preferring the Commercial Carrying Company to any other tenderers. I do not know what reasons there should be for accepting this tender. I submit, Sir, that the declaration that has been made by the Hon'ble Chief Minister on the floor of this House that the consideration of the people of the Valley should be upper most in his mind has really been found false in this case. Therefore, I support the motion of my hon. friend Mr. Rabindra Nath Aditya.

**Babu KAMINI KUMAR SEN:** Mr. Speaker Sir, I was rather surprised at the line of argument that has been taken by the Hon'ble Chief Minister to-day. It seems to me to be quite at variance with the position taken by the Government in the press communique that was issued three or four days ago. It was stated in that communique that "Government after giving anxious and careful consideration have come to the conclusion a fortnight ago that the present contractor has made the best offer both in reduction of expenditure and in increase in royalties. Government however postponed the decision in the hope that the bidders who are natives of the province will be able to unite and undertake the contract, instead of giving it to a concern with headquarters in Calcutta. Not only was this hope not realised, but no unity could be reached even as between the bidders of the Assam Valley." It was never suggested in the press communique that among the local concerns there was any, which was considered undesirable or unsuitable on any account, but now we hear from the Hon'ble Chief Minister that the best tenderer has been considered unsuitable on financial grounds. There was no such suggestion in that communique. The Hon'ble Chief Minister admits that the Sree-Lakshmi Company submitted the tender with the best terms among the tenderers, but he had to reject its claim only on the ground that he got reports from some of his officers that its financial position

is not well. I know, Sir, that the Sree-Lakshmi Company has among its Directors some of the richest men of Sylhet and I think, if the Hon'ble Chief Minister had any misgiving about its financial position, he should have consulted its directors to ascertain whether they were able to run the concern singly. His second argument that has been put forward is that if the company fails to run the transport service after a year or two, no other company will come forward to take that contract. I see no force in that argument. Even if the company fails to run the transport service after a year or two, has the Government got anything to lose in it? That a company may fail in future can be no reason for not giving the contract though the Company is a local concern and offered the best term possible.

The next point that has been stated in the communique is that they had to postpone the decision in the hope that the bidders who are the natives of the province will be able to unite and undertake the contract. But now the Hon'ble Chief Minister comes forward with the argument that of the two Assam Valley tenderers one has only four share holders while the other is run by some gentlemen and that under the law not more than 50 share holders are allowed to join it and as such it will serve no useful purpose to combine two such parties, though in the press communique it was stated that serious efforts were made even to unite the Assam Companies. It seems Sir, that the Ministry is not sure of its ground and has taken recourse to the argument of "head I wine tale you lose" to defend its action. Whenever the question of royalty comes the Hon'ble Chief Minister is ready to sacrifice the tax-payers interests even to the tune for more than 80 thousand rupees but on the question of passenger fare he is very zealous to defend the interest of the third class passengers and is reluctant to allow any party to charge even annas 12 more than the rate tendered for by the other companies.

But can the Hon'ble Chief Minister find out any plausible reason to deprive the provincial exchequer to the extent of more than Rs.80,000 when that amount could have been realised every year if the contract was given to a Company which is a local concern and which has in its directorate some of the richest men in the Valley? So it seems, Sir, that the public is not wrong in thinking that the Ministry was bent upon giving the contract to the Commercial Carrying Company at any cost and they are ready to advance any argument to defend their action, but the fact remains that they have ignored the claims of the people of the province, they have sacrificed the interest of the general tax-payers and at the same time they have flouted the public opinion. So their actions cannot but be condemned. With these few words, Sir, I beg to support this adjournment motion.

**Mr. JOBANG D. MARAK:** Mr. Speaker, Sir, I have heard the Hon'ble Chief Minister's speech and also the speeches of the other hon. members on this motion. We have heard from the Hon'ble Chief Minister that they took the terms into serious and careful consideration each of the tenders submitted; they also considered the safety of the public and the good services rendered by the present lessee. So we cannot say that they have done this without consideration at all. My only point is this, Sir, that the allegations made against the Cabinet are, I think, unreliable. We, know, Sir, that this House is an honourable one and most of the hon. members of this House are lawyers, who are expert in law. They know that an accused person cannot be convicted without evidence. So my point is this that if the accusations are true the accusers should prove them. The burden of proof lies on the accusers, and not on the Cabinet. Of course, I cannot say much on this point as I do not know law. But in my opinion this adjournment motion is not reasonable at all. The present lessee, who have been

running the service for some 16 or 17 years, have rendered satisfactory service. The opposition side have not pointed out any defects for which the lease should not be given to them. The only objection is that local people ought to have been given the contract. Of course it is quite true and I agree on this point. But we have heard from the Hon'ble Chief Minister that this point was also under their consideration.

