

Proceedings of the Eighth 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 Thursday, the 21st November, 1940.

PRESENT

The Hon'ble Mr. Basanta Kumar Das, Speaker, in the Chair, the ten Hon'ble Ministers and 92 members.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(to which oral answers were given)

Special Officer for Primary Education

Srijut DEBESWAR SARMAH asked :

*105.(a) Is it a fact that Government propose to appoint the present Inspector of Schools, Assam Valley Circle, as a Special Officer for Primary Education from 1941 ?

(b) If so, who is the probable successor to the post of the Inspector of Schools in the Assam Valley ?

*106.(a) Is it a fact that the Vice-Principal of the Murarichand College, Sylhet, has been selected to succeed the present Inspector of Schools in the Assam Valley ?

(b) Are Government aware of the criticism and the public opinion in the local news-papers in respect of this appointment ?

(c) If answer to question 106(a) be in the negative will Government be pleased to make a Press statement contradicting the publication in the news-papers ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

105.(a)—Such a proposal is under consideration of Government ; but no final orders have been passed yet.

(b)—Does not arise.

106.(a)—No.

(b)—Yes.

(c)—Government does not consider it necessary to do so.

Srijut GAURI KANTA TALUKDAR: Is there any proposal for creating a post of Special Officer for Primary Education ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: I have already said that such a proposal is under consideration of Government.

Srijut GAURI KANTA TALUKDAR: Does not Government consider that it is absolutely unnecessary as the Director of Public Instruction and the Inspectors of Schools are quite sufficient for this work ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: It has been suggested that as we are spending such large sums of money for primary education and as we have committed ourselves to a liberal expenditure for mass literacy campaign, we should appoint a Special Officer who would carry on intensive work for the spread of primary education and adult education.

Srijut GAURI KANTA TALUKDAR: Do not Government consider that Local Boards who represent the various places and communities of the district will be quite sufficient to distribute the money and manage affairs under instructions from the Director of Public Instruction ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: I have already told the House that the proposal is under consideration. The point which has been raised just now by the hon. member will also be taken into consideration before a final decision is arrived at.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: May I ask the hon. questioner the names of local newspapers in which the criticism was published ?

(No reply.)

Srijut DEBESWAR SARMAH: Is it a fact that the office of the Inspector of Schools is a very important one for mass education in the Valleys ?

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: My question has not been answered, Sir. Is it a fact that the newspapers which published this criticism are possessed by Hindus.....

The Hon'ble the SPEAKER: I would ask the hon. member to seriously consider if this question arises.

Mr. BAIDYANATH MOOKERJEE: He cannot check his feelings, Sir.

The Hon'ble the SPEAKER: The question cannot be permitted to be asked.

Srijut DEBESWAR SARMAH: My question was, may I know from the Hon'ble Education Minister whether it is a fact that the post of Inspector of Schools is a very important one for mass education in the Valleys.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: The office of the Inspector of Schools is certainly very important in matters of education.

Srijut DEBESWAR SARMAH: Will Government appreciate the desirability of appointing an officer who is conversant with the education of both the Valleys ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: All these suggestions will be taken into consideration.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: Is it not a fact that not a single Inspector of Schools was ever appointed in Assam from the Muslim community ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: This is a fact. There has been no Muslim Divisional Inspector.

Maulavi ABDUR RAHMAN: May I know from the Hon'ble Minister if the Vice-Principal of the Murarichand College is found qualified he will be appointed as an Inspector ?

The Hon'ble the SPEAKER: This is a hypothetical question.

Maulavi ABDUR RAHMAN: May I know if he is found fit his case will be considered ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: The case of competent persons will be taken into consideration and the most competent and suitable person available will be appointed.

Opening of Women's section in Cotton College

Srijut PARAMANANDA DAS asked :

*107. Will Government be pleased to state the number of girl students in each class of the Cotton College, Gauhati, separately ?

*108. Do Government propose to open women's sections in the said College, staffed by lady Professors as in some Calcutta Colleges ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

107.—The information is furnished below—

First Year I.A.	...	...	...	...	16
„ „ I.Sc.	...	...	...	...	6
Second Year I.A.	...	...	...	...	15
„ „ I.Sc.	...	...	...	...	8
Third Year B.A.	...	...	...	...	16
„ „ B.Sc.	...	...	...	...	1
Fourth Year B.A.	...	...	...	...	10
„ „ B.Sc.	...	...	...	...	1

108.—No.

Appointment of a non-Hindu Manager to the Mechpara Wards' Estate

Srijut PARAMANANDA DAS asked :

*109. (a) Is it a fact that the proprietors of the Mechpara Court of Wards' Estate were asked by the Government to report their opinion regarding the appointment of non-Hindu Manager to the Estate, early this year ?

(b) Is it a fact that the proprietors of the said Estate jointly submitted to Government their objection to the appointment of a non-Hindu to the said position in last March ?

(c) If the answer to question 109 (b) above is in the affirmative, will Government be pleased to state what action has been taken by them on the considered opinion of the proprietors in the matter of appointment of the Mechpara Court of Wards Estates' Manager ?

(d) Is it a fact that when the Court of Wards took over the management of the Mechpara Estate, Government gave an undertaking to the proprietors that none but a Hindu would be appointed Manager to the said Estate ?

*110. (a) Will Government be pleased to state the respective annual forest incomes of the various Zemindary estates of the Goalpara district that are under the management of the Court of Wards ?

(b) Do Government propose to place the management of the Mechpara Forest under a fully qualified Forest Officer, irrespective of any religion or caste ?

*111. (a) Is it a fact that an advertisement has appeared in the *Assam Gazette* to the effect that a Muslim Sub-Manager, with knowledge of forest management, is needed for the Mechpara Court of Wards' Estate ?

(b) If so, will Government be pleased to state which authority decided that a Muslim Sub-Manager should take the charge of the said forest *mahal* and on what principle ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN
replied :

109. (a)—Yes.

(b)—Fifteen of the proprietors did so.

(c)—Due consideration was given to the opinion of the proprietors before the Court of Wards came to a decision after considering all aspects of the case.

(d)—No evidence of such an assurance can be traced.

Srijut PARAMANANDA DAS: May I ask the Hon'ble Minister why the opinion of the proprietors were taken at all regarding this appointment ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:
Just to come to a decision.

Maulavi GHYASUDDIN AHMED: Is it not a fact that the present Manager while he was an Assistant Manager officiated several times in the same scale ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:
Yes, Sir.

Maulavi GHYASUDDIN AHMED: Was there any objection then ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: No.

Srijut BISHNU RAM MEDHI: What is the opinion of the proprietors of the Mechpara Estate ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:
They were of opinion that a Hindu would be preferable.

Maulavi GHYASUDDIN AHMED: Are Government aware that one person who was a non-Hindu acted as Manager of the Estate several times ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :
Government is not aware.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN
replied :

110.(a)—Figures for the year 1346 B. S. are given below—

				Rs.
1. Mechpara	...	...	...	80, 52
2. Bijni Raj	...	...	...	1,11,524
3. Srirgram Barua	...	...	...	2,488

(b)—The question of a revision in the management of Mechpara Forests is now under consideration. On the proposal of the Commissioner of Divisions to have a fully qualified Forest Officer in charge of the Mechpara Forests as in the Bijni Forests. Mr. Jacob of the Indian Forest Service was deputed to enquire into the matter and his report is now being examined by the local officers.

111.(a)—Yes.

(b)—The Court of Wards decided that this temporary appointment should go to a suitable Muslim in order to ensure proper representation of the various communities in the estate services in accordance with the existing procedure.

Srijut PARAMANANDA DAS : Is the Hon'ble Minister aware that the Tribal people come next to Muslims in point of population in the Estate ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : I am not aware of that.

Srijut PARAMANANDA DAS : Will the Hon'ble Minister be pleased to state how many officers from the Tribal Group are serving in the Mechpara Estate ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :
Government are not aware of that.

Number of new appointments created since the introduction of the Reforms

Maulavi ABDUR RAHMAN asked :

*112. Will Government be pleased to state—

(a) How many new appointments have been created since the introduction of the new Reforms in Assam ?

(b) What is the present and probable future financial commitments of the Government on account of the creation of these new appointments ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA
replied :

112.—The information is being collected, but this will require a considerable time.

Convocation for granting Sanskrit Titles annually in Assam

Mr. BAIDYANATH MOOKERJEE asked :

*113. Will Government be pleased to state—

(a) If any convocation is held for the granting of Sanskrit titles annually in Assam ?

- (b) If not, do Government propose to consider the desirability of holding such a convocation ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

113. (a)—The reply is in the negative.

(b)—The matter is engaging the attention of Government.

Mr. BAIDYANATH MOOKERJEE: May I know whether any convocation was held previously ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: The reply is already there. As far as I know no convocation was held previously.

Mr. BAIDYANATH MOOKERJEE: My original question was "if any convocation is held". The reply is in the negative. My present question is whether any convocation was ever held before ?

The Hon'ble the SPEAKER: I think the reply to the original question covers this too.

Sanskrit Board and Sanskrit College at Sylhet

Mr. BAIDYANATH MOOKERJEE asked :

* 114 (a). Is it a fact that the Sanskrit Board and the Sanskrit College at Sylhet are located in the same buildings ?

(b) Are Government aware that this has resulted in congestion and lack of adequate accommodation for the purposes of the Sanskrit College at Sylhet ?

(c) Has the attention of Government been drawn to the insufficient space in the Library ?

(d) If so, do Government propose to provide for separate office buildings for the Sanskrit Board and the College and provide for the much-needed expansion of the Library ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

114. (a)—Yes.

(b)—Yes.

(c)—Yes.

(d)—The matter is under consideration.

(Starred questions Nos.115-116 standing in the name of the Mr. Jobang D. Marak were not put and answered as the questioner was absent.)

Contracts for construction of bridges over the Borgong, Noona, Tihu, Buradia, Kaldia and Pagladia rivers

Srijut BELIRAM DAS asked :

*117. Will Government be pleased to state—

(a) When and to whom contracts for construction of bridges over the Borgong, Noona, Tihu, Buradia, Kaldia and Pagladia rivers were given ?

(b) Whether notices calling for tenders for them were invited ?

*118. (a) Is it a fact that tenders were not called for for constructing re-inforced concrete bridges over these rivers ?

(b) If so, why Government settled these contracts without calling for tenders for the same ?

*119. Will Government be pleased to state the rates tendered by the various parties for the above works ?

*120. Will Government be pleased to state—

(a) If it is a fact that Messrs. Gammon & Co. have been given rates higher than they tendered for, for these bridges ?

(b) If so, why and how these enhanced rates were allowed ?

*121. Will Government be pleased to state, what progress has been made with the construction of these bridges ?

*122. Will Government be pleased to state the last date for completion of these bridges and the steps they propose to take for failure to complete the work within time ?

*123. (a) Have Government any expert opinion to the effect that re-inforced concrete constructions so far as bridges are concerned, are quite safe and suited to the peculiar conditions of this province ?

(b) If so, will Government be pleased to lay that opinion on the table ?

*124. Are Government aware that services of competent Consulting Engineers are not available in the province and that very high price has got to be paid for getting their services from outside the province ?

*125. (a) Are Government aware that machineries for such re-inforce piling as Vibro, Simplex, and Franki which are specially mentioned by the Department are not available either for hire or purchase by the local contractors ?

(b) If so, will Government be pleased to state whether they propose to have type plans and arrange to hire out the requisite machinery to the successful local contractors ?

*126. Will Government be pleased to state—

(a) Whether it is a fact that Messrs. Gammon & Co. have been black-listed in the Punjab ?

(b) Whether it is a fact that this Company failed to complete the construction of a bridge over the Teesta river under the Bengal Government ?

(c) Do Government propose to enquire from the respective Governments on these matters ?

*127. Will Government be pleased to state what steps, if any, Government have taken to encourage the local contractors for construction of reinforced concrete bridges, instead of inviting outsiders for the same ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI replied:

117. (a)—

Name of bridge	Name of selected contractor	Date of acceptance of contract
Borgong	Messrs. J. C. Gammon, Ltd.	6th July 1939.
Noona	} Ditto ...	} 12th December 1939.
Tihu		
Buradia		
Kaldia		

There is no proposal to construct any bridge at Pagladia.

(b)—Yes.

118. (a)—The tenders invited alternative proposals to those for steel bridges detailed in the notice.

(b)—Does not arise.

119.—The rates have been shown in the statements laid on the table.

STATEMENTS REFERRED TO IN REPLY TO STARRED QUESTION
No. 119 ASKED BY SRIJUT BELIRAM DAS

AMOUNTS TENDERED FOR THE CONSTRUCTION OF BORGONG BRIDGE IN CENTRAL
ASSAM DIVISION

Serial No.	Name of Contractor	Design with		Remarks
		Steel pile piers Scheme "A"	Steel Trestles and concrete foundation Scheme "B"	
1	Messrs. J. C. Gammon, Limited.	Rs. 1,02,800		Reinforced Concrete Design.
2	" P. Chakrabarty and Company.	Rs. 1,19,278	Rs. 1,11,738	

Serial No.	Name of Contractor	Design with		Remarks
		Steel pile piers Scheme "A"	Steel Trestles and concrete foundation. Scheme "B"	
		Rs.	Rs.	
3	Messrs. B. K. Das and Company.	1,21,076	1,19,535	
4	„ Braithwaite and Company.	1,34,033	1,07,564	Without Concrete foundation.
5	„ Steel Construction and Company.	1,41,075 1,34,337 (Alternative).	1,17,612 1,11,951 (Alternative).	} Both without Concrete foundation.
6	„ Assam Engineering Syndicate.	1,45,000	1,31,000	
7	„ Jessop and Company, Limited.	1,46,214	1,18,996	
8	„ Burn and Company, Limited.	1,47,904	1,59,400	
9	„ Martin and Company.	1,50,450	1,61,850	
10	„ K. Roy and Son, Limited.	1,66,283	...	
11	„ Bando and Company.	1,76,098	1,50,278	

AMOUNTS TENDERED FOR THE CONSTRUCTION OF BRIDGES OVER NOONA, BURADIA, TIHU AND KALDIA ON NORTH TRUNK ROAD (WEST) IN WESTERN ASSAM DIVISION

Serial No.	Name of Contractor	Total tendered amount for the four bridges	Remarks
		Rs.	
1	Messrs. J. C. Gammon, Limited ...	66,480	} Reinforced Concrete Design.
2	„ K. Roy and Son, Limited ...	69,000	

Serial No.	Name of Contractor	Total tendered amount for the four bridges	Remarks
		Rs.	
3	Messrs. P. Chakrabarty and Company.	96,030	} Steel Design.
4	Mr. A. K. Dhar	97,715	
5	„ B. Lascar	97,881	
6	„ G. C. Bora	99,070	
7	K. S. Md. Eda Khan	1,01,100	
8	Messrs. Assam Iron and Steel Company.	1,02,182	
9	„ Braithwaite and Company (India), Limited.	1,03,414	
10	„ Assam Engineering Syndicate	1,07,365	
11	„ Burn and Company, Limited	1,08,370	
12	„ Jessop and Company, Limited.	1,09,218	
13	„ Kumardhubi Engineering Works, Limited.	1,11,970	
14	Munshi Jowad Hussain	1,16,372	

120. (a)—Yes.

(b)—As certain details of construction were changed, fender piles in some cases were added and the length of certain bridges slightly increased.

121.—Progress on all 5 bridges is now good. Sinking of piles at Borgong and manufacture of the same at each of the other 4 bridges is in progress.

122.—Borgong bridge 31st March 1941.

Each of the other four bridges 1st June 1941.

In case of failure the contract provisions will be applied.

123. (a)—Yes, worldwide.

(b)—The hon. member is invited to call on the Chief Engineer at his office during office hours when the latter will gladly show him the engineering papers from Europe and America on this subject.

124.—Yes, if the hon. member does not include any officer of the Public Works Department under this category.

125. (a)—No.

(b)—Does not arise.

126. (a) & (b)—Government have no information.

(c)—No.

Srijut BELIRAM DAS: With regard to reply to question 126(a), will Government enquire whether the said firm was black-listed in the Punjab?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: The firm is of such an All-India reputation that Government do not think it necessary to enquire.

Srijut BELIRAM DAS: When there is an allegation, is there any harm in enquiring?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: Sir, I can place for the information of the House, if you so desire, on the Library Table, a publication with illustrations of large number of bridges that have been constructed by this reputed firm all throughout India. Government are satisfied that there is no necessity for any enquiry in this respect.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI replied:

127.—Calls for tenders are given wide publicity and tenders from local contractors have been received.

Amount of war subscription realised in Sunamganj

Babu KARUNA SINDHU ROY asked :

*128. Will Government be pleased to state—

(a) The total amount of war subscription realised by the Sub-divisional Officer, Sunamganj, uptill now?

(b) The names of the officers who are collecting the subscription?

(c) The amount collected by each of them?

*129. Is it a fact that the Sub-Registrar of Sunamganj has been refusing to receive documents for registration unless the parties paid some money to the War Fund?

*130. Is it a fact that the aforesaid Sub-Registrar generally does not give receipt for the war subscriptions so realised?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

128. (a)—Rupees 8,379 upto 30th October 1940.

(b)—Almost all the officers have assisted the Subdivisional Officer in collecting war subscriptions.

(c)—It is impossible to give the amount collected by each official without an elaborate investigation which would serve no purpose.

Babu KARUNA SINDHU ROY: Is it a fact that a Zemindar of Sukhair has paid Rs.2,000 to the Fund?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I require notice of that question.

Babu KARUNA SINDHU ROY: Will Government be pleased to enquire about a case of forced realisation by a Sub-Deputy Collector from Babu Mahim Chandra Pal of Sachna Bazar, who was made to pay Rs.200? When he refused to pay he was threatend that his income-tax would be enhanced.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Yes, Sir, Government is prepared to enquire if the hon. member takes responsibility for the veracity of the statement.

Babu RABINDRA NATH ADITYA: Are Government aware that notices for cancellation of gun licenses are issued to those who do not pay war subscriptions and that the matter is again set right as soon as the subscriptions are paid?

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

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

129.—No.

130.—No. The Sub-Registrar issues individual receipts for each sum above one rupee.

Mr. ARUN KUMAR CHANDA: In view of the allegations made that the employment of Government officers for the collection of war subscriptions has led or is likely to lead to the adoption of coercive measures, will Government consider the desirability of recalling these officers from this duty?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Sir, a circular has been issued to all Government officers not to use any influence whatsoever for collecting subscriptions. They receive only voluntary subscriptions that are made over to them.

Mr. ARUN KUMAR CHANDA: Do Government appreciate that the employment of this agency is a very fruitful source of application of coercive measures?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Government is prepared to enquire and stop all such coercive methods of realisation, if they are brought to the notice of Government.

Babu RABINDRA NATH ADITYA: Cannot Government entrust this work to non-official agencies?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Yes, Sir, there are non-officials in the District War Purposes Fund and the District War Committees. They also realise subscriptions and pay to the Treasurers.

Babu RABINDRA NATH ADITYA: Will Government stop their officers from collecting war subscriptions as this lead to torture and coercion?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Government officers have undertaken such duty in the past in cases of calamities, such as floods, famine relief, etc., and I see absolutely no reason why voluntary subscriptions should not be collected by them for war also.

Babu RABINDRA NATH ADITYA: Are Government aware that sometimes their Extra Assistant Commissioners do not go to office and go to collect war subscription?

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

Maulavi ABDUR RAHMAN: Are Government prepared to issue a circular to all branches of Government in the province communicating the views of the House with regard to this question so that they

may not use any coercive measures in the matter of realising the subscription for war ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Sir, the opinion of the House cannot be gathered from reply to this question.

Maulavi ABDUR RAHMAN: Do not Government realise from the trend of the discussion with regard to these questions that some departure has been made in this matter by their officers ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: If that will satisfy the hon. members of this House, further instructions will be issued by the Government in this matter.

Mr. ARUN KUMAR CHANDA: Do Government apprehend that if Government officers are not allowed to help in this matter there will be a drop in the collection of subscription, Sir ?

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

Babu RABINDRA NATH ADITYA: Are Government aware that there is a competition between the Subdivisional Officers on the ground that the more they will be able to collect the subscription the greater will there be the chances of lift for them ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: No, Sir, Government have not any such information.

Srijut LAKSHESVAR BOROOA: Will Government be pleased to issue a circular to the effect that the Government officers should not engage themselves in collection of war subscriptions at the sacrifice of their ordinary duties ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The Government officers should first attend their duties.

Discretionary grants made by His Excellency and the Hon'ble Ministers

Mr. ARUN KUMAR CHANDA asked :

*131. Will Government be pleased to lay on the table a statement showing the grants made out of their respective discretionary allotments, by the Governor during the period January 1940 to the end of October and by each Minister since his accession to office to the end of October 1940 ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

131.—Statement of grants are placed on the Library table.

Mr. ARUN KUMAR CHANDA: Sir, we have not got it on our desk.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: It is on the Library table Sir.

The Hon'ble the SPEAKER: It ought to have been placed on the table of the House.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I am sorry, Sir. But will it not do if it is placed on the Library table.

The Hon'ble the SPEAKER: I remember, I ruled that such statements should be laid on the table of the House. Very well, hon. members may see that on the Library table and if they want to put any

supplementary question, I shall allow that. But I may also point out to the hon. members that as the expenditure relates to His Excellency's discretionary grant they will not be allowed to criticise the action of His Excellency the Governor.

Mr. ARUN KUMAR CHANDA : It is sufficiently interesting to know it, Sir.

The Hon'ble the SPEAKER : Yes, it is. I shall allow it as the House has got the right to see how this money was spent.

(Starred question No. 132 standing in the name of Maulavi Badaruddin Ahmed was not put by the questioner).

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Kala-azar patients in the Mangaldai and the Tezpur subdivisions in 1938-39, 1939-40 and 1940-41

Maulavi BADARUDDIN AHMED asked :

172. Will Government be pleased to state :—

(a) The number of the *Kala-azar* patients in the Mangaldai and the Tezpur subdivisions in the years 1938-39, 1939-40 and 1940-41 separately ?

(b) The number of centres for *Kala-azar* treatment in these two subdivisions separately ?

(c) Whether it is a fact that the headquarters of the Public Health Assistant Surgeon is at Tezpur ?

The Hon'ble Babu HIRENDRA CHANDRA CHAKRAVARTY replied :

172. (a)—The information available by calendar years is furnished below—

	Tezpur Subdivision	Mangaldai Subdivision
1938	184	805
1939	172	689
1940 (up to August)	244	805

(b)—

	Tezpur Subdivision	Mangaldai Subdivision
Public Health Dispensaries.	...	4 (with 2 out-centres)
Local Board and State dispensaries.	7	6 (with 1 out-centre)
Out-centres	...	...

(c)—Yes.

Maulavi BADARUDDIN AHMED: Sir, in view of the greater number of patients and centres as stated in the reply, will not the Assistant Surgeon, Public Health Department require to visit Mangaldai frequently?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY: Sir, Mangaldai being only 60 miles from the town of Tezpur it is very easy for him to supervise the work from Tezpur.

Maulavi BADARUDDIN AHMED: Sir, is it not a fact that the Government will be required to spend a large sum of money by way of travelling allowance and halting for his frequent coming?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY: The nature of the duty of the Public Health Assistant Surgeon is to go out on tour in inspecting the work of the Department and we cannot curtail the travelling allowance.

Maulavi BADARUDDIN AHMED: Will Government then consider whether the headquarters of the Public Health Assistant Surgeon should not be at Mangaldai town?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY: Government had not sufficient materials before them to consider like that, Sir. However the suggestion will be considered.

Toll on Cotton in the Garo Hills

Mr. BENJAMIN CH. MOMIN asked:

173. Will Government be pleased to state—

- (a) Why the toll on cotton has been doubled in the Garo Hills hats?
- (b) Whether it is a fact that the Chairman of the Tura Fund or the Deputy Commissioner of the Garo Hills has settled this year all the Cotton selling hats for double the price of the previous years?
- (c) The prices for which each of the following cotton selling hats was settled in the previous year and this year—Dalu hat, Tura hat, Garo-badha hat, Raja Bala hat, Rom hat, Chibenang hat, Tikirkila hat, Potamati hat, Bajengdoba hat, Mendipatal hat and the Dainadubi hat?

174. Will Government be pleased to state—

- (a) Whether the Zamindars in the Garo Hills district get any share from hat tolls in the Garo Hills district?
- (b) If so, whether it is for the improvement of roads and hats in the Garo Hills district?
- (c) What amount each Zamindar gets as shares every year from hat tolls in the Garo Hills?
- (d) Whether the Zamindars pay anything from their said shares to the maintenance of roads and hats in the Garo Hills?
- (e) If so, what percentage of their shares they pay for the purpose?
- (f) If not, whether Government propose to ask them to contribute in future for the said purposes?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

173. (a)—The toll has been raised in order to increase the income of the Garo Hills District Fund to enable it to meet some liabilities which it cannot meet from its ordinary income. At the time it was raised, the prices of cotton and jute had both risen by more than 100 per cent.

(b)—No.

(c)—The prices are given below :—

Name of Hat	1939-40	1940-41
	Rs.	Rs.
Dalu and Chandabhui ...	6,250	6,000
Garobadha ...	5,000	6,800
Bajengdoba ...	1,600	1,850
Phutamati ...	1,300	1,800
Mendipathar with Rongrong and Thapa	1,005	1,200
Rajabala ...	2,200	2,000
Bangalkhata with Chibenang ...	2,000	2,000
Dainadubi ...	500	425
Tura ...	4,150	5,350
Rom Agar ...	1,750	1,000
Tikrikilla ...	1,500	1,500

174. (a)—Yes. They get a share from the tolls realised in the hats situated in the Zamindari areas.

(b)—No.

(c)—The figures for the last five years are given below :—

	1934-35	1935-36	1936-37	1937-38	1938-39
	Rs.	Rs.	Rs.	Rs.	Rs.
Karaibari Zamindars Annas 12.	4,635	5,683	5,693	7,681	4,618
Karaibari Zamindars Annas 4.	*9,337	*7,000	*20,830	9,656	10,679
Mechpara Zamindars ..	3,979	5,552	4,573	5,446	6,504

*Include refund of hat revenue for 1928-29 to 1936-37.

(d)—Yes.

(e)—This depends on the actual cost. The expenditure on *hats* is deducted from the Zamindars' share in full. As regards roads, the Zamindars pay a certain percentage of the actual cost for the maintenance and improvement of the roads leading to the *hats*.

(f)—Does not arise.

Temporary vacancies in Deputy Commissioner's office and Forest Department at Tura

Mr. BENJAMIN CH. MOMIN asked :

175. Will Government be pleased to state why Garo candidates are not taken now-a-days to fill up temporary vacancies in the Deputy Commissioner's office and in the Forest Department at Tura ?

176. Will Government be pleased to state—

(a) If one Mr. Habitson K. Marak worked in the Tura Forest Office as a temporary clerk for three times at different intervals ?

(b) If so, why the said Mr. Habitson Marak was not taken again when he applied for the post recently fallen vacant ?

(c) Whether the said Mr. Habitson Marak's appointment was approved by the Conservator of Forests in former times ?

The Hon'ble Srijut RUPNATH BRAHMA replied :

175.—Government are unable to accept this general suggestion as being correct. A Garo was for instance given a temporary vacancy in 1939. There was only one temporary vacancy in the Deputy Commissioner's office in 1940. Government have however recently issued instructions to the Deputy Commissioner to engage Garos whenever possible.

176. (a)—No. He held a temporary vacancy on one occasion only.

(b)—He was actually unqualified, being a non-Matriculate, and had only been appointed on the former occasion in the absence of a better candidate.

(c)—Yes, for the reason given in answer to (b).

Improvement of bridges on the Churkhai-Dighirpar Road upto Bhanga

Babu RABINDRA NATH ADITYA asked :

177. (a) Are Government aware that the Churkhai-Dighirpar Road up to Bhanga in the Karimganj Subdivision serves a good number of localities which have no other means of communication ?

(b) If so, do Government propose to improve the bridges to make them fit for Motor traffic ?

178. Do Government propose to allot any money in the budget specially for improving village communication ?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI replied :

177. (a)—Government are prepared to accept the hon. member's statement.

(b)—This is a Local Board road and its improvement in the manner suggested rests with the Local Board.

178.—The question of providing an additional sum of Rs.50,000 in the next year's budget for improvement of communications in rural areas is under consideration.

Industrial and Technical Education at Ghagmari

Maulana ABDUL HAMID KHAN asked :

179. Will Government be pleased to state—

(a) Why no arrangement has been made at Ghagmari for imparting Industrial and Technical Educations ?

(b) Do Government propose to take this question into consideration and make arrangements for Industrial and Technical Educations at Ghagmari ?

The Hon'ble Miss MAVIS DUNN replied :

179 (a) & (b)—At the suggestion of the hon. member one Weaving Demonstrator has been appointed for Ghagmari area and a sum of Rs.75 has been sanctioned for the Ghagmari Weaving School for the purchase of looms and accessories. If any other suggestion is made, Government will consider the same in due course.

Mr. ARUN KUMAR CHANDA : Sir, the answer is that 'At the suggestion of the hon. member one Weaving Demonstrator has been appointed for Ghagmari area'. Are we to understand that the suggestion of all the hon. member will be treated with the same tenderness ?

The Hon'ble Miss MAVIS DUNN : Whenever possible we are always willing to help.

Collections for the War Fund

Kumar AJIT NARAYAN DEV asked :

180. Are Government aware that the Police who have undertaken the work of collecting funds for the War Fund are collecting the same from the public by threats of use of force ?

181. Are Government aware that the Government officers have fixed the rates of subscriptions to the War Fund from the *raiya*s and are collecting money according to the rates they have so fixed ?

182. Are Government aware that the District Officers are compelling the holders of gun licences to pay subscriptions to the War Fund equal to the licence fees ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

180, 181 & 182.—Government have no information of such actions as is suggested in these questions, but they will readily investigate and deal with any specific case of undue influence which may be brought to their notice.

Babu BIPIN BEHARI DAS : May I know whether the war subscription is compulsory or voluntary ?

The Hon'ble the SPEAKER : I think this question was sufficiently discussed.

Babu RABINDRA NATH ADITYA : May I ask only one question, Sir ? Will Government enquire if it is a fact that during the sale of *mahals* at Karimganj, war subcription was taken from every individual who succeeded in getting the *mahals* in auction sale ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Sir, there is no necessity of any action, but in view of the trend of the discussion, I am prepared to enquire .

Instructions to Enumerators *re* classification of Mymensing settlers

Srijut SARVESWAR BARUA asked :

183. (a) Is it a fact that the Census Superintendent has issued instructions to the Enumerators to return Mymensing settlers, who have settled here long ago and have learnt the Assamese language, as Bengalees ?

(b) If so, will Government be pleased to state if these instructions are based upon any orders of Government ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

183. (a)—No : the instructions are intended to bring out the mother-tongue which is spoken by the person concerned and according to his own statement. They have been amended to make it clear that if the original language spoken by the individual in the home has been discarded, the home language spoken at the time of the census, as stated by him, should be recorded.

(b)—Does not arise.

Post of Public Prosecutor at Karimganj

Maulavi ABDUR RAHMAN asked :

184. With reference to the starred questions Nos. 284 and 285 put by me on the 21st March, 1940 and the replies of the Government thereto, will the Hon'ble Minister-in-charge be pleased to state the decision, Government have since arrived at in the matter of continuing the post of the Public Prosecutor at Karimganj ?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI replied :

184.—Government have decided to abolish the post of Public Prosecutor at Karimganj.

Maulavi ABDUR RAHMAN: May I know from the Hon'ble Minister as to when the Government is going to abolish the post? Are Government going to take immediate steps?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI: Government have already taken steps. But in view of the fact that certain informations were required before final decision could be arrived at, there had been some delay in the matter.

Increase of grant to Harakrishna Middle English School

Babu RABINDRA NATH ADITYA asked:

185. Will Government be pleased to state—

- (a) If they received any representation for increasing the grant of Harakrishna Middle English School, Karimganj?
- (b) If so, do Government propose to take any action on it?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied:

185.(a)—No representation has been received from the school authorities.

(b)—Does not arise.

Babu RABINDRA NATH ADITYA: Do Government propose to allot any money for the Middle English School from the next year's budget?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Middle English schools come under the head 'Secondary Schools' and a sum of Rs. 25,000 was provided for distribution of grants to secondary schools in the year 1940-41. We have not received any representation for an increased grant to this school.

Babu KARUNA SINDHU ROY: Are Government not aware that those schools are really starving and their grants-in-aid are very small and they require an addition to the grant?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: With the funds which are at our disposal, we try to help every deserving Middle English school.

Babu KARUNA SINDHU ROY: Have Government not received various representations from the different Middle English Schools for increasing their grants?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Even in the current year, we are distributing grants to some Middle English Schools also and I do not know the exact position whether the school in mind of my hon. friend has any need of an increased grant. If there was any demand for an increase in any particular school, I presume, either the Inspector of Schools would have recommended an increased grant or the Government would have received a direct representation. Neither of these two things has happened so far the school mentioned by Mr. Aditya is concerned.

Babu KARUNA SINDHU ROY: Are Government aware that the average grant for a Middle English School is Rs. 15, and as such it is very inadequate for the purpose?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: I agree with the hon. member that the grant which we are giving is not quite adequate to meet the demands in some schools, but we are trying to do our best with the money at our disposal.

Ferry and the winter bridge over Sodakhal.

Babu RABINDRA NATH ADITYA asked :

186. Will Government be pleased to lay on the table a statement of expenditure for the last three years for maintaining the ferry and the winter bridge over Sodakhal on the Sylhet-Karimganj Trunk Road ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI replied :

186.—	Rs.
1937-38 	4,463
1938-39 	3,308
1939-40 	3,478

Babu RABINDRA NATH ADITYA: Do Government propose to minimise the expenditure by bridging the Sodakhal ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: There is no such proposal before Government.

Babu RABINDRA NATH ADITYA: Do Government feel that it is very necessary in view of the ferry which is within three-fourths of a mile of it ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: Apart from the fact that money is not available at present, there is no recommendation from the Communications Board. I think, the hon. member is aware that the question of bridging Sodakhal is faced with the question of extensive damage to crops on the other side and the matter will have to be very carefully enquired into.