So, on the whole I think this motion is not a reasonable one and should be withdrawn and I am not ready to support this motion.

**Srijut HALADHAR BHUYAN:** সভাপতি ডাকবোয়া, শিলং, গুৱাহাটী, পাণ্ডু মটৰ ছাভিছৰ নিমন্ত্ৰে Commercial Carrying Companyৰ tender accept গ্ৰহণ কৰি আমাৰ বৰ্তমান মন্ত্ৰী সভায় তেখেত সকলৰ বিজাতীয় মনোবৃত্তি আৰু শাসন কাৰ্যত lack of tact and ability in administration.....

**The Hon'ble the SPEAKER:** I may remind the hon. member that only 25 minutes have been left to close this debate.

**Srijut HALADHAR BHUYAN:** মই চাৰি মিনিট কম। বিজাতীয় মনোবৃত্তি, অদূৰদৰ্শিতা আৰু শাসন কাৰ্যত তেখেত সকলৰ অপাৰগতা ভালকৈ প্ৰমাণ কৰিছে। Provincial Autonomy ৰ উদ্দেশ্যে হৈছে এই দেশৰ মঙ্গল কৰা আৰু এই দেশৰ সকলো কাৰখানা, কাৰবাৰ আৰু অগ্ৰাণ অৰ্থাৎ industrial, commercial, educational ইত্যাদি সমুদায় বিষয়ে দেশৰ উন্নতি বিধান কৰা। যি Provincial Autonomy ভাৰতীয় প্ৰজাই যুদ্ধ কৰি কিছু কিছু পাইছে, বৰ্তমান মন্ত্ৰী মণ্ডলীৰ এনে কাৰ্য্যৰ দ্বাৰা দেশৰ স্বার্থ ৰক্ষা কৰাত বাঘাত জন্মছে। তেওঁলোকৰ বৰ্তমান কাৰ্য্যৰ দ্বাৰা আমি এইটো বুজিব পাৰিছো যে হয়তো তেওঁবিলাকে এই কথা ভালকৈ উপলব্ধি কৰিব পৰা নাই অথবা তেওঁলোকৰ নিজ স্বার্থৰ নিমন্ত্ৰেই এনেকুৱা কাম কৰিছে। ইয়াকে বোলে 'বিধাতাই দিলেও দাতায় নিদিয়'। অৰ্থাৎ প্ৰজা নকলে কষ্ট কৰি এই Provincial Autonomy ৰ যি ক্ষুদ্ৰ অংশ পাইছে, এতিয়া তাকে যদি আমি আমাৰ উন্নতিৰ কামত লগাব নোৱাৰো তাৰ পৰা এহাতে আমাৰ অপাৰগতাই প্ৰমাণ হয় আন হাতে স্বার্থপৰতা ভালকৈ ওলাই পৰে; তাতে দেশৰ মহৎ অনিষ্ট হয়। Commercial Carrying Company অসমৰ বাহিৰৰ Company আৰু এই বাহিৰৰ Companyক patronise পৃষ্ঠপোষকতা কৰিবলৈ গৈ মন্ত্ৰী মণ্ডলীয়ে আইন আৰু উন্নতিৰ পথত ব্যাঘাত দিছে আৰু unemployment question নিবহুৱা সমস্যালৈ ignore আওকান কৰিছে। এজন মানুহে কালি টেকছিল the Country is meant for the Cabinet, but the Cabinet is not meant for the Country. বাস্তবিকতেই এই কাৰ্য্যৰ পৰা দেখা গৈছে যে কথাটো সমূলি সচা। আজি ১৬ বছৰৰ পাছত আমাৰবাসীৰ পক্ষে এটা সুযোগ উপস্থিত হৈছিল আৰু দুই বছৰৰ ভিতৰত সেই সুযোগ পোৱা নেযাব। এই সুযোগ হেৰুৱাই অসমীয়াৰ মূৰত টাঙ্গোন মৰা এটা দুৰ্বৃত্তি আৰু অদূৰদৰ্শিতাৰ কাম হৈছে আৰু মন্ত্ৰীসভাৰ অপাৰগতালি ইয়াৰ দ্বাৰা ভালকৈ প্ৰমাণ হৈছে। Hon'ble প্ৰধান মন্ত্ৰী ডাকবোৱাই কৈছে যে Assam Motor Transport