Babu RABINDRA NATH ADITYA: Are Government aware that the motor engine at Sodakhal does not work after dusk and it takes more than one hour to cross the Khal ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: I am not aware of that, but in view of the fact that the hon. member has raised the question we shall have the matter enquired into.

Babu RABINDRA NATH ADITYA: Will Government try to utilise their motor engine for night service in the Sodakhal ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: That can be considered, but there are difficulties in arranging night plying on this ferry.

Mr. BAIDYANATH MOOKERJEE: If it is possible to work it during the day why is it not possible to do so at night ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: Because the approach to the river by the mar boat is so difficult and it is so difficult to run this ferry at night that there is a danger to life.

Mr. BAIDYANATH MOOKERJEE: How does the mar boat affect that ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: Before we can cross the river we have to contend with a very strong current.

Posting of an Agricultural Demonstrator at Mutukpur

Babu RABINDRA NATH ADITYA asked :

187. Will Government be pleased to state—

- (a) Whether the people of Mutukpur (Maulvibazar) asked for posting an Agricultural Demonstrator there ?
- (b) If so, do Government propose to post a Demonstrator there ?

The Hon'ble Maulavi MUNAWWAR ALI replied :

187.(a)—Government have no information.

(b)—The question does not arise.

Agriculture Minister's tour to Sunamganj on 15th September 1940

Babu KARUNA SINDHU ROY asked :

188. Is it a fact that the Hon'ble Minister of Agriculture went to Sunamganj on the 15th September 1940, to organise the election campaign in connection with the last Municipal election ?

189. Will Government be pleased to state—

- (a) The actual travelling expenses incurred in his journey from Shillong to Sunamganj and back on the said occasion ?
- (b) Whether the aforesaid expenses were borne by Government ?

The Hon'ble Maulavi MUNAWWAR ALI replied :

188.—No.

Babu KARUNA SINDHU ROY: Did the Hon'ble Minister for Agriculture ask some subordinate officers to see him at his bungalow on the night of the 15th September ?

The Hon'ble Maulavi MUNAWWAR ALI: It might be so.

Babu HARENDRA NARAYAN CHAUDHURI: Might I know the real purpose of the Agriculture Minister to call these people at night ?

The Hon'ble Maulavi MUNAWWAR ALI: Mass Literacy Campaign.

The Hon'ble Maulavi MUNAWWAR ALI replied :

189.(a)—Rupees 30-2 only.

(b)—Yes.

Passed students of the Sylhet and Jorhat Agricultural Training classes in 1938 and 1939

Babu KARUNA SINDHU ROY asked :

190. Will Government be pleased to lay on the table a statement showing the names and number of students who passed from the Sylhet and Jorhat Agricultural Training Classes in the years 1938 and 1939 ?

191. Will Government be pleased to state—

(a) How many of the aforesaid passed students have been provided for, as Demonstrators and Rural Development Organisers and how many of them have not been so provided ?

(b) How many of the newly appointed Rural Development Organisers are passed students from the Sylhet and Jorhat Training Classes and how many of them are not such students ?

The Hon'ble Maulavi MUNAWWAR ALI replied :

190.—Students passed from Sylhet training class—

1938

Ten passed

1. Banka Behari Deb.
2. Digendra Ranjan Sen Gupta.
3. Monmohan Chakravarty.
4. Abdul Mannan Chaudhury.
5. Abdul Samad.
6. Mayenul Islam.
7. Massadar Ali.
8. Jogananda Dutt Chaudhury.
9. Falgooni Singh.
10. Abdul Mukit.

1939

Nine passed

1. Kamada Dutt Chaudhury.
2. Abdus Sattar Chaudhury.
3. Rabindra Narayan Chakravarty.
4. Sasanka Bikash Sen Gupta.
5. Abdul Waheed.
6. Hemendra Chandra Malakar.
7. Madaris Ali.
8. Sajjaduddin Chaudhury.
9. Abdul Awal Chaudhury.

Students passed from Jorhat Training Class-

1938

Twelve passed

1. Tonkeswar Deori.
2. Satyendra Bhusan Adhikari.
3. Debiprosad Neog.
4. Ratneswar Rajguru.
5. Abdul Majid.
6. Lalit Chandra Buragohain.
7. Mohendra Borpatra Gohain.
8. Binoy Kumar Mazumdar.
9. Rabi Chandra Das.
10. Rojesh Morak.
11. Faizut Hussain.
12. Mohiram Bora.

1939

Fourteen passed

1. Emtionen Jamir.
2. Satish Chandra Gogoi.
3. Md. Yusuf Ali.
4. Poresh Chandra Goswami.
5. Chanoram Kachari.
6. Sailendra Nath Brahma.
7. Mohendra Nath Narzari.
8. Bapuram Baruah.
9. Manik Chandra Bora.
10. Lalit Ram Saikia.
11. Ghanakanta Saikia.
12. Muhibuddin Ahmed.
13. Md. Wazid Ali.
14. S. M. Piar Ali Chaudhuri.

191. (a)—12 employed as agricultural demonstrators and 3 as Rural Development Organisers. Number un-provided is 30.

(b)—Out of 34 posts of Rural Development Organisers three have been filled up by passed students of Training Classes.

Babu KARUNA SINDHU ROY: Out of 34 posts only 3 passed students from the Training Classes were appointed. May I know the reason why so few passed students were appointed?

The Hon'ble Maulavi MUNAWWAR ALI: Because the others were not thought competent for the post.

Mr. BAIDYANATH MOOKERJEE: Were they not passed students?

The Hon'ble Maulavi MUNAWWAR ALI: Yes, they were passed students, but they were not fit for the purpose.

Mr. BAIDYANATH MOOKERJEE: If passed students are not competent, may I know what is the criterion of competency?

The Hon'ble Maulavi MUNAWWAR ALI: The man who comes out successful at the test is the criterion.

Mr. BAIDYANATH MOOKERJEE: Who conducted the test?

The Hon'ble Maulavi MUNAWWAR ALI: The Head of the Department.

Next Local Board Election

Babu KARUNA SINDHU ROY asked :

192. Will Government be pleased to state—
 (a) Whether the next Local Board election is due in the month of February, 1941 ?
 (b) If so, whether there will be any election in February ?
 (c) If not, why not ?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI replied :

192. (a)—The next Local Board election is due before the 10th March 1941.
 (b) & (c)—The hon. member's attention is invited to the Bill bearing on this subject published on 14th November 1940.

Aid to the Kaithalkuchi Middle English School

Srijut GAURI KANTA TALUKDAR asked :

193. Is the Hon'ble Education Minister aware—
 (a) That the Kaithalkuchi Middle English School in the Gauhati subdivision is an old school showing uniformly good results in the examinations ?
 (b) That this school has not been given any Government grant though repeated requests were made by the authorities of the school for the same ?
 (c) That the school is in great need of extraneous aid to put it in a firm financial basis ?
194. Do Government propose to help the institution with an adequate grant ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

193. (a)—Yes.
 (b)—Yes.
 (c)—Yes.

Srijut GAURI KANTA TALUKDAR : May I know, Sir, why the repeated request of the school has been neglected so long ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI : I do not know why my predecessor neglected this school, but so far as I am concerned, I am now considering whether I can give it a grant or not.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

- 194.—The matter is under consideration.

Travelling expenses of Local Board employees detailed for Census duty

Srijut GAURI KANTA TALUKDAR asked :

195. Will the Hon'ble Minister-in-charge of the Local Self-Government be pleased to state—

- (a) Whether Government have directed the Local Boards of Assam to bear the travelling expenses of their subordinates while going out of station on Census duty ?
- (b) Whether the Local Boards were required to bear the travelling expenses of their subordinates during the operation of the last Census, *viz.*, of 1931 ?
- (c) If not, what is the reason for imposing this burden on the Local Boards on this occasion ?

196. Are Government aware that most of the Boards are reluctant to bear this burden ?

197. Do Government propose to exempt the Boards from this burden and allow the expenses to be borne either by the Central Government or the Provincial Government ?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI replied :

195. (a)—A request was made to the Local Boards to bear the expenses.

(b)—Yes.

(c)—Does not arise.

196 and 197.—The reply is in the negative.

Course of a channel of the Pagladia river

Srijut GAURI KANTA TALUKDAR asked :

198. Is the Hon'ble Minister in charge of the Public Works Department aware :—

- (a) That the course of a channel of the Pagladia river has been silted up at Gobradol village (near the Sabhakhola) in Namarbhag mauza in the Gauhati subdivision and the channel has been running wildly without any course ?
- (b) That another small *Jan* (channel) called Jari-jan has also been silted up near Jari village in the said mauza and that its waters also are running wildly ?
- (c) That these two channels, being thus silted up, run wildly during the rainy season with the result that a large number of villages such as Gobradol, Jari, Bakua-Jari, Sathikuchi, Jowardi, Kaithalkuchi Gamarimuri, Nadala, etc., in Namarbhag and Dharmapur mauzas get submerged ?
- (d) That the water carried by these two channels which get no clear and definite beds to run on, gets stagnant and keeps the villages of Sathikuchi, Jari, Gobradol, Bakuajari, etc., under water even in the dry season ?

- (e) That these two channels are causing immense miseries to the inhabitants of the said villages by damaging their crops and submerging their houses, etc. ?
- (f) That these channels are causing no less mischief to the Government and that owing to the mischiefs done, the Government had to reduce the rate of revenue of a very big tract of land entailing a loss of Government revenue to the extent of about Rs.1,500 per annum ?
- (g) That the aggrieved people of the said villages through the Secretary of their conference called "Dharmapur-Nambarbhag Mauza Cultivators Conference" have been making representations to the Deputy Commissioner, Kamrup and the Government for giving them relief by (i) diverting the course of the Pagladia channel by erecting a *bundh* and (ii) by digging a drain for the Jari-Jan to run in an orderly manner ?
- (h) That the villagers have undertaken to render all possible help by contribution of money and also by manual labour ?
199. Will Government be pleased to state how many representations from the villagers of the said villages sent through their said Conference have been received by Government and what action have been taken by Government to give relief to these people ?
200. Do Government propose to redress the grievances of these people ?
201. Will Government be pleased to state—
- (a) Whether they have received copies of the resolutions passed by the above named Conference in their meeting held on 8th September 1940, sent to the Deputy Commissioner, Kamrup ?
- (b) If so, have Government considered the suggestions made therein and what steps do Government propose to take in furtherance of the proposals ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN
replied :

198. (a) to (h)—Government have no information, but have called for a report.

199.—None.

200 & 201. (b)—Do not arise. Government, however, understand that at the request of Deputy Commissioner, Kamrup, the Embankment and Drainage Department of the Public Works Department propose to make a preliminary enquiry this cold weather.

201. (a)—No.

Veterinary Dispensary at Shukchar

Maulana ABDUL HAMID KHAN asked :

202.(a) Are Government aware that there is only one Veterinary Dispensary at Shukchar which has to serve an area of more than 1,100 square miles ?

(b) Will Government be pleased to state whether they are aware that cattle diseases in epidemic form break out and cattle mortality is frequent in the Goalpara district during the rainy season ?

(c) Will Government be pleased to state the total number of cattle mortality in the Mankachar Thana and the South Salmara Thana during last winter ?

(d) Will the Hon'ble Minister in-charge of Agriculture be pleased to state whether he promised to sanction a Veterinary Dispensary at Ghagmari in the Goalpara district ?

(e) If so, what action has been taken to implement the promise ?

The Hon'ble Maulavi MUNAWWAR ALI replied :

202.(a)—Yes. This dispensary is for the South Bank of the Dhubri subdivision.

(b)—Like all other plains districts epidemic breaks out in Goalpara district from time to time.

(c)—Figures are not to hand. An attempt will be made to collect the figures and when obtained will be communicated to the hon. member.

(d) & (e)—Hon'ble Minister (Veterinary) expressed the hope that he would be able to post a Veterinary Field Assistant at Ghagmari Model Village Centre and this will be done early next April on the completion of training of Veterinary Field Assistants deputed to Gauhati for training.

Appointments made in Deputy Commissioner's office, Dhubri and Subdivisional Officer's office, Goalpara, during the last five years

Maulana ABDUL HAMID KHAN asked :

203. Will Government be pleased to state—

(a) The total number of appointments made during the last five years in the office of the Deputy Commissioner, Dhubri and other district offices at Dhubri and also the Subdivisional Officer's office at Goalpara ?

(b) Whether there is any order of Government to the officers to the effect that no immigrants should be appointed in their offices ?

(c) If not, why no immigrants were appointed ?

(d) Do Government propose to take action so that immigrants may get appointments in those offices in future, according to their population in the district ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

203.(a)—Enquiries have been made, but only the figures for the amalgamated staff of the Deputy Commissioner's and Subdivisional Officer's offices are so far available. Eleven appointments were made in that period.

(b)—No.

(c)—Up till 1939 no immigrant applied. One immigrant applied in a recent vacancy, but was not found suitable after a test of the applicants.

(d)—Immigrants cannot claim representation in service on a population basis till they have attained the status of a domiciled person as laid down in the Executive Manual.

No figures of immigrants with domiciled status are available to set apart their percentage, but appointments have been made to various offices in the district from the immigrants population.

Mr. BAIDYANATH MOOKERJEE: May I know to which category they belong at present ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I do not know what the hon. member means by category.

Mr. BAIDYANATH MOOKERJEE: If they have not domiciled certificates under what category do they fall after being in this province for so many years ? Do they belong to this province at all or not ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: They belong to this province, but if they claim representation in the services on a population basis, we have to see whether they have got a certificate of domicile, as required by the Executive Manual.

Mr. BAIDYANATH MOOKERJEE: In that case will all of them have to apply for domicile certificates ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Those who apply for posts must either be natives of the province or must take out certificates of domicile.

Issue of Notices by Deputy Commissioner, Goalpara, in Assamese Language

Maulana ABDUL HAMID KHAN asked :

204.(a) Are Government aware that the "Notices" which are served on the public from the Deputy Commissioner's office and other offices of the Goalpara district, are written in Assamese language ?

(b) Are Government aware that majority of the population of the district are Bengalees and they find it difficult to get to the contents of the "Notices" ?

(c) Do Government propose to issue instruction to the District Officers to get the "Notices" written in Bengali language as was used to be done previously ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

204.(a)—The facts are not as implied in that question. Notices are issued in Bengali from the Deputy Commissioner's office and in Assamese from that of the Subdivisional Officer, Goalpara.

(b)—No. In point of fact the population of the district is virtually bi-lingual.

(c)—Government see no reason to change the existing practice as matters stand.

Number of appointments made in the Bijni and Mechpara Court of Wards Estates during the last five years

Maulana ABDUL HAMID KHAN asked :

205. Will Government be pleased to state—

- (a) The total number of appointments made in the Bijni and the Mechpara Court of Wards Estates during the last five years showing separately the number of officers recruited from among the following ?
- (i) Hindu (Caste and Depressed to be shown separately) ?
- (ii) Muslim (Immigrant and native Mussalman to be shown separately) ?
- (iii) Of these, how many belong to the district of Goalpara and how many are from outside the district ?

206. (a) Are Government aware that a memorial has been submitted by the tenants of the said Estates to the effect that in future when making appointments in the Estates, the claims of the candidates from among the tenants should be given preference ?

(b) If so, whether Government have taken any action on the memorial ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

205. (a), (i)—(iii)—A statement showing the particulars asked for is given below :—

	HINDU				MUSLIM			
	Caste		Depressed		Immigrant		Native Muslim	
	Of Goalpara	Of districts other than Goalpara	Of Goalpara	Of districts other than Goalpara	Of Goalpara	Of districts other than Goalpara	Of Goalpara	Of districts other than Goalpara
In the Bijni Raj Wards' Estate	15	+ 3=18	4	+ X=4	1	+ X=1	4	+ X=4
	Total Hindu (caste and depressed)=22.				Total Muslim (Immigrant and Native)=5.			
In the Mechpara Wards' Estate	5	+ 1=6	1	+ X=1	7	+ X=7	4	+ 1=5
	Total Hindu (caste and depressed)=7.				Total Muslim (Immigrant and Native)=12.			

206. (a) & (b)—No such memorial has been received by Government but certain representations from various communities for giving them preference in connection with the filling up of the posts of the Assistant Manager and of the Forest Sub-Manager of Mechpara Wards' Estate were received and due consideration is being given to them. Claims of candidates from amongst the tenants are always given preference.

Srijut PARAMANANDA DAS: In view of the fact that a Muslim has been appointed as Manager and a Hindu is going to be appointed to the post of Assistant Manager, will Government be pleased to give the post of Sub-Manager to a person belonging to the Tribal group?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: Government cannot make a promise like that. It has already been decided to give the post of Sub-Manager to a Muslim and the post has already been advertised accordingly. That cannot be changed now.

Srijut PARAMANANDA DAS: May I know why the claim of the Tribal people has been overlooked?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: It has not been overlooked, Sir.

Jute growing restriction scheme

Maulana ABDUL HAMID KHAN asked :

207. Will Government be pleased to state—

(a) Whether they are aware of the hardships caused to the cultivators owing to the fall in the price of jute?

(b) Whether they are aware of the measures adopted in Bengal, to remove the hardships of the jute growers there?

(c) Whether they propose to adopt any jute growing restriction scheme in this province?

(d) If so, what?

The Hon'ble Maulavi MUNAWWAR ALI replied :

207. (a)—Yes.

(b)—Yes.

(c)—The question is under serious consideration of Government.

(d)—Does not arise.

Special timings for the Shillong-Gauhati Road

Mr. W. R. FAULL asked :

208. (a) Are Government aware of the fact that a Shillong resident can, by using the early morning down timing and the late evening up timing, conduct business in Kamrup and Nowgong districts and return to Shillong the same day?

(b) Are Government aware that because there are no corresponding facilities in the reverse direction it is impossible for any resident of Nowgong or Kamrup to do business in Shillong and return the same day ?

(c) Will Government be pleased to state whether Government have ever considered a proposal to operate their special timings in the reverse direction on alternate days ?

(d) Do Government propose to meet the difficulty stated in question 208(b) above by substituting a down special timing at night for the special up timing ?

209. Will Government be pleased to state why the proposal to have special timings operating both up and down was rejected by Government ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

208. (a) & (b)—Yes.

(c)—Government are considering the whole question, but it is obvious that if the timings were not identical every day travellers might be put to considerable inconvenience.

(d)—As stated, the various possibilities for extending the conveniences of the service are being examined, but Government have been advised that the evening up special timing is also popular, and better ways of overcoming the difficulty must first be investigated.

Mr. W. R. FAULL: Will Government be pleased to state the number of cars which used the special up timing during the six months since the date of its introduction ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I want notice of that question, Sir. The figure is not handy now.

Mr. W. R. FAULL: Since the Hon'ble Minister-in-charge has stated that the evening up special timing is very popular, I think my question stands.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: My hon. friend wanted to know the number of cars that have utilised this special timing. If he had asked that question originally, I would have collected the figures.

Mr. W. R. FAULL: Will the Hon'ble Premier accept from me that the number of cars which used this special timing is very small in comparison with the demand for alternative facilities from two large districts ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I have answered against question No. 209 that there is an alternative proposal for downward traffic which is under the consideration of Government.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

209.—The proposal has not yet been finally rejected, but it has been brought to the attention of Government that this idea would involve danger to the public.

Mr. W. R. FAULL: In the answer to this question the Hon'ble Prime Minister says that this would involve danger to the public. Does the Hon'ble Premier consider that the danger involved when two cars pass is greater than the danger when one private car has to pass innumerable carts, mostly without lights, and almost all with sleeping drivers ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: This question is full of hypothesis.

Mr. W. R. FAULL: Do Government hope to be in a position to make a final decision in the near future?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Yes, Sir, within this calendar year.

Names of Venture Lower Primary Schools proposed to be taken up with current allotment in the Budget

Srijut SIDDHI NATH SARMA asked :

210. Will the Hon'ble Minister-in-charge of Education be pleased to state whether the Venture Lower Primary Schools proposed to be taken up with the current allotment in the Budget have been taken up ?

211. If the answer to the above question is in the affirmative, will the Hon'ble Minister be pleased to state the names of the schools taken up, subdivision by subdivision, in Assam ?

212. If the answer to question No.210 is in the negative, will the Hon'ble Minister-in charge be pleased to state the reason for this delay ?

213. Is it a fact that the names of the said schools to be taken up have been received by Government from each subdivision ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

210.—The schools to be taken over have not yet been decided upon.

Srijut SIDDHI NATH SARMA: Will the Hon'ble Minister give the reason for this unusual delay in taking over the schools ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: The reason for not issuing the grants earlier than now has been given in reply to question No. 212. There has been no unusual delay at all.

Srijut SIDDHI NATH SARMA: The reply given is that the schools to be taken over have not yet been decided upon. But what is the reason for this extraordinary delay ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Will the hon. member be pleased to read the reply given to question No. 212 ?

Babu RABINDRA NATH ADITYA: Sir, we do not understand the implication of this reply, *viz.*, that the supplementary grant is under consideration. Does that prevent Government from deciding the schools to be taken up ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: There has been a demand for taking up a larger number of schools and the expenditure for taking over all those schools cannot be covered by the grant which has been made in the last budget for the current year. So we are collecting the lists of all schools and trying to take over more schools by asking for a further grant. That is the reason for the delay.

Babu RABINDRA NATH ADITYA: Should not Government take up a number of schools and then come for a supplementary demand, instead of waiting for the grant to be made by the House?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: We want to distribute all the grants at the same time after coming to a decision based on the fund that we may get from a further supplementary grant.

Babu RABINDRA NATH ADITYA: Has not Government been able to come to a decision as to the amount to be spent on primary education this year?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: We have not come to a final decision as yet. Our tentative decision is that we shall be prepared to go up to an additional sum of Rs. 20,000.

Babu RABINDRA NATH ADITYA: Is it such a knotty question as to require one year to decide?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: That is a matter of opinion. The last year's grant was distributed in March.

Babu RABINDRA NATH ADITYA: When do Government propose to distribute this year's grant?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Within this month, Sir.

Babu RABINDRA NATH ADITYA: Then why is it that Government have not been able to arrive at a decision as to the number of schools to be taken up?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Government have not come to a decision on the additional lists of schools that have up to this time come to our hands.

Babu RABINDRA NATH ADITYA: Do Government honour the recommendations of the local Subdivisional Committees in deciding upon the schools to be taken over?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: We shall try to give our best attention to the recommendations of the local committees.

Babu RABINDRA NATH ADITYA: Last year scanty attention was given to the recommendations of the local committees. As regards Karimganj, no respect was given to the local committees. Will Government treat such recommendations of the local committee with the respect due to them?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: The position is this. The local committees are composed of Assembly members and the Chairman of the Local Board. Sometimes it is found for various reasons that some members of the Committee themselves come forward with suggestions which are contrary to what was arrived at in the local committees. In those cases Government exercise their discretion.

Babu RABINDRA NATH ADITYA: How do Government make their selection—private recommendation of members or the joint and agreed recommendations of the local committees—which of them has the greater weight?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Sometimes various circumstances occur during the time that elapses between the decision of the local committee and the time Government gets the necessary papers for the decision.

Maulavi ABDUR RAHMAN: When were the recommendations of the local committees received by the Government?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: I want notice of that question.

Maulavi ABDUR RAHMAN: Is it a fact that the selection of venture schools was in the hands of the local bodies previously?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Yes, Sir.

Maulavi ABDUR RAHMAN: If so, the rights of the local bodies have been curtailed. Will Government consider the desirability of restoring the power of selection of schools to the local bodies?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: That is a decision of the previous Government and we must have more materials in order to be in a position to go against the decision of that Government.

Maulavi ABDUR RAHMAN: Do not Government admit the fact that this is an extra burden upon the Government?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Government is prepared to discharge the responsibilities in the matter.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied:

211.—Does not arise.

212.—Because the question of a supplementary grant is under consideration.

213.—Yes.

Contribution of a sum of rupees one lakh towards the War

Srijut SARVESWAR BARUA asked:

214. (a) Is it a fact that the Government of Assam have contributed a sum of one lakh of rupees towards the War, and propose to augment the said contribution by one or two more lakhs?

(b) If so, will Government be pleased to state how they propose to meet the expenditure and under what authority they have done so without a vote of the Legislature?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

214. (a)—A sum of one lakh was contributed but there is no proposal to augment that contribution.

(b)—The amount will be met from the revenues of the province. In view of the urgency of the matter Government decided to anticipate the vote of the Legislature, which is being obtained at the present session.

Srijut SARVESWAR BARUA: Sir, now that you have ruled the demand for grant out of order, what do Government propose to do next?

The Hon'ble the SPEAKER: Does this question arise from the answer? It is too premature for Government to say anything about it now.

Damage done to *sali* crop in North Lakhimpur subdivision**Srijut SARVESWAR BARUA** asked :

215.(a) Are Government aware that the *sali* cultivation in the North Lakhimpur subdivision was greatly hampered by the drought in last July, August and September and that the crop is seriously affected by it in the sandy parts of the subdivision ?

(b) If so, what steps Government have taken from the Agriculture and Revenue Departments to give relief to the cultivators ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

215.(a)—Yes. Drought prevailed from middle of June to middle of July and again from middle of September to the 3rd week of October. Subsequently the weather conditions improved and as a result the condition of the crop in the low-lying areas is now good and that in high land fair, with estimated average outturn of 63 per cent.

(b)—In view of the change in the situation as noted above no action on the part of Government by way of relief is necessary.

Srijut SARVESWAR BARUA : Will Government enlighten us as to what prospect this *sali* crop is likely to have if there had been no rain up to the 3rd week of October and from whom they have got this expert opinion that in these circumstances 63 per cent. of the crop may be expected ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : The reply is based on the report of the Agriculture Department.

Srijut SARVESWAR BARUA : Was any enquiry made in the Subdivision by the Agriculture Department ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : Enquiries must have been made before the report was sent.

Srijut SARVESWAR BARUA : May I know when the enquiry was made ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : Sir, I require notice of that question.

Srijut PURNA CHANDRA SARMA : Did not Government receive any such report of drought in the district of Nowgong ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : That is a separate question, Sir.

Srijut PURNA CHANDRA SARMA : My question is whether Government have received any such information.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : No, Sir.

Srijut PURNA CHANDRA SARMA : Did not the district authorities report to Government that there was such a drought in the district of Nowgong ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : Government have no such information.

Forthcoming Local Board Election

Srijut KAMESWAR DAS asked :

216. Will Government be pleased to state if the next Local Board election will take place in due course or there will be any extension of the present term ?

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI replied :

216.—The hon. member's attention is invited to the Bill bearing on this subject published on 14th November 1940.

Newly affiliated Arts Colleges of the province up to the I.A. standard

Srijut KAMESWAR DAS asked :

217. Will Government be pleased to state—

- (a) The names of the Arts Colleges of the province which have been newly affiliated to the Calcutta University in the current year to the I.A. standard ?
- (b) Whether any grants-in-aid have been sanctioned by the Government to any of these colleges ?
- (c) If so, to which, to what extent and with effect from what date ?
- (d) If not, do Government propose to sanction reasonable grants-in-aid to them immediately ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI replied :

217.(a)—The information is furnished below—

Madhab Choudhury College, Barpeta,
R. K. Handique Girls' College, Gauhati, and
Madan Mohan College, Sylhet.

(b) & (c)—A maintenance grant of Rs.200 a month and a grant of Rs.100 a month for renting a house have been sanctioned to the R. K. Handique Girls' College with effect from the 1st March 1940.

(d)—The question of giving grants to the Madan Mohan College in Sylhet and to the Madhab Choudhury College, Barpeta, is under consideration of Government.

Srijut BELIRAM DAS : Have Government given any grant to the Sylhet Girls' College ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI : Yes, Sir.

Srijut BELIRAM DAS : May we know the amount and the month when the grant was made ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI : That question does not arise here, Sir. But as far as I remember, we have given Rs. 200 per month.

Srijut BELIRAM DAS : Has that college been affiliated to the Calcutta University ?

The Hon'ble the SPEAKER : This question does not arise here from the answer. Of course, if the Hon'ble Minister is willing to satisfy the hon. member, he can answer the question.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Yes Sir, this question does not arise here.

Srijut BELIRAM DAS: Sir, there is reference of affiliation in the main question. So, I want to know whether the Sylhet Girls' College has been affiliated to the Calcutta University?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: A deputation on behalf of the Sylhet Girls' college waited on me as well as my hon. friend the Education Minister and we were assured by the deputationists of whom Mr. Baidyanath Mookerjee was one that they have already applied to the Calcutta University for affiliation. I think, my hon. friend Mr. Mookerjee will be able to tell the hon. questioner whether they have obtained affiliation or has any reasonable expectation of obtaining it.

Srijut GHANASHYAM DAS: Are we to understand that the grant was given before the affiliation?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Yes Sir, grant was given because it is a girls' college.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: May I explain it, Sir? The girl students of Sylhet suffer very great inconvenience in as much as they have to cover a distance of nearly three miles in order to attend the Murarichand College and the bus fee is about Rs. 8 per month. So, each girl has got to spend nearly Rs. 16 or Rs. 17 per month for their education and the Government being apprised of the situation thought it desirable to make a grant to this institution in anticipation of grant of affiliation.

Newspaper article on Census Operation in Assam

Srijut MAHI CHANDRA BORA asked:

218. (a) Has the attention of Government been drawn to the letter of Srijut Ambikagiri Rai Choudhury in the matter of Census Operations in Assam, published in the bi-weekly edition of the "Assamiya" dated the 15th October 1940 under the heading "বাই মন্ত্রী চার ছাদুল্লা চাহাবে এতিয়া কি কয়?"

(b) If so, will Government be pleased to state whether steps have been taken by them to ascertain the truth of the instructions left with the Census Supervisors and Enumerators by the Census Superintendent of Assam as alleged in the said publication?

219. Are Government aware of the public resentment caused by the instructions of the said Census Superintendent as published in the aforesaid letter?

220. Will Government be pleased to state if any steps have been taken to allay the public feeling in the matter?

221. Will Government be pleased to lay on the table all copies of rules and instructions issued from time to time for the guidance of the Census Superintendent, Supervisors and Enumerators of Assam in connection with the coming Census Operations?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

218. (a)—Government have seen the publication, and have also heard from the writer himself.

(b)—The matter has been considered. The facts were not correctly represented in the published letter.

219.—Government have received no other representations, but Hon'ble Prime Minister received a deputation at Gauhati recently on the subject.

220.—Yes. The actual instructions issued are being published in the Gazette.

221.—Government do not consider it possible to place all the instructions issued by the Superintendent on the table as the Assembly is not always in Session. Hon. members receive copies of the Gazette and will there find any amendments that may be issued to the general instructions which are being published.

Strength of officers in the Police Stations in Karimganj Subdivision

Khan Bahadur Hazi ABDUL MAJID CHAUDHURY asked :

222. Will Government be pleased to state the strength of the Officers in Karimganj, Beanibazar, Barlikha, Ratabari, Badarpur and Patharkandi thanas of the Karimganj subdivision in the district of Sylhet showing the number of Hindu and Muhammadan Officers separately ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

222.—A statement is placed below :—

A STATEMENT SHOWING THE NUMBER OF SUB-INSPECTORS AND ASSISTANT SUB-INSPECTORS ATTACHED TO THE POLICE STATIONS IN THE KARIMGANJ SUBDIVISION OF THE SYLHET DISTRICT

Name of police stations	Sub-Inspectors		Assistant Sub-Inspectors		Sanctioned strength	
	Hindus	Muslims	Hindus	Muslims	Sub-Inspectors	Assistant Sub-Inspectors
Karimganj	3	1	2	1	4	3
Barlikha	1	..	1	..	1	1
Ratabari	1	..	1	..	1	1
Patharkandi	1	..	1	..	1	1
Badarpur	1	..	1	..	1	1
Beanibazar .. .. .	..	1	1	..	1	1
	9		8		9	8

Accidents on the Tezpur-Balipara Railway

Srijut OMEO KUMAR DAS asked :

223. Will Government be pleased to state—

(a) Whether Government received a copy of the proceedings of a meeting held at Tezpur on the 27th July last under the Presidentship of Srijut S. K. Bose, B.L., regarding want of safety in travelling by the Tezpur-Balipara Railway due to repeated accidents in that line ?

(b) Whether Government received a telegram from Srijut Omeo Kumar Das, M.L.A., requesting Government to institute an enquiry into the affairs of the Tezpur-Balipara Railway, especially to investigate into the causes of these repeated accidents ?

224. (a) Did Government receive any report made by the Chief Inspector of Railways of an enquiry made by him in this connection ?

(b) If so, will Government be pleased to lay on the table a copy of the said report ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI replied :

223. (a), (b) & 224. (a)—Yes.

(b)—No. Document is confidential.

Srijut OMEO KUMAR DAS : Was not the enquiry held to enquire into the causes of repeated accidents on this railway ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI : When Government received telegrams from the hon. member and from the President of the meeting they took immediate steps in the matter and they asked the Railway Board to make enquiry about the accidents on the Tezpur-Balipara Railway.

Srijut OMEO KUMAR DAS : How can the report on the causes of accidents be a confidential one ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI : It is because this report contains other matters. The report is now under the consideration of Government and Government have not yet come to any final decision on the matter,

Srijut RAJENDRA NATH BARUA : Do Government consider that this railway is ineffective ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI : Government are unable to express any opinion at this stage.

Srijut OMEO KUMAR DAS : Has the Chief Inspector of Railways sent any report ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI : I cannot say now whether final report has been received from the Senior-Inspector.

Srijut MAHADEV SARMAH : May we take it that Government have taken steps on the recommendation of the Chief Inspector of Railways to stop these accidents or to take steps to improve the condition of this Railway ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI : Sir, the report is under the consideration of the Government. Government had no time to come to a final decision in this matter.

Srijut MAHADEV SARMA: May we know whether Government considered it necessary to take immediate steps in the matter with a view to the fact that it involves safety of lives of passengers and that the condition of this railway should be improved?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: Government have not come to any decision on this matter. The matter is still under consideration.

Mr. BAIDYANATH MOOKERJEE: Sir, we want a ruling from the Chair. When a correspondence relates to the safety of the general public, how can that correspondence be considered confidential and even the members of this Hon'ble House are not allowed to know its contents?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: May I point out that when a matter is being considered by Government and the question is under correspondence between the two departments, before Government come to any final decision on the matter, it remains confidential. This is the universal practice followed everywhere.

Mr. BAIDYANATH MOOKERJEE: The Hon'ble Minister said that the report contained some other matters?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: That was an additional reason, Sir.