Company কেইজনমান private মাহুহৰ Company, কিন্তু মই কও যে Commercial Carrying Company ও কেইজনমান private মাহুহৰ Company, কিয়নো ইয়াত গোটাই বঙ্গবাসী বা ভাৰতবাসীৰ কোনো স্বার্থ নাই। Assam Motor Transport Company অতি লবালৰি কাৰ গঠন (form) কৰিব লগা হোৱাত সকলো মাহুহকে share বিক্ৰী কৰিব পৰা নাই কিন্তু ভবিষ্যতত যাতে share বিক্ৰী কৰিব পাৰে তাৰ ব্যবস্থা তেওলোকে বাধিছে। প্রধান মন্ত্ৰীৰ নিচিনা এজন বক্তা লোকে অনেকে ক'ব পাৰে যে মাহুহৰ সকলৰ মন divert কৰা অৰ্থাৎ ভূৱা দিবৰ চেষ্টা কৰা ঠিক হোৱা নাই। এই কথা যদি সচা হয় আৰু আমি জানি শুনিও প্রস্তাবৰ বিপক্ষে চলোঁ তেন্তেহলে মই বিশ্বাস কৰো যে আমি আসামবাসী সকলো মেধাবেই প্রত্যেক সদস্য নিশ্চয়েই দেশবাসীৰ ওচৰত guilty অৰ্থাৎ দোষী হ'ব হ'ব কাৰ দেশৰ আগত ভবিষ্যতলৈ আমালোকৰ কোনো দাবী ক'বলৈ আৰু আন্দোলন কৰিবলৈ আমাৰ কোনো বাট নেথাকিব। গতিকে মই আশা কৰোঁ যে প্রত্যেক সদস্যই এই adjournment motion (মূলত্বী প্রস্তাব) সমৰ্পন কৰিব কিয়নো এনেকুৱা সুযোগ দেশৰ পক্ষে সদায় নাহে। এই কথা কৈ মই এই প্রস্তাব সমৰ্পন কৰো।

**Mr. C. GOLDSMITH:** Mr. Speaker, Sir, we have heard very attentively the speeches and the arguments against the action of the Cabinet. It is the considered opinion of all the members of this Assembly that licenses or contracts should be given to the local people, and we have been harping on this all the time. But in spite of it the Cabinet has thought fit that some outside Company should get the contract or the license to run the motor service. It is not a new thing with the Cabinet to see that the local people should always be given preference even where there are difficulties in some respects. But in spite of these assertions and views of the people of Assam we find that the Cabinet, after considering the question for several months, have come to the conclusion that the contract for the motor service should be given to a foreign company. The hon. mover of the adjournment motion means to say that whatever may be the condition, whatever may be the difficulties, a local company should have got the contract. Now, there were applicants from the two valleys. To give the contract to one or the other would have created dissention between the valleys; if it was given to one valley the other valley would have resented it, and no party coming into power would welcome such a state of affairs and therefore they sought some solution to avoid such a thing, and considering what the Commercial Carrying Company has done during the last 17 years—(It has been found that they have run the service well, and there have been no complaints—).....

**Mr. BAIDYANATH MOOKERJEE:** Question!

**Mr. C. GOLDSMITH:** And that certificate being borne in mind they have been given the contract.

Then the question comes, or the view comes, that anyhow some local company must get the contract. That however is a national point of view, and in these times in India it is futile to bring in such a question. In these days of nationalism it cannot be said that because a company comes from outside the province it should not be given any contract. After all it is an Indian company. Therefore, I say that as that company has a good certificate and as it is running the motor service without complaint, and in view of their comparatively far better terms than other companies as the Cabinet has given it the contract in these days of nationalism, let us not condemn the Cabinet for it.

**Babu RABINDRA NATH ADITYA:** Mr. Speaker, Sir, in all what the Hon'ble Chief Minister has said he has not touched any of the important points that I raised in my discussion. One of my chief point of attack was that this House was not given an opportunity of discussing this matter on the floor of this House. Although there was a chance of a session in the near future no notice of it was taken by the Hon'ble Minister. This question has not been answered.