Srijut OMEO KUMAR DAS: May I take it that the report will afterwards be placed before the House?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: I cannot guarantee that, Sir, because Government have not considered the matter as yet.

Mr. BAIDYANATH MOOKERJEE: Sir, in that case we want a ruling.

The Hon'ble the SPEAKER: It is quite within the right of the Hon'ble Ministers to decide whether a particular document is confidential or not, and as the Hon'ble Minister has said, after examining the document if he thinks that the document should be published and should be made available to the members, then he will do it and any matter therein which will be considered confidential, will not be published. The relevant matters which are necessary for the House, may be placed before the House for the information of the members.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: It is too premature for us to say whether it will be possible for us to publish it or not.

Srijut OMEO KUMAR DAS: Reports on many such accidents on the East Indian Railway, and the Eastern-Bengal Railway have not only been discussed in the Assembly but also published in the papers.

The Hon'ble the SPEAKER: One Government may do one thing within a particular period of time, but another Government may not find it possible to do that thing in that particular period of time.

Mr. BAIDYANATH MOOKERJEE: We should know the relevant portions atleast.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: The report has not yet been considered by Government and it is premature for me to say whether it will be possible for me to publish it or not.

Mr. BAIDYANATH MOOKERJEE: May we not know whether the report will be made available to us after it has been examined?

The Hon'ble the SPEAKER: The Hon'ble Minister is not ready to give any assurance with regard to this point.

Srijut DEBESWAR SARMAH: When did Government receive the report?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: My own information is that it has come very recently. I cannot give the date off-hand.

Srijut DEBESWAR SARMAH: Cannot the Hon'ble Minister tell us the approximate time ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: I cannot say that.

Srijut DEBESWAR SARMAH: Sir, will it be two months or six months ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: I am not sure, Sir. I have got a very vague idea as to when the report was received.

Srijut DEBESWAR SARMAH: Since the Hon'ble Minister received information about these accidents, how is he discharging the Government duty and responsibility towards the public safety in this matter ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: Sir, as soon as we got the resolution from the public meeting and a telegram from my hon. friend Srijut Omeo Kumar Das, we thought that it was a matter which should be inquired into. So we addressed the Federal Railway Board to depute the Senior Inspector to inquire into the matter.

Srijut DEBESWAR SARMAH: Sir, my question was how the Government was discharging the duty towards the public safety. From the answer given by Government it seems that Government has taken no action in the matter and the members of the House want to know how the Government is acting in the matter.

The Hon'ble the SPEAKER: It seems that the hon. member is arguing the case.

Srijut DEBESWAR SARMAH: What I want to know is that whether they took any steps to ensure the public safety ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: Sir, the only thing that we had to do was to draw the attention of the Railway Board to this matter and we did it immediately on receipt of information.

Adjournment motion on account of forcible encroachments in all professional grazing reserves from Komorakhati down to Tewaripal in the Tezpur subdivision by the immigrants

The Hon'ble the SPEAKER: I have got notices of two adjournment motions—the first one from Srijut Mahadev Sarma.

Srijut MAHADEV SARMA: Mr. Speaker, Sir, I beg leave to move: "That this Assembly do now adjourn to discuss a definite matter of urgent public importance of recent occurrence to wit the failure of Government to take adequate measures in the matter of the forcible encroachments in all professional grazing reserves from Komorakhati down to Tewaripal in the Tezpur subdivision by the immigrants".

এই সভা স্থগিত প্রস্তাবৰ উপযোগীতা সম্বন্ধে, মই যি কেইটা বিষয় আপোনাৰ আগত দাঙি ধৰিলে আপুনি সেই বিষয়ে এটা সিদ্ধান্ত কৰিবলৈ সুবিধা পাব, সেই কেইটা বিষয় হে সম্প্ৰতি আপোনাৰ আগত দাঙি ধৰিম। মই একে মাৰ্গৰেই এইটো কথা ডাঙি কব পাৰোঁ যে গভৰ্ণমেণ্টৰ শিথিলতা কিম্বা কৰ্ত্তব্যৰ প্ৰতি দিবিলাক আগুকনোৱা হোৱা বাবে আজি মই এনে ধৰণৰ সভা স্থগিত প্ৰস্তাব এই সভাত উপস্থিত কৰিবলৈ বাধ্য হৈছোঁ।

এইটো এটা গুৰুতৰ বিষয়। গভৰ্ণমেণ্টৰ যি বিলাক এটি উক্ত মঞ্চত professional graziers ৰ কাৰণে reserve কৰা হৈছিল, সেই grazing reserve বিলাক আজি কিছুমান দিনৰে পৰা পমুৱা মৈয়নসিদ্ধোৱা মানুহ বিলাকে বে-দখল কৰি আহিছে। এই বিষয়ে গভৰ্ণমেণ্টৰ ওচৰত বহুদিনৰ পৰা আপত্তি কৰি থকা স্বত্বেও গভৰ্ণমেণ্টে কোনো বিধান কৰি নাই বিলাক বিজাৰ্ভৰ পৰা বে-দখল বন্ধ কৰিব পৰা নাই আৰু যিবিলাকে বে-দখল কৰিছে সেই বিলাকক এতিয়ালৈকে আঁতৰাই পঠাব পৰা নাই। মই বিবেচনা কৰোঁ যে গভৰ্ণমেণ্টৰ এই অত্যাৱশ্যকীয় কৰ্ত্তব্য বিষয়টোও (দিবিলাক) নিতান্ত অপাৰগ হৈছে। মই ডাঙি কব পাৰোঁ যে এই বিষয়টো সম্প্ৰতি এনকুৱা অৱস্থাত পৰিছেহি যত এনে প্ৰস্তাবৰ দ্বাৰা গভৰ্ণমেণ্টৰ দৃষ্টি আকৰ্ষণ কৰাৰ বাহিৰে মোৰ আৰু অন্য পন্থা নাছিল। দিনদিনা প্ৰশ্নোত্তৰত এই কথা প্ৰকাশ পাইছে যে যোৱা ২৫ অক্টোবৰ তাৰিখে মই নিজে তাৰে ভিতৰত এটা (কৰ্মৰণী চাপৰি) grazing reserve চাবলৈ গৈছিলো আৰু নিজ চকুৰে দেখি গৈছিলো যে এতিয়াও সিদিনাখনো মানুহ আহি নতুনকৈ সেই বিজাৰ্ভ বে-দখল কৰিছেহি, অথচ গভৰ্ণমেণ্টক জনোৱা স্বত্বেও, আপত্তি কৰাটো কোনো কান কৰা নাই। তদুপৰি গভৰ্ণমেণ্টে সময়ে সময়ে আৰু এই সভাত নানাভাবে আশ্বাস দিলেও কাৰ্য্যতঃ তাৰ কোনো প্ৰতীক্ষা আমি পোৱা নাই। আনক লাগিও মোৰ constituency ৰ পৰা মই পৰাওপৰি কৈছোনো টেলিগ্ৰাম পাইছা। টেলিগ্ৰামত লেখিছে—“Forcible encroachments all professional grazing reserves by immigrants causing inconvenience of graziers by blockade roads: Immediate eviction necessary: Else apprehend troubles and starving cattle.”

ইয়াৰ দ্বাৰাই বুজা যায় যে গভৰ্ণমেণ্টে কোনো বকম প্ৰতিবিধান নকৰাৰ বাবে এতিয়ালৈকে ক্ৰমাগত পমুৱা মানুহ বিলাকে সেই grazing reserve বিলাক বে-দখল কৰি আছে গৈ। সৰ্বসাধাৰণ ৰাইজ আৰু grazier বিলাকৰ মিলিত্তে অতি গুৰুতৰ অৱস্থা সম্প্ৰতি উদ্ভৱ হোৱাত আৰু গভৰ্ণমেণ্টৰ পৰাও ৰাইজে নাৰ্থা প্ৰতিবিধান নোপোৱাত মই এনে প্ৰস্তাব সভাত উপস্থিত কৰিবলৈ বাধ্য হৈছোঁ।

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:
Mr Speaker, Sir, I beg to submit that this motion is quite out of order. In the motion itself the hon. mover says that he wants to discuss a definite matter of urgent public importance of recent occurrence to wit the failure of Government to take adequate measures. If that was a fact then it was up to him to come forward with this motion on the very first day of the

sitting of this Assembly. Government cannot accept as a fact that these forcible encroachments have been taking place and secondly it is not known when these encroachments took place. Did they take place during these days of the sitting of the Assembly or before that? If the encroachments took place before the Assembly then the hon. member should have taken the earliest opportunity of coming with this motion before the House. So in view of this matter, I think, the motion is out of order.

Secondly, on the merits of the question, the hon. member was pleased to put certain questions about this matter only the other day and I replied that Government had no information about this forcible encroachment and that the matter would be enquired into and that all possible steps would be taken to prevent such forcible encroachment. And Government have already issued definite orders.....

The Hon'ble the SPEAKER : When ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : Just after the receipt of the questions, Government have already asked the District Officer to make enquiry and stop all future encroachments like this.

Srijut GHANASHYAM DAS : Is it a fact that Government have informed the local officers concerned not to evict the encroachers without informing the Government ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : Not in the case of new encroachers, only in the case of old encroachers.

The Hon'ble the SPEAKER : The hon. member is referring to a telegram. It appears that he went to the place on the 25th October last and he saw some encroachments. Can we get any idea from this telegram that there has been further encroachment after 25th October ?

Srijut MAHADEV SARMA : Without any further encroachment why the responsible people should send this telegram ?

The Hon'ble the SPEAKER : The hon. member is assuming that there must be further encroachment and so they sent this telegram. Unless definite facts are given that in such and such places there have been encroachments where there were no such encroachments on the 25th October, then the matter might have taken a different shape. The hon. member will only say whether there have been further encroachments after 25th. That is the point.

Srijut MAHADEV SARMA : Encroachments are still continuing.

The Hon'ble the SPEAKER : On the basis of this telegram ?

Srijut MAHADEV SARMA : Some letters also.

The Hon'ble the SPEAKER : Letters are not the subject matter of this motion. The Hon'ble Minister has given an assurance that enquiries will be made.

Srijut MAHADEV SARMA : If an enquiry is made, I have no objection.

Srijut DEBESWAR SARMAH : I shall seek one information in this connection. Is Government aware that immigrants are encouraged, to encroach upon Government Reserves, by certain responsible persons connected with this House and that they take subscriptions from those immigrants and say, 'go on, encroach and squat there ; Don't fear I am there' ? Has Government got any information like this ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: Has the hon. member got any such information ?

Srijut DEBESWAR SARMAH: I would also seek information from the Hon'ble Prime Minister.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I was going to raise a point of order whether an hon. member of this House can cast such reflection upon another hon. member saying that he is extorting money.

The Hon'ble the SPEAKER: Did he say 'hon. member of this House ?'

Srijut DEBESWAR SARMAH: I said 'connected with this House.'

The Hon'ble the SPEAKER: Yes, connected with this House.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: If you read it like this, I have got nothing to say.

Srijut DEBESWAR SARMAH: May we be enlightened whether some such report was made from Barpeta some time back ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: We are now discussing about an adjournment motion regarding Tezpur and not Barpeta.

Srijut DEBESWAR SARMAH: You are shirking the point.

Maulavi MUHAMMAD AMJAD ALI: Has the word 'member' any other meaning ?

Srijut DEBESWAR SARMAH: I said 'certain responsible persons connected with this House'.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Sir, if you read it like this and if my hon. friend had no intention of imputing anything about an hon. member of this House, the matter may stand there.

Srijut MAHADEV SARMA: May I know if Government are taking immediate steps to stop encroachments ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: I have nothing to add to what I have said.

Srijut MAHADEV SARMA: Very well, Sir, in view of the assurances given by Government I beg to withdraw my motion.

The Hon'ble the SPEAKER: Then it is not necessary to decide anything whether the motion is in order or not.

Adjournment motion on account of the starving conditions prevailing in certain villages in the Sibsagar Subdivision and the lack of effort on the part of Government to give relief to the distressed.

Srijut SONARAM DUTT: Sir, I beg leave to move: "That the Assembly do now adjourn to discuss a matter of urgent public importance, to wit, the starving conditions prevailing in certain villages in the Sibsagar subdivision and the lack of effort on the part of Government to give relief to the distressed".

Sir, acute distress is prevailing in certain villages in my constituency, more particularly in villages—Lebang, Chaolkara and Changmai—owing to failure of crops last year. I with my hon. colleague Mr. Chaliha and Srijut Sankar Chandra Barua visited these villages some time in October and also in November. We saw the conditions prevailing there with our own eyes. The inhabitants of these villages have nothing to fall back upon in these hard days, having had very poor harvests during the last few years. Their condition has been aggravated by the fact that their crops totally failed last year. We tried to do something by way of relief through the Sibsagar District Congress Relief Committee. This Committee took up the matter and organised relief.....

The Hon'ble the SPEAKER: The hon. member is to show how this is urgent and how this matter is of recent occurrence.

Srijut SONARAM DUTT: We have just received information that the Committee is unable to cope with the situation. Distress is continuing and I want to draw the attention of the Government to the fact that acute distress is prevailing there. Unless some relief is rendered, people will die and so far as my information goes, there have been two cases of death in those villages. The spread of *kala-azar* in those villages has also aggravated this condition.

The Hon'ble the SPEAKER: When did the hon. member come to know of this ?

Srijut SONARAM DUTT: We personally went there and saw things for ourselves as late as the first week of November and the day before yesterday we received information that acute distress was still continuing.

The Hon'ble the SPEAKER: This will do I think.

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN: Mr. Speaker, Sir, this motion is also, I think, out of order. The hon. member himself says that he visited the locality while he was there during his electioneering campaign. He did not bring this matter to the notice of the Government beforehand and Government have no information about this matter. This is the first time that he brings it to the notice of the Government. If the allegations are true then an enquiry will be made and immediate steps will be taken.

The Hon'ble the SPEAKER: What is the hon. member going to do ?

Srijut SONARAM DUTT: The Hon'ble the Revenue Minister objects that I did not inform him just after my election about the conditions prevailing there. I did not think any information was necessary. I felt that the Relief Committee would be able to cope with the situation. But now my information is that the Committee is not able with the funds at their disposal to cope with the situation. This is why I bring it to the notice of the Government now.

The Hon'ble the SPEAKER: The Hon'ble Minister said that immediate steps will be taken.

Srijut SONARAM DUTT: When the Hon'ble Minister has undertaken to take immediate steps, I withdraw my motion.

The Hon'ble the SPEAKER: Then it is not necessary for me to decide whether this motion is in order or not.

Re: Extension of the Session to dispose of the Sylhet Tenancy (Amendment) Bill, 1939 and other Bills

The Hon'ble the SPEAKER: I want to bring one fact to the notice of the hon. members. First, as to the question whether the Sylhet Tenancy (Amendment) Bill should be attempted to be disposed of during this session. Hon. members by this time must have realised the difficulties standing in the way. I have been requested to sit late hours during the remaining days of the session and I may tell hon. members that I am always ready to do that, provided the House be agreeable. But even in that case the hon. members are to consider whether the Bill can be finished during this Session. Some hon. members approached me the other day to request me to see whether it can be made possible to finish this Bill during this Session. As the position now stands, I think, if there be an extension of this session for one or two days, the Bill can be finished. May I know how far the Hon'ble Premier can go to help the members in this respect?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, this question was raised in our party meeting and there I made a statement to the effect that if the House wanted an extension of the session by two days, and if they saw any prospect of the Bill being finished, I would advise His Excellency to extend the Session by two days. But I also mentioned another factor which should be taken into consideration, *viz.*, whether the desired end can be achieved even by extending the session. Government have already summoned the Upper House to sit from the 29th. Now if we sit for two additional days, *i.e.*, up to 26th, it will not be possible for the Assembly Department even if we pass the Sylhet Tenancy Bill in the Lower House, to place it in the Upper House in sufficient time to have it disposed of during the ensuing session. Taking this fact also into consideration, if the hon. members desire an extension for two days, I am prepared to advise His Excellency to grant it.

The Hon'ble the SPEAKER: But I must know definitely whether the session is going to be extended. Now if the session be extended for two more days, the Assembly Department will have to prepare in print the answers to questions to be put on those two days. We have to give 48 hours to the Press for printing questions and answers. So, I must know definitely whether the session is going to be extended. Do the hon. members want the extension of the session by two days?

I may point out to the members another difficulty. Now we hope to pass the Goalpara Tenancy (Amendment) Bill in course of to-morrow. After the Bill is passed there is some duty on the part of the Assembly Department. The Bill will have to be prepared according to the amendments made, so that the Bill as passed by this House may be laid on the table of the Upper House. This will also have to be done with regard to the other Bill. Now, if the House sits up to 26th and the Upper House meets on the 29th it will not be possible, under ordinary circumstances, for the Assembly Department to prepare the Bills for being sent to the Upper House. That will also be another difficulty which the House will have to take into consideration. The hon. members may not know what tremendous task it is to scrutinise the amendments and to put them in their proper places in the Bill. The clerical errors and other things will also have to be looked into and the Bill should be made perfect by embodying the amendments in their proper places. The hon. members may consider that and arrive at a definite decision as to whether the Session is going to be extended or not.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: Mr. Speaker, Sir, if we sit till 6 o'clock tomorrow and day after to-morrow, perhaps we shall be able to finish the Sylhet Tenancy (Amendment) Bill. In that case there will be no necessity for extending the session of the House by two days.

The Hon'ble the SPEAKER: But the hon. member has missed my point. Unless this question is decided to-day there will be some difficulty for this Department because they will not be able to have the questions and answers printed.

Maulavi ABDUR RAHMAN: Sir, we have been told by Mr. Whittaker that he had a talk with Mr. Mookerjee with regard to the series of amendments tabled by him to the Sylhet Tenancy (Amendment) Bill and that an understanding had been reached that if we do not move our amendments, Mr. Mookerjee will withdraw his amendments. So, I think very little time will be required to have the Bill passed as amended by the Select Committee. Then if we can sit late hours as suggested by hon. Maulavi Maqbul Hussain Chaudhury, for the remaining two days, I think the whole Bill can be disposed of. I appeal to the hon. members, whether they come from the Sylhet district or not, to extend their help to see that we may finish the Bill without extending the session.

As for extension of the session, there are some objections. I think three of the European members have got to attend a meeting at Jorhat; so they will not be in a position to remain upto the 25th. Then Khan Bahadur Keramat Ali has said that he would not be able to stay as he has got an appointment. There are also certain other members who cannot stay upto 25th. So, I think the hon. members would be agreeable to sit late hours for the remaining two days. I would request the Hon'ble Chair to take the sense of the House whether they are willing to accede to this request.

Babu RABINDRA NATH ADITYA: I think the permission of His Excellency may be taken for extending the session by two more days and in the meantime all the parties may co-operate to dispose of the Bill during the course of the remaining two days.

Srijut GOPINATH BARDOLOI: Mr. Speaker, Sir, in this behalf our opinion is also equally divided. There are some members, including myself, who think that we should be able to leave the station as early as possible, *i.e.*, by the end of this week. There is also the opinion that the Sylhet Tenancy (Amendment) Bill should be passed during this session even if the session has to be extended. I should be able to give a decision on the matter after lunch hour. As to whether we would like the session to be extended, it seems that the majority opinion is not in favour of extension at present. But I suppose we shall have no objection to sit late hours for the remaining two days. But here also I must say that we have some business of our own *e.g.*, our party meetings, and things of that kind. Subject to this, Sir, we shall be quite willing to sit late, if the House so wishes.

Srijut GAURI KANTA TALUKDAR: We may probably sit in the early hours to-morrow, say from 10, Sir.

The Hon'ble the SPEAKER: No, that cannot be.

Then am I to take it that it is the sense of the House to finish the Bills by sitting late hours to-morrow and the day-after? Then if the Bills are not finished there will be no question of extension of the session. But I may tell the hon. members what is the necessity of this hurrying in regard to the Bills, when I see that the Bills, even if they are passed, cannot be placed before the other House on the 29th. That is the difficulty. The Assembly Department will not be able to prepare the Bills in their proper form if the two Bills are passed. So I do not see why there should be such anxiety to hurry through the Bills.

Maulavi MUHAMMAD AMJAD ALI: Just to create an impression in the countryside that we have done something for them.

The Hon'ble the SPEAKER: There is ample evidence to be obtained from the proceedings of the House that you are striving your best to pass these Bills. Your strivings will undoubtedly create an impression in the country. I take it then that hon. members agree to sit late hours on the remaining days of the session.

Now there is another important matter. Whether the Local Board Elections (Emergency Provision) Bill should be taken up and if so on which day. What does the Hon'ble Premier say?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Sir, we have got a notice from my hon. friend Mr. Kameswar Das of an amendment. We on this side of the House, that is, Government, have no objection to the amendment. So if we can come to an agreement, the whole Bill can be finished in 15 minutes. So it may be put either to-morrow or the day after.

The Hon'ble the SPEAKER: I will then put it for to-morrow. Then if it be not finished to-morrow, it may be taken on the day after also. Has hon. members any objection? (*3 voice—no objection.*) Then I fix to-morrow. Then the hon. members will please table their amendments in the course of to-day or if necessary upto 11 a. m. to-morrow. I will have these amendments typed and placed in the House.

The Assam Temple Entry Bill, 1940 by Srijut Ghanashyam Das

The Hon'ble the SPEAKER: Discussion of Srijut Ghanashyam Das's motion that the Assam Temple Entry Bill, 1940 be referred to a Select Committee may now be resumed. I should like to read the names of the members to constitute the Select Committee. Hon. member will correct me if I am wrong:—

1. Srijut Mahi Chandra Bora.
2. „ Gauri Kanta Talukdar.
3. „ Mahadev Sarma,
4. „ Rabi Chandra Kachari,
5. The Hon'ble Dr. Mahendra Nath Saikia,
6. Srijut Dhirsingh Deuri,
7. „ Bideshi Pan Tanti,
8. The Hon'ble Minister in-charge, and
9. The Mover.

The Hon'ble Dr. MAHENDRA NATH SAIKIA: Mr. Speaker, Sir, the other day I expressed my desire that I do not want to sit on the committee but I find that my name is still there.

Maulavi MUHAMMAD AMJAD ALI: On a point of information, Sir. I understand that the name of Srijut Gopinath Bordoloi has been omitted. He was Brahmin, Sir. I find that no Brahmin has been included in the list.

The Hon'ble the SPEAKER: Srijut Mahadev Sarma is a Brahmin.

Maulavi MUHAMMAD AMJAD ALI: I am very glad that my friend Srijut Mahadev Sarma has been included.

The Hon'ble Dr. MAHENDRA NATH SAIKIA: Sir, my name may be omitted.

Maulavi ABDUR RAHMAN: The name of Babu Kalachand Roy may be inserted.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: There is not a single member from the Surma Valley—everyone from the Assam Valley.

The Hon'ble the SPEAKER: Does the Surma Valley Hindu Members want to have a name included in the Select Committee?

Babu BALARAM SIRCAR: I want it, Sir.

The Hon'ble the SPEAKER: There should be an agreement as to the names to be included in the Select Committee. To discuss about the names here is always very undesirable, I should say.

Srijut GHANASHYAM DAS: Now, Sir, the other day I told before the House that the majority of opinions are in favour of the Bill, but in some of the opinions we find that some reasonable suggestions have been forwarded to amend some clauses of the Bill. In the Select Committee these suggestions will be considered and the clauses will be amended in that light. So I refer the Bill to the Select Committee. With these words, Sir, I commend my motion before the House.

The Hon'ble the SPEAKER: But is the hon. member still willing to retain the name of the Hon'ble Dr. Saikia?

Srijut GHANASHYAM DAS: His name was suggested by the Hon'ble Education Minister. I asked the Leader of the Government Party that he should suggest the names from his party and the Leader told me that as the Hon'ble Srijut Rohini Kumar Chaudhuri was in the charge of the Bill, he would give the names required. He suggested the name of Hon'ble Dr. Saikia. So it is up to him to suggest a name of his party.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: We have suggested the name of Babu Kalachand Roy in place of the Hon'ble Dr. Mahendra Nath Saikia.

The Hon'ble the SPEAKER: And the name of Babu Balaram Sircar.

Srijut GHANASHYAM DAS: I agree, Sir.

The Hon'ble the SPEAKER: Then the motion stands thus:—

“That the Assam Temple Entry Bill, 1940, be referred to a Select Committee consisting of the following members:—

1. Srijut Mahi Chandra Bora,
2. „ Gauri Kanta Talukdar,
3. „ Mahadev Sarma,
4. „ Rabi Chandra Kachari,
5. Babu Kala Chand Roy,
6. Srijut Dhirsingh Deuri,
7. „ Bideshi Pan Tanti,
8. Babu Balaram Sircar,
9. The Hon'ble Minister-in-charge, and
10. The Mover, (*i.e.* Srijut Ghanashyam Das.)

Five members to form a quorum.”

Srijut GAURI KANTA TALUKDAR: Mr. Speaker, Sir, from a perusal of the collection of opinions on the Temple Entry Bill we find that response has been received from 159 quarters and on an analysis we find that out of them 9 persons are indifferent and have not expressed any opinion. Then I find there are six more opinions which are vague and indecisive. Excluding these 15 views we find that out of the rest 98 persons and institutions have expressed themselves in favour of the Bill and only 38 views are against the Bill. Now, Sir, before I say anything about the views in favour of the Bill, I think, I should try to classify the different views which are opposed to the Bill. While doing so we find that there are six sets of objections—(1) First, on religious grounds, (2) second, on grounds other than

religious, (3) Third, on the ground that there is no necessity for such a Bill as there is no bar to temple entry in Assam, (4) fourth, that the time is inopportune, (5) fifth, that legislative interference should not be allowed in social and religious matters and (6) sixth, opposition without any ground. Of these the first and fifth classes of opinions deserve our serious consideration. As regards those who object on grounds other than religious, their number is only four. I will not take the time of the House by reading out their objections which are mostly sentimental. Then there is one opinion of the Marwari Chamber of Commerce from Dibrugarh, which simply objects without assigning any reason. Then there are three opinions which say that there is no bar to temple entry in this Province. That these gentlemen are totally ignorant of the real state of things will be plain if we refer to the opinion expressed by the Satradhikar of Sundaridia Satra of Barpeta where we find that in that Satra Harijans are allowed to enter into the *Kirtanghar* to a certain limits and to obtain this bit of advantage they had to go upto the Hon'ble High Court. We also know that our Namasudra brethren of Hajo had to go up to the High Court for acquiring the privilege of entry into the Nat-mandir of Madhab Temple. If one goes to Barpeta Satra he will find that Namasudras are not allowed to enter the *Kirtanghar*. I have heard that certain communities are allowed to enter into the remotest part of the *Kirtanghar* and that also only on one day *i.e.*, the day on which initiation is given and not afterwards. There is a large number of temples in the district of Kamrup where lower class Hindus are not allowed entry. In the case of foreigners they do not care to know what their caste is, but in the case of the local people there arises the difficulty.

Now let us examine the view of those who say that the time for bringing such a Bill is inopportune. I fail to see why the time is said to be inopportune. Others have said that it is a belated piece of legislation—and that it should have been undertaken long ago. Of the four persons who have come forward with this objection, one is Mr. G. D. Walker, Commissioner of Divisions. He goes to the extent of saying that this measure "should not be pressed through the Legislature especially during war time." (*Laughter*) It is difficult to understand why he says so. Fortunately he is the only solitary gentleman who has opposed the Bill amongst the European section of the people living in this province. In this connection I would like to place the opinion of Mr. N. L. Hindley, District and Sessions Judge, Sylhet and Cachar. He says, "I am naturally in favour of anything progressive; at the same time the greatest care will have to be bestowed on the final form in which it passes into law. It is in keeping with the modern spirit of religious tolerance and as such deserves the support of all right-thinking people."

I am gratified to read this opinion of a District Judge who is a disinterested person.

So, there are only the two remaining groups for our serious consideration, namely those who object on religious grounds, and they are thirteen in number and those who are opposed to legislative intervention. Sir, like untouchability this custom of preventing certain sections of Hindus from entering into temples and *Satras* is no part of the Hindu religion. It is against the fundamental principles and tenets of Hinduism. It is a creation of the society and is something like scum that has gathered around these religious institutions and that has proved to be a veritable slur on the Hindu religion. So the removal of this stigma will, in no way, affect the Hindu religion, on the other hand it will glorify it.

The Hon'ble the SPEAKER: All these opinions are placed on the tables of hon. members. The hon. member may simply refer to them.

Srijut GAURI KANTA TALUKDAR : Sir, I want to say that these objections are not tenable. What I want to say is that my hon. friends need not think that by this Bill we are in any way going to interfere with the religious tenets of the Hindu religion.

On this point we have got the hearty support of Shree Shree Satradhikar Goswami of Garamur which is one of the most important Satras in this province. I request my hon. friends to go through that opinion. And if they do so they will find that the objections raised from the orthodox side are really baseless. I may also refer to the opinion of Pandit Taranath Goswami, Smriti-Ratna, Satradhikar of Ramcia Satra. As a great scholar and authority on Smritis, his opinion counts much.

Then I come to discuss the objections of those gentlemen who say that legislative intervention should not be permitted in matters social and religious. On this point there are only thirteen opinions. The most important element in their opinion is that they are all in full sympathy with the principles and objects of the Bill ; they are all of the opinion that the doors of temples and *satras* should be opened to all sections of the Hindu Community. The only thing they object to is legislation. They say that this reform should be left to be effected by time. Now the question is—can such a grossly unjust practice which stands in the way of consolidation and solidarity amongst Hindus be left to be removed by course of time ? It is true that the Hindu society is marching in lightning speed towards social reform. In many matters, our society has progressed towards reformation in a degree which we could not conceive. But we are here concerned, not with individuals or with the society at large but are concerned with public religious endowments.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : On a point of information, does not this Bill deal with private temples also ?

Srijut GAURI KANTA TALUKDAR : It does not at all interfere with private temples. But if there are any clauses in the Bill which are calculated to raise such doubts, they shall have to be amended by the Select Committee, so as to dispel this misapprehension. The hon. mover himself has admitted that there are some defects and they shall have to be removed by the Select Committee. Sir, we are here wholly and entirely concerned with public religious endowments *i.e.*, temples and *satras*, for they cannot reform themselves. The Dalais, the Satradhikars, the Bar-Deuris and the Bhakats cannot make any innovation in the existing practices and customs even if 99 per cent. of them so desire. For a single individual amongst them can prevent them by invoking the aid of the courts of law. That is why no Manager of a Temple or of a *Satra* will have the hardihood of granting entry into temples or *Satras* to those who have been debarred so long. There lies the difficulty and that is the reason which has necessitated this Bill. So I say legislative interference is unavoidable in such circumstances. Now, Sir, it is not the first occasion that aid of Legislature has been invoked in such matter. The Hindu community has welcomed the law suppressing *Suttee*.

The Hon'ble the SPEAKER : Order, order, the hon. member may continue after lunch.

Adjournment.

The Assembly then adjourned for lunch till 2 P.M.

After Lunch

The Assembly re-assembled after lunch at 2 p.m. with the Deputy Speaker on the Chair.

Srijut GAURI KANTA TALUKDAR: Sir, I had been talking of suppression of *Suttee* by Legislature. The same objections in the name of religion, as have been raised now, were raised ; but in spite of suppression of *Suttee* by law the Hindu religion or Society have suffered nothing but have come out glorious and purified. Similarly, Sir, when the Hindu Widow Re-Marriage Act was proposed to be passed, similar objections were raised. Similarly when the Sarda Act was proposed to be passed, the same arguments and objections were raised. Similarly, a class of orthodox Hindus objected to the Hindu Inter-caste Marriage Removal of Disabilities Act. But in spite of passing of so many Acts which interfere with our customs and practices, the Hindu religion or the society did not suffer at all. So, Sir, I do not see any good reason in the objection raised by a section of our people saying that Legislatures should not be allowed to interfere in such matters. As I have already said, for want of such a legislation people had to take recourse to the law courts to gain their objects. Sir, in ancient times, the Hindu Kings assisted by learned Rishis used to change or modify all such customs and practices whenever necessity arose to suit the changing circumstances according to দশ, কাল, পাত্র, ভেদ *i.e.*, according to social demands. Now, Sir, under the present circumstances our learned Brahmin Pandits are helpless. They can make no innovation in the existing practices as they have got no sanction behind them. We are therefore in dire necessity of invoking the legislative aid in these matters of reform. Sir, for the information of my hon. friends I may tell them that with changes of time, with changes of situation and with the demand of the time, our Rishis changed and modified existing Smritis and produced new Smritis. And that is why we have got, no less than 19 Smritis or codes of Hindu social and religious conduct. Now that we have no Hindu King or Rishis to be backed by royal sanction, we have no alternative but to invoke the aid of Legislature. Sir, Srijut Kamakhayaram Barua, Additional Sub-Judge of the Assam Valley Districts has said, "I am strongly of opinion that recourse to Legislature in social and religious matters, except in very special cases, should be discouraged." I lay special stress upon these words namely "in very special cases." I am at one with this view and I fully agree that except in special and urgent cases, we must not invoke the aid of law in social and religious matters. But, Sir, as I have already shown above, is not the removal of this disability which cannot be performed except by law "a very special case"? I consider it is a most urgent and fitest case where the aid of Legislature is unavoidable. I have already said that of all the opinions we have got, the majority are in favour of the Bill. There are only thirteen opinions objecting the Bill on legislative grounds. Now if we leave aside those thirteen opinions there remain only thirteen genuine opinions which are against temple entry. Sir, I may refer to the Dakhinpat and Auniati Satras which are important Satras in Assam. Their main concern is regarding the place where *prasad* is taken.

“অসমৰ সত্ৰাধিকাৰ সকলৰ নামঘৰত তক্ত সকলে প্ৰসাদ আৰু পৰমান্ন ভোজন কৰে। তেনে স্থানত হিন্দু নিয়মৰ ব্যতিক্ৰম কাৰ্য্য কৰা টান। কাৰণ, ভোজনৰ স্থলত যাকে তাকে সোমাবলৈ দিয়া হিন্দু আচাৰৰ বিৰুদ্ধ, জাতি বৰ্ণ যেতিয়া লৈকে চলি থাকে, ভোজনৰ স্থলত চলিত নিয়মৰ ব্যতিক্ৰম কৰা সম্ভব নহয়।”

Maulavi MUHAMMAD MAQBUL HUSSAIN CHOUDHURY.
Will the hon. member translate the opinion into Bengali or English so that we can understand ?