Then, yesterday, in reply to some questions the Hon'ble Chief Minister said that the acceptance of the lowest tender would be the policy of the Government. But here he seems to say that although your tender is low you are too rich so you cannot get the contract. The Barua Brothers are too rich, so they cannot get the contract and the Sree Lakshmi Company, although their tender is low cannot get the contract because they are financially unsound. But my question is, did he really enquire of any one in the directorate who is running the business whether they had arranged the necessary finance?

Then, as regards the efficiency of the Commercial Carrying Company, he has mentioned something about the discontent among the workers of the Sree Lakshmi Company, but was not this discontent existent in the case of the Commercial Carrying Company also? Was there not a strike among the workers of the Commercial Carrying Company? Does not that strike or discontent among the workers indicate inefficiency of the Company?

Then, Sir, on another occasion the Hon'ble Minister for Revenue, who was at the time a member of the opposition, said in connection with the Commercial Carrying Company—"I should like however to say a word about the high fares which are charged by the Commercial Carrying Company. The high rates of fares and freight, charged by the Commercial Carrying Company certainly affect the interests of all. Government have to pay more on travelling allowance and in bringing up goods from Gauhati. Although it is said from time to time in this House that no monopoly has been given with regard to the Commercial Carrying Company as a matter of fact I know Government have never used any private lorry for their own purpose and they have always been paying a higher rate of freight in order to patronise this particular company. Sir, are not the rates very excessive—Rs.22 charged for a single seat in a touring car for a length of 63 miles, Rs.12 and Rs.9 on those big No. 2 service cars? Is it not a disgrace to run a passenger bus with solid tyres? Is there any place in India where passengers are being carried on vehicles of solid tyers?" Did the Government take into consideration the fact that while this company could not afford reasonable amenities to the public with far higher rates whether it would now be possible to give the necessary comforts with much reduced rates?

Then, Sir, as regards goods he has said nothing; he has said that the laws of demand and supply govern the rates. If that be so, why were quotations called for from the other companies for the carriage of goods? Moreover, there are only 9 outside lorries allowed for the carriage of goods on the road, while the remaining 29 are under the monopoly of the Commercial Carrying Company. So it is not possible that 9 lorries will be able to accommodate all the goods traffic on the road, and this would influence to a great extent the rates of freight on the road. So this is no argument to a great because there are 9 buses for the carriage of goods the rates are determined by the laws of supply and demand and the Government have nothing to do as regards determining the rates for goods. What can the Government do if they all conspire to raise their charges?

These are the questions which have not been touched, and these are very important questions as they refer to trade and commerce of the province. If all these points are considered we still consider that the tender of the Sree-Lakshmi Company was far superior to the tender which has been accepted. As regards the absence of combination among the provincial tenderers; it reminds me of the story of the quarrel between the two cats and when the monkey comes in to decide the quarrel over the piece of bread. It is exactly like that to say that because there is some bitter feeling existing between them, therefore none from any valley should get it and that it should be given to a third party. Is that justice? I submit that the Hon'ble Chief Minister is guilty of violation of the assurance that he gave although he had the full opportunity of placing the whole matter before the House and get its opinion.

With these words, I beg to submit my motion for the acceptance of the House.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Sir, there have been as many as six or seven speakers since I last spoke and I will have to take up one by one all the points raised. I start with the hon. the Leader of the Opposition.

Although the adjournment motion in the last sentence wants to find me guilty of having settled this contract without giving this House an opportunity to discuss on the subject, not a single word or quotation from my speech was advanced in support of that contention either by the mover of this motion or by the Leader of the Opposition. On the other hand, I have myself read to this House what I said on the previous occasion in answer to a question by my hon. friend Srijut Debeswar Sarmah. If the hon. members will look into their proceedings they will find that the whole thing originated from a motion by Srijut Gaurikanta Talukdar and there he mentioned the case of nationalisation of the line and running it by Government. In answer to that, I stated that I will consider the whole question, that I will go into the traffic figures and earnings and then come to a decision. I stated also that Government will consider the vital question whether it should have state monopoly or throw it open to private contractors. My hon. friend in his reply has reiterated that I did not answer that question. I leave it now to the open judgment of the House whether I have been guilty of violating any assurance given by me on an earlier occasion.

It is perfectly correct that my hon. friend Srijut Gopinath Bardoloi allocated the credit to himself of having this matter discussed in the Retrenchment Committee. I have already thanked him for giving me the Congress estimates for running a line on this road. And I again thank him for having brought this matter up in the Retrenchment Committee.