Srijut GAURI KANTA TALUKDAR : I do not find any translation given. I may try to translate the passage into English, but that will take the time of the House. (Maulavi Muhammad Maqbul Hussain Chaudhury: The hon. member has already taken the time of the House). If my hon. friend wants, I shall translate it. Sir, another similar objection has been raised by Sri Sri Adhikar Goswami of Auniati. This objection is not so serious because there is provision in the body of the Bill that such places as are sacred will be exempted.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI : On a point of order, Sir. The hon. member has not translated these two opinions because they go against the provision of the Bill. I think it will be fair to translate these opinions and let the House know what they convey.

The DEPUTY SPEAKER : In which language ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI : In English.

The DEPUTY SPEAKER : Very well.

Srijut DEBESWAR SARMAH : On a point of order, Sir, I seek a ruling from the Hon'ble Chair. He has raised objection to reading a passage in the Assamese language of this province. My hon. friend knows that there were some speeches in English and some in vernacular and the other day my hon. friend Mr. Fakhruddin Ali Ahmed spoke in Urdu. If the speeches are to be translated into English, will the House have enough time to go into this academic efforts ?

The DEPUTY SPEAKER : Generally the English language is used in this House. I would request the hon. member to translate that portion into English.

Srijut GAURI KANTA TALUKDAR : If the opinions are translated it will take the time of the House. So, I will only give the substance.

The DEPUTY SPEAKER : No literal translation is necessary. You are only to give the gist of it so that the hon. members may understand what is there.

Babu DAKSHINARANJAN GUPTA CHAUDHURI : On a point of order, Sir, the Hon'ble Education Minister said that the hon. member did not translate some opinions from Assamese into English because those opinions were against the Bill. This is certainly an insinuation against the hon. member. I therefore like to know whether it was not a breach of the privileges of the members.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY : Mr. Deputy Speaker, before you give your ruling I would like to bring one fact before you. When Mr. Talukdar speaks in English it is difficult for us to follow and when he speaks in Assamese it is still more difficult.

The DEPUTY SPEAKER : As regards the point of order raised by Mr. Gupta Chaudhury I would like to tell him that there should be no surmise on what is called insinuation. Therefore I would like to rule that the point of order he has raised is a point of disorder, (laughter).

Srijut GAURI KANTA TALUKDAR : All the information that my hon. friend wants is what is said in this opinion. I would give him the substance of it in English. It is this: "That in Namghor or temple of worship in the Satras of Assam the disciples take offerings and cooked food in certain places of the Namghor. So in those cases there should not be any deviation from the old practice, for it is against Hindu practice to allow anybody and everybody into such places so long as the observance of caste system goes on. It is impossible to make any deviation from the practice which has been prevailing from a long time". So, Sir, this difficulty is a very trifling one because in the body of the Bill provision

has been made to exempt sacred places. If it is found necessary, the Select Committee may make a clear provision to that effect. So the objections on this ground are not insurmountable.

Now as regards the other point that has been raised “এই বিলখন বৰ্তমান আইনত পৰিণত কৰিবলৈ হলে আমাৰ বিশ্বাস, সনাতন হিন্দু ধৰ্মৰ ভিত্তিৰ সংৰক্ষণ কৰা নহব। হিন্দু ধৰ্ম শাস্ত্ৰৰ বিধিৰ দ্বাৰা এই বিল সমৰ্থিত নহয়”।

By this they mean to say that if the Bill be passed into law then it will undermine the foundation of the Hindu religion. On this point I have already discussed at great length and need not repeat here. And also to counteract this contention I have already referred to the opinion of His Holiness Sri Sri Adhikar Goswami of Garamur where he has said :

“আসাম প্ৰদেশৰ লেক্সিছ-লেটিভ্ এছেম্বলিত ১৯৪০ চনত প্ৰস্তাব কৰা হিন্দুৰ মন্দিৰ প্ৰবেশ বিল মই সমৰ্থন কৰে”।

Thus we have got the valuable support of a great religious Head in favour of the Bill. I refer to another important Satra. I mean the Barpeta Satra. About that Satra opinion is divided. The Managing Committee of the Satra who are responsible Hindus support it wholeheartedly. But in a conference the Bhakats of the Satra have opposed the Bill. I do not want to multiply the number of Satra and temple authorities which have supported the Bill. All I want to say is that the objections on religious grounds are not tenable.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: May I suggest to the hon. member that in spite of quoting opinions in support of the motion, he should try to meet the objections raised. That would have thrown some light on the subject.

Srijut GAURI KANTA TALUKDAR: I am very sorry that the Hon'ble Minister has altogether neglected to listen to me. I have made it a point not only to state the opinions that are in favour of the Bill, but I have given greater attention to the various points of view of the objectors. So it appears that my Hon'ble friend the Education Minister has not cared to hear what I have so long been saying.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: I am not the only person in this House who is charged with the accusation that has been made.

The Deputy SPEAKER: Of course in a matter like this it would have been far better on the part of the hon. member not to cast any personal reflection upon any hon. member of this House. Most of the questions raised by the Hon'ble Minister were to request the hon. member to meet the points of objections that have been raised without dilating upon the various opinions that have been given on this measure. I would therefore request the hon. member not to indulge in any kind of platitude and go straight as far as possible to meet the objections raised (*hear, hear*).

Srijut GAURI KANTA TALUKDAR: I have been from the very beginning trying my utmost to meet all possible objections that have been raised in the voluminous list of opinions. But I am sorry, I have been still accused of not meeting the objections. The Hon'ble Education Minister has said that I have not met the objections. Will he kindly point out which objection I have not met? I pause for an answer. (After a pause). But no answer is forthcoming. So I hope I have succeeded in my endeavours.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: And failed.

Srijut GAURI KANTA TALUKDAR: It is for the Hon'ble House to Judge whether I have succeeded or not. Sir, I now request this Hon'ble House to extend their helping hands in removing this stigma from the Hindu society and to enable us to purify our society and to cultivate goodwill and fellowship amongst the various classes of Hindus. I hope the hon. members of the European Group will find no difficulty in supporting the Bill.

As regards my Muslim friends, I hope they will also extend their helping hands. As regards the Tribal Group, I hope, they will, whether they consider it necessary or not, help us to remove this disability from which not a few but a large number of Hindus suffer. (A voice:—What about Christians?). When I referred to the European Group I also included my Christian friends. (A voice:—What about Indian Christians?). I earnestly appeal to my Indian Christian friends to help us in removing this stigma from our society. It will do them no harm.

Sir, it has been pointed out by the majority of the opinion that there are certain inherent defects in drafting this Bill. I admit and the hon. mover himself has admitted that there are some defects in drafting. But if we refer the Bill to the Select Committee those defects may easily be rectified and the Bill can be made as faultless as we like. Sir, it has been pointed out in the opinions received that clause 5 has been very unhappily worded and that it has aroused great suspicion in the minds of the public as to whether "temple" refers to private temple or public temple. Even the Hon'ble Premier has been entertaining such doubts. From the Statement of Objects and Reasons it will be clear that the Bill is meant to be confined only to public religious endowments, and not to private institutions. At any rate all ambiguities may be removed in the Select Committee.

So, Sir, I support the motion of my hon. friend that this Bill should be referred to a Select Committee.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: Mr. Deputy Speaker, Sir, my hon. friend Mr. Talukdar has appealed to the Muslim members of this House to extend their helping hand to this Bill. I do not know whether it will be meddling in affair which does not concern me if I speak on this Bill. I made the Muslim point of view perfectly clear with regard to this Bill when it came before the House in its first stage. As a Muslim, I cannot be in favour of such a piece of legislation. To me the idea of untouchability is foreign and unthinkable. To a Muslim all the human beings are equal, all are brothers. Sir, it would have been far better if my friends of the Caste Hindu community could leave the door of the temple open to all the human beings known as Hindus. From the provisions of the Bill I find that even if this Bill is passed all the grievances of the untouchables cannot be removed. I am not going to discuss the matter in detail, as it is a matter exclusively for the Hindus. I simply say that this Bill is nothing but a permanent document that is going to be registered about a community which forms an important part of the human society. Before passing this Bill into Act, I think, the hon. members would think over the matter very cautiously. Before I take my seat I want to make only one request to the hon. members of this House. "If you really and sincerely feel for these unfortunate people known as Harijans and untouchables, give them the status of a Brahmin, the highest you can give to a human being of your community. If that is not possible, pray, do not show any condescension, and do not make a display of your superiority complex."

With these few words, Sir, I resume my seat.

Srijut GAURI KANTA TALUKDAR: May I know from the hon. member whether a non-Muslim can enter a mosque at the time of prayer ?

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: Yes, provided they are properly washed. We allow any one to enter our mosques if he goes to worship "one God".

Srijut GAURI KANTA TALUKDAR: I want to know whether they allow any non-Muslim, say a Hindu, to enter into a mosque where Muslims are in prayer ?

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: Certainly, as I stated.

(*A voice* :—Not at the time of prayer).

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: Mr. Deputy Speaker, Sir, at the very outset I would like to be very clear on one point, that is we follow the principle of non-interference. I had no mind to take part in to-day's debate as the Bill is exclusively meant for the members of the Hindu community. But some irrelevant remarks made in expressing opinion on the Assam Temple Entry Bill have compelled me to speak a few words.....

The DEPUTY SPEAKER: The hon. member will kindly speak before the microphone.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: Sir, I have already said that we follow the principle of non-interference and so I had no mind to take part in to-day's debate as the Bill is exclusively meant for the members of the Hindu community, but Sir.....

Srijut DEBESWAR SARMAH: On a point of order, Sir. Did you not ask him to speak from the microphone or did you ask him to read from the microphone. (*A voice* : both.)

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: But, Sir, some irrelevant remark made in expressing opinion on the Assam Temple Entry Bill have compelled me to speak a few words. It is this. In page 30 of the opinion of Rai Bahadur Baikuntha Nath Bhattacharyya, retired Head Master, Sylhet Government School, in his letter to the Deputy Commissioner, Sylhet, he says: "If the right of temple entry can be claimed by the Harijan on that plea, Muhammadans also are in fairness entitled to it, I shall be glad to know whether my friend, the mover of the Bill, is prepared to concede it to that community."

Rai Bahadur Baikuntha Nath Bhattacharyya is my teacher at whose feet I had the privilege to sit for long five years. (*Loud laughter.*) I do not want to show any disrespect to my teacher. But, Sir, it is my painful task and as a Muslim, I shall be failing in my duty if I do not take a serious exception to his remark.

Babu NIRENDRA NATH DEV: On a point of order, Sir. Are we the members of this House entitled to criticise the opinion expressed by the public on this Bill ?

The DEPUTY SPEAKER: No, that can't be.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: Mr. Deputy Speaker, Sir, are not the hon. members of this House entitled to take into consideration the opinion that has been expressed on this Bill ?

The DEPUTY SPEAKER: Without making any criticism.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: I am expressing my opinion, Sir.

I do not know how a man of high education and culture like him could make such an irrelevant remark. He has hurled an insult to the Muslim community as a whole. He knows surely that Islam is a monotheistic

religion. We believe and worship one Allah and to us, the Muslim, idolatry is a great sin—*Zulmun Azim*. Temple is a place of idol worship and a Muslim ceases to be a *Mumin*, if he enters a temple for worship. Muslims do never enter nor want to enter a temple, a place of idol worship.

Moreover, Rai Bahadur Baikuntha Nath Bhattacharyya has made a comparison between the Harijan and Muslim and it seems that he has given Muslim an inferior place even to the Harijans. We cannot tolerate such remarks. Islam is the best religion in the world. So, Sir, I ask the Government and the authorities concerned to expunge this remark from this note and issue a note of warning to all concerned so that no one should make such impertinent remark in future regarding any community whatsoever and create unnecessary bad blood between different communities.

With these remarks, Sir, I resume my seat.

Mr. FAKHRUDDIN ALI AHMED: On a point of order, Sir. Is it permissible to the hon. members to compare the merits and demerits of different religions on the floor of the House?

The DEPUTY SPEAKER: Certainly not. But so far as I can understand the hon. member has given you a comparative idea or view of the monotheistic religion of Islam with that of Hindu religion.

Mr. FAKHRUDDIN ALI AHMED: Was that relevant to the question, under discussion, Sir?

The DEPUTY SPEAKER: He has travelled too far.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: May I make it clear, Sir. Opinions were invited on the provisions of this Bill when it was introduced and published for eliciting public opinion. The opinions have been collected, printed, and placed on each member's table and from the learned and lengthy speech of our friend Mr. Talukdar we have heard that 98 opinions are in the volume. What my hon. friend Dewan Maulavi Muhammad Ahab Chaudhury wanted to impress upon is that a certain remark in one of the opinions is according to him offensive to Muslims. The remark has been offered by the learned Rai Bahadur, the teacher of our friend. The learned teacher has stated in his opinion that if the Hindu temples which are sacred institutions are made open to the Harijans to-day they may be made open to the Muslim community to-morrow. My friend simply wanted to say that we Muslims being monotheistic cannot enter a temple, far less worship the idol installed. This remark ought not to have been made by a retired Government official of learning and culture.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: He wants that this should be expunged.

Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: I want, Sir, that this should be expunged.

Mr. BAIDYANATH MOOKERJEE: Sir, some portion of the hon. member's speech also should be expunged because

The DEPUTY SPEAKER: He has laid before the House a comparative view.

Mr. BAIDYANATH MOOKERJEE: Let me explain, Sir. It was rightly pointed out by my hon. friend Mr. Fakhruddin Ali Ahmed that it is not the subject matter of our discussion as to which religion is the best and which is not. Whether Muslim religion, Hindu religion or Christian religion is the best, should not be discussed here. I take strong exception to this and want a ruling from the Chair. Every religion is the best in the eyes of its followers.

The DEPUTY SPEAKER: The Bill itself has raised a political debate in this House in connection with a religion and therefore at least some ideas as to the Hindu religion in comparison with Muslim religion must have come in. (*Laughter.*)

Mr. C. GOLDSMITH: Mr. Deputy Speaker, Sir, a point of order just now raised by Mr. Baidyanath Mookerjee says that there should be no comparison between religions, and he objected to it, and that is the ground on which I take my stand that this Legislature should not interfere with any religion whatsoever (*Hear, hear*). Sir, last time on this subject I spoke, and at that time I made it clear that we have a conscientious objection to any Bill which is going to interfere with any religion. Now this has come back to us again in the form of public opinion, and our friend the hon. mover has said that public opinion is in his favour. I do not agree with him that there are opinions which are in favour because there are also opinions in disfavour, but he claims that the majority of the opinions is in his favour.....

Srijut GAURI KANTA TALUKDAR: I said that the majority of the opinions is in favour of the Bill.

Mr. C. GOLDSMITH: It may be, but in this question the number or volume of opinion does not come. What counts is whether those people who have passed opinion have a right to pass opinions on religions. Now, this is purely a question regarding temple-entry and pertains to the Hindus, and I would have liked that these things could have been decided outside the Legislature and not inside this House, but as it has come, we have to pass a certain opinion though we do not like it. Here there is a division of opinion as to whether it is a purely religious or socio-religious question. It is very difficult to decide, but there is a volume of opinion which says that it is a religious Bill nonetheless, though some social problems are relevant to this question. I would like to point out certain remarks made in this list where it can be said that there are people who know about religion and who practise religion, and who have a voice in saying something that it is a religious question. Now, one gentleman from Sunamganj says—page 28—“The Bill is against the fundamental principles of the Hindu religion and its religious scriptures”. The Bill being one of religious matters it cannot be against the principles of religion as enunciated in the holy Shastras. Just as the Bible is for the Christians and the Quran to the Muslims so are the Vedas, Smritis and other holy Shastras to the Hindus. Thus in matter of religion, the Hindu Sastras and those who have real culture in them should be consulted.

Now on page 15 the Dakhinpat Goswami says:—

“এই বিলখন বৰ্তমান আইনত পৰিণত কৰিবলৈ হলে, আমাৰ বিশ্বাস, সনাতন হিন্দু ধৰ্মৰ ভিত্তিৰ সংৰক্ষণ কৰা মহত্ব। হিন্দু ধৰ্মৰ শাস্ত্ৰবিধিৰ দ্বাৰা এই বিল সমৰ্থিত নহয়।”

Then at page 21 the opinion of the General Assembly of the Samuha Bhakats is:—“This Assembly is of opinion that religion and society are two different things—religion is a spiritual conception of belief, and society is a conglomeration of the people of different castes and creeds irrespective of particular differences, for some special purposes or ends. Such differences exist and will continue to exist in all the societies of the world in the matter of eating, dressing, and mixing, etc. Whereas religion is a conception or belief; it can be attained by following the precepts of the Shastras and by reciting the prescribed prayers”. “The temple, where

images of God are kept, are regarded as pure ; men think themselves purified by taking dust therefrom on their heads. Men with impure body and clothes are not fit to face God or enter into a temple of God ”.

Srijut GAURI KANTA TALUKDAR: Mr. Goldsmith thinks that the opinions which have been given by so many persons on this Bill are of no account, and that these people have no right to give their opinion on religious matters. Now, may I know what justification is there for my friend to say that these opinions are of no value ?