But he seems to labour under the impression that I did not want to have it discussed in the Retrenchment Committee. At one time I was of that opinion because the settlement of the contract formed no part of the business of the Retrenchment Committee; and at the time when the request was made we were discussing the budget heads under the expenditure side. But as this Committee was also a Resources Committee, I did not object to taking it out of its turn although we had not come to discuss the resources side. As a matter of fact, this matter was discussed very thoroughly in two sessions, for two days in the earlier session and again for a day in the last session. Therefore, Sir, it cannot be said that the matter did not receive the proper consideration at the time of discussing during the Retrenchment Committee deliberations.

My friends accused me for not accepting the highest tender and it was said that although the Congress estimate showed that Government could make a profit of Rs.1,90,000, Government has not accepted that tender which gave them that amount. I say, Sir, that Government has done exactly what they want us to do. Even if we accept Rs.6,000 as the upset royalty for the outside lorries, there are 18 such lorries and six times eighteen gives us Rs.1,08,000. On the top of it we are getting Rs.90,000 from the Commercial Company.

**Srijut GOPI NATH BARDOLOI:** We calculated on the basis of Rs.4,250.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** That is not so Sir. The rate is Rs.6,000. The highest tender now given is Rs.6,000 and we have to consider only on that basis.

**Srijut GOPI NATH BARDOLOI:** But our estimate was based on the figure Rs.4,250 all along.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** On the basis of Rs. 6,000 we get a sum greater than what my hon. friend pointed out.

He has missed another point. For Government realised quite a big sum as registration fee on all these cars. Nationalisation of this line would mean that Government will not get that income because they will themselves be running it. In this way we have accepted the contract which gives us a sum greater than what my hon. friend estimated would be the net profits to Government according to his estimate.

Then he falls foul of me saying that although I asserted before the Retrenchment Committee that a difference of about Rs.10,000 between the outside tender and the local tender would not deter me from accepting the local tender, I have not done so. I still stick to that statement. It is purely a question of ordinary simple mathematics to see what is the difference between the rates of the successful tenderer in this case and the best tender from the Assam Valley, i.e., the Assam Motor Transport Company. I have already pointed out that the number of passengers carried third class over this line is 37,000. Although my hon. friend says that the destination of the travellers on this line is Gauhati and not Pandu, even if I accept that statement of his, he will find that eight annas per trip of 37,000 people makes a difference of over Rs.18,000. Then we have here the difference in the royalty which is Rs.5,000. So in all eighteen plus five we have a difference of Rs.23,000.

I need not touch the points that have been raised by my other hon. friends except that of Mr. Sen. Mr. Sen said that at one time I tried my level best to combine the two companies of the two valleys. He said.....

**Srijut GOPI NATH BARDOLOI:** In respect of the figures regarding passengers, may I correct the figure? The total number of passengers was 37,000 and not the third class passengers.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I have given the figures as stated in his estimate by the Chief Engineer. They are First Class 2,609; Second Class 1,432; Intermediate Class 3,243 and Third Class 37,312.

**Srijut GOPI NATH BARDOLOI:** What are the figures published in the Gazette, Sir?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I speak from the estimate given by the Chief Engineer.

**Srijut GOPI NATH BARDOLOI:** It is 27,000 in the Gazette.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** This figure has been taken from the Chief Engineer's estimate and I find 37,000 in that.

**Srijut PURNA CHANDRA SARMA:** Is it the average of the figure for 1937-38 ?

**The Hon'ble Maulavi Sayid Sir MUHAMMAD SAADULLA:** It is the average.

My hon. friend Mr. Sen was speaking about the haphazard attempt made as regards combining the companies of the two valleys, and he said that, although I criticized that both of these companies of the Assam Valley were companies with a very small number of shareholders, I have contradicted that in the press note. For, I advanced refutation to the argument that the wealth will remain in the province if the contract was given to any of these parties in the Assam Valley. On the other hand a genuine effort was made by me and the Hon'ble Education Minister for effecting combination between the tenderers of the two valleys. My hon. friend, Mr. Aditya.....

**The Hon'ble Maulavi ABDUL MATIN CHAUDHURI:** On a point of order, Sir. I think the time limit has come.

**The Hon'ble the SPEAKER:** I thought the hon. member would not be in such a hurry.

The House stands adjourned.

#### Adjournment

The Assembly then adjourned till 11 a.m., on Wednesday the 7th September, 1938.

*Shillong:*  
*The 22nd October 1938.*

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