Mr. C. GOLDSMITH: There are people who have a right to say. At page 48 we find that in Barpeta where there is stronghold of Hindu religion, their opinion is that this Bill is premature and should not be passed in this House. In page 21 again there is the opinion of General Assembly of Samuha Bhakats at Barpeta ; they say, “ This Assembly of Samuha Bhakats of the Barpeta Satra most vehemently protests the Assam Temple Entry Bill of 1940 in its present form and it also views with alarm the consequent effect of the Bill which, if passed in this form, will bring chaos in the Hindu society by breaking the time-honoured rules and customs of the society and as a result whereof the heart of the Hindus, especially of the Mahapurusia Hindus, will be badly wounded and moreover the social control will be loosened.”

Now, about the tribal people, what do they say ? I am not reading the whole opinion, but merely quoting selections pertinent to the question. “ The tribal people are not at all anxious to secure entry into the Hindu temples. They have not asked for it and they will not seek for it. They have their own society and religious and social institutions which satisfy them.” “ The Bill is a matter between the caste Hindus and the Scheduled Caste people who are anxious for securing entry into the temples. As an outsider it will be a matter of supreme satisfaction if the Hindu society could with speed remove the disabilities of one section of the Hindus. For Hinduism with intricate systems and mutual hatred and ill-will among the castes and sub-castes has been a real and great impediment in the growth of true Indian nationalism, but here also movement of heart on the part of the caste people including the *shebaitis* and not legislation or force is the surer basis for such removal of disability.”

Now I will read what the priests and the Goswamis say. This is from Srijut Bhubaneswar Sarma Barua, Priest, Burigosain, Dewal, Jorhat :—“The Temple Entry Bill, if passed, will have a disastrous effect on the people of Assam, of all classes and creeds in the near future. Attempt to control, remodel and guide the religious faith, social functions, innocent personal habits and customs of the followers of any religion whatever by exercising legal and political power at the whims of a few, will lead to moral and political degradation of the country at least in India if not elsewhere.”

Now I read something from the Auniati Goswami at page 17 :—

“ আমাৰ বিশ্বাস এই বিল খন আইনত পৰিণত কৰিবলৈ হলে সনাতন হিন্দু ধৰ্ম্মৰ বীতি-নীতিৰ ওপৰত আঘাত কৰা হব। আসামৰ সত্ৰ বিলাকৰ নামঘৰত ভক্ত সকলে পৰেশ্বৰক প্ৰসাদ আৰু পৰমান্ন নিবেদন কৰি তাতে ভোজন কৰে। এই ভোজনৰ স্থলত আইনৰ বলেৰে যাকে তাকে সোমাবলৈ দি সমাজৰ ভোজনৰ বীতি-নীতি ভঙ্গ কৰাটো হিন্দু ধৰ্ম্মৰ বিৰুদ্ধ আচাৰ। জ্ঞাত ধৰ্ম্ম যেতিয়াটোকে চলি থাকে, ভোজনৰ স্থলত চলিত

নিয়ম আটনৰ দ্বাৰা ভঙ্গ কৰা কেতিয়াও সমীচীন হব নোৱাৰে। গাৰলীয়া সমাজ এনে প্ৰস্তাবৰ ঘোৰ বিৰোধী বুলি আমাৰ সৰল বিশ্বাস।

এতেকে সকলো ফালৰ পৰা চাই এই বিল সম্প্ৰতি স্থগিত ৰখাই ভাল যেন বিবেচনা কৰা হৈছে। সময়ত ইয়াৰ আৱশ্যক হলেও সেই কাম ভাৰতীয় ব্যৱস্থাপক সভাত উত্থাপন কৰাহে সমীচীন হব। কাৰণ, গোটেই হিন্দু সমাজ সংশ্লিষ্ট আছে।”

At page 25, the report the Satradhikar of Nowgong also says the same thing. Therefore I must say that the custodians of the Hindu religion are against having a legislation passed on this question. Therefore, should we take a few members of this House as spokesmen or should we take the opinion of those people who are really the custodians of religion ?

One more point. Some people are appealing to Queen Victoria's proclamation. At page 22 there is a paragraph, which reads as follows:—

“ Her late Majesty the Queen Victoria, at the time of taking the title of the Empress of India, made the grand proclamation of her promise not to interfere in the matter of religion and customs of her Indian subject. Her successors reiterated the said promise and so provision has been made in the Civil Procedure Code to respect old religion and customs. If this Temple Entry Bill be passed in the present form then it will go against the principle of Civil Procedure Code and along with the enforcement of the Act all sorts of control of the Hindu society will come to an end.” They want that no interference should be made by any legislative body. At page 29 again certain people are making this appeal. They say:—

“ The Assam Temple Entry Bill now pending before the Legislative Assembly, Assam, is opposed to the religious tenets and time-honoured customs of the Hindus and if such a Bill be passed into law it would destroy the purity of, and interfere with the peaceful arrangement of Hindu worship and that it will frustrate the object of the founder of the endowments of the temple concerned and that temples founded for the benefit of a particular society will not be saved from the baneful effects of such a measure, which is sure to introduce new causes for disorder, strife and breach of peace among the Hindus, and that such a law is opposed to the provisions of the Queen's proclamation and the accepted principles of British Rule in India.”

Now, if certain people on religious grounds are against any change of the time-honoured custom and the accepted principles of British rule, we here as legislators ought to listen to these people and should see that this question is not decided by the House at all.

Srijut GAURI KANTA TALUKDAR: May I ask whether the hon. member as a Christian can conscientiously object to all classes of Hindus going to the temples and Satras and worshipping there ?

Mr. C. GOLDSMITH: I welcome that. But what I say is that it should not be decided by the House, but by the community.

Srijut GAURI KANTA TALUKDAR: Does the hon. member propose that this matter should be left to the Hindu community and we should keep aloof ?

Mr. C. GOLDSMITH: Yes.

Srijut GAURI KANTA TALUKDAR: Then will the hon. member say why he is showing in this matter more attention than a mother in raising these objections ?

Mr. C. GOLDSMITH: The opinion that I quoted just now continues—"We would therefore make our fervent prayer to His Excellency the Governor of Assam that His Excellency may be graciously pleased to stop the discussion of the said Bill in the Legislative Assembly, Assam, for which act of kindness his loyal Hindu subjects should be very grateful."

That shows that great objections are coming from the Hindus and we as non-Hindus have no right to speak anything regarding the temple entry of the Hindus.

One hon. member has said that some people have expressed that the march of time would ease the defects. I am inclined to agree with them, because we know that for centuries untouchability has been going on in India, but a great transformation has come through the endeavours of some great men in India among the Hindus themselves. A similar transformation will also come as regards temple entry also. If without legislation untouchability could be removed, we believe that time will surely cure this defect also.

Sir, the position here is that the Hindu members are asking to enact a legislation. I can only say that by so doing they are not only doing a harm to themselves but to us also in implicating us.

The Deputy SPEAKER: Order, order, I do not understand why the hon. member is going to lengthen his discussion like anything. It is more or less a concern of the Hindu community (*hear, hear*). No religio-political decision can be arrived at by that particular community, as we know that the caste system stands in the way. Some of the crying religious defects of the Hindu community will have to be cured by legislative sanction (*hear, hear*). Without legislative sanction no religious reform can be possible in these modern ages. I hope the hon. member will speed up.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: With due deference to you, Sir, although it is a matter of religion, it is after all the votes of this House that will determine this piece of legislation. The question, Sir, is not whether a particular member is a Hindu, or Moslem or Christian. All can express their opinion freely.

The Deputy SPEAKER: I say that any hon. member has a right to participate in the debate. What I said was that the particular hon. member was leading us to a prolonged discussion.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: That example has been set by the hon. Mr. Talukdar.

Mr. C. GOLDSMITH: Sir, my point is that no legislation should be undertaken over a religious question. I also say that this question can be discussed outside the Legislature and if the Hindus among themselves hold meetings and raise their voice against the evil practice, then they can have the reform effected without the help of the Legislature. They can boycott the temples or pass resolutions. Why should they come to the Legislature and have a law passed?

Babu NIRENDRA NATH DEV: Mr. Deputy Speaker, Sir, it is very unfortunate that this debate should have taken this turn. I think there is a good deal of misapprehension about it. This Bill is meant only to regulate entry to those temples which are described as public temples and the hon. mover of this Bill says that he means those temples where public endowments are made and particularly those with which the State will have some connection as regards management. The Bill is quite legitimate

to be discussed here in that view because when Government is concerned with the management of these temples, we think, the legislators have legitimate right to deal with these temples. I can cite one example about the Muslims; the Wakf Bills are also passed in Legislatures and they are also connected with the mosques.

Sir, I think, all the legislators whether they are Hindus or Muslims or Christians, have got the right to speak on a measure which is going to be adopted by the House. The Hindu members have also to speak on the Wakf Bill. As regards Christianity, the expenditure of Lord Bishop and others are being provided from the coffers of the State and therefore the Hindu and Muhammadans have got the right to speak about the Christian religion whenever any question comes up before the House.

Sir, some remarks have been made by my hon. friend Mr. Maqbul Hussain Chaudhuri about the untouchables in the Hindu society. He was telling that the Hindus should place the untouchables in the highest caste, *i. e.*, Brahmins.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: I said that the untouchables should be given equal status with the Brahmins.

Babu NIRENDRA NATH DEV: Sir, I submit that before making any such remark, my hon. friend ought to have tried to know what Hindu sociology is. It is not such a simple thing as my hon. friend supposes it to be.

Mr. BAIDYANATH MOOKERJEE: That is a birth-right. How can it be given?

Babu NIRENDRA NATH DEV: Sir, it is very easy to say anything about this. I submit that Hindu sociology is not such a simple thing as can be understood by any layman of the street. (*Laughter*).

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: Mr. Deputy Speaker, Sir, I take serious objection to the expression made by Mr. Nirendra Nath Dev.

The DEPUTY SPEAKER: Does the hon. member rise on a point of order?

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: I said that if the Hindus are sincere to give them any status, then they should give equal status with the Brahmins. If not, they should not show any condescension.

The DEPUTY SPEAKER: Order, order. That is no place for argument.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: On a point of order, Sir. I uttered some simple words, but my hon. friend Mr. Nirendra Nath Dev says that it is not so easy for any lay man in the street to understand this. I have fully realised that he, by this expression, means me and no-body else. I want a ruling from the Chair. Moreover, Sir, I like to say that when he says that it is not so very easy for any man in the street to understand this, then his talk of giving any right to these unhappy and unfortunate people is useless. I want a ruling from you as to whether the hon. member was in order to pass such remarks.

The DEPUTY SPEAKER: The argument of the hon. member necessarily needs no ruling from the Chair (*Laughter*).

Babu NIRENDRA NATH DEV: Mr. Deputy Speaker, Sir, my hon. friend Mr. Maqbul Hussain Chaudhuri was telling the House that he could

not conceive of anything like untouchability in the Muhammadan community.

The DEPUTY SPEAKER: Order, order, the hon. member should be allowed to go on undisturbed.

Babu NIRENDRA NATH DEV: Maulavi Maqbul Hussain Chaudhuri was telling that untouchability and such other things are unknown to Muhammadan community and there is no distinction between man and man. I submit, Sir, that my knowledge of Muhammadan society is very little and from what little I know of that community, I can say that there is at least one distinction in that community. There is the fishermen community and they are not given equal status with other Muhammadans as far as I know. I know, Sir, that there was a deputation led by members of the fishermen community to Pandit Jawaharlal Nehru when he visited Sylhet. And what about the All India Momin Conference, Sir?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: On a point of order. It was expressly stated in this House that whenever any point of order is raised, the member who is on his legs must sit down and the point of order must be decided by the Speaker. That was the ruling which was previously given, but I have found, Sir, that my hon. friend Babu Nirendra Nath Dev did not follow that direction. It is only when a point of information is raised, there is an option whether the member speaking would give way or not; but when a point of order is raised, the member who is speaking must sit down, otherwise he shows disrespect to the House.

Babu NIRENDRA NATH DEV: The Chair gave me permission to go on.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Maulavi Muhammad Maqbul Hussain Chaudhury twice raised the point of order.

The DEPUTY SPEAKER: Mr. Dev was not at fault as I permitted him to go on.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: I want a ruling whether the expression "any lay man of the street" is parliamentary or not.

The DEPUTY SPEAKER: It did not mean any personal aspersion. I am here to see to that. (*Laughter*).

Babu NIRENDRA NATH DEV: It is very unfortunate that this Temple Entry Bill has caused so such bitterness between community and community. It ought not to have done so. The Bill has been brought forward with good intention and the mover of the Bill trusts that all the members of all the communities would give their whole-hearted support to it. In that view of the matter I appeal again to the House through you, Sir, that all the members of all the communities should give their co-operation and help in having this Bill passed.

Maulavi ABDUR RAHMAN: Mr. Deputy Speaker, Sir, the statement of Mr. Nirendra Nath Dev, with regard to the distinction between the fishermen community and the general Muslim community is absolutely wrong. There is no distinction in Islam. A fisherman is quite entitled to intermarriage with other Muslims. There may be social status in the minds of some people. In religious matters there is absolutely no distinction in the Muslim community. Even a Muslim fisherman is allowed to lead prayer and a Sayed will follow him. Mr. Dev must withdraw his statement. He is quite ignorant of Islamic principles.

The DEPUTY SPEAKER: The hon. member should remember that any version by Mr. Dev will not give any seal to our religious scriptures. I am myself a Mussalman and I have heard what he has said on the floor of this House.

The Hon'ble Maulavi MUNAWWAR ALI: Mr. Deputy Speaker, Sir, I want to draw your attention and the attention of the House to the impression that whenever a statement is made regarding the practice followed by the votaries of a particular religion, on the floor of this House, if it is incorrect and if it is not contradicted, it might be presumed—and some of the hon. members of this House are not fully aware of the religious tenets of the people professing Islam, — that the statement is correct. Therefore, it becomes the bounden duty of a member to make it clear and say what it is. My hon. friend Mr. Dev has stated that there is caste distinction amongst the Muslims and he has referred to Muslims pursuing the business dealing in fish. Sir I come from a district where there are hundreds of such business men and I can definitely tell the House that there is no caste distinction between them and those Muslims who do not follow such business. I can cite very many instances of inter-marriages amongst them and other Muslims. My hon. friends on this side of the House were only eager in bringing to the notice of the House that it was not a fact that there was caste distinction amongst Muslims. If it were so, it would have been a great stigma of the tenets of Islam.

The DEPUTY SPEAKER: The Hon'ble Minister has thrown sufficient light on this point. But had hon. Maulavi Abdur Rahman also come forward with a speech like this to throw light on the version made by Mr. Dev, he would have been quite welcome. But instead of doing that he raised a point of order.

Babu NIRENDRA NATH DEV: Sir, it was far from my mind to make any aspersion on the Muslim community and for whatever I said I referred to the deputation led by the fishermen community to Pandit Jawharlal Nehru.

Khan Bahadur Maulavi KERAMAT ALI: On a point of information, may I ask Mr. Dev whether there is any religious bar amongst the Muslims, a fisherman marrying a daughter of a non-fisherman?

Babu NIRENDRA NATH DEV: So far as my recollection goes they in their petition to Pandit Jawharlal stated that they were not allowed to enter the same mosque with the other Muslims.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: My hon. friend is perfectly wrong in saying that there is caste system in the Muslim society.

The DEPUTY SPEAKER: I would like to assure you all that his opinion will not count on a particular aspect of our Islamic culture.

Mr. ARUN KUMAR CHANDA: It is well-known to the House that the House has been allotted a meagre time for non-official business and if these tactics are adopted by Government Benches, I am afraid, we shall have no other scope at all for non-official legislation.

Khan Bahadur Maulavi KERAMAT ALI: May I request through the hon. Deputy Speaker to see that the members of the other party do not express such irresponsible opinion in this House.

Mr. ARUN KUMAR CHANDA: If you cast a stone you must also be prepared to take another.

The DEPUTY SPEAKER: Before I allow hon. members to participate in the debate I would particularly request them to give due regard to the paucity of the time at my disposal because I have many business to dispose of to-day. Of course I cannot content myself without saying that much of the time at my disposal has been wasted and I would request hon. members to see the paucity of time and to try to make speeches at a very short space of time so as to enable me to finish the business of to-day.

Srijut KRISHNA NATH SARMAH: Mr. Deputy Spreaker, Sir, I wish to support the motion with a few observation.

Public places of worship should be opened to all having the same religion. Untouchability was never sanctioned by our Shastras. The Hindu caste system was based principally on a division of labour. There were only four *Barnas*, viz., Brahman, Khetriya, Baishya and Sudra or four great divisions among the Hindus, originally. Now the caste is divided into as many divisions as there are professions. In course of time some of the professions were looked down upon and the people taking to such professions gradually came to be regarded as untouchables and the temples or places of worship were closed to them. The result is that the Hindu society is gradually being disintegrated and they have fallen from a great ideal. Our hatred to the professions has led us to forget the dignity of labour. Now we must try to bring all the hundreds of castes into the four great divisions and the opening out of public places of worship to all is the first step in that direction. We must feel that we belong to one great culture, of one great religion and this can be done only by worshipping God all together. There can be no inferiority complex in a place of worship. God will not go out by one door if those brethren of ours who are now debarred entry by the other door.

Personally, I am in favour of allowing entry even in private places of worship. I have opened my *Namghor* to all. I was boycotted for some time by the orthodox section of my community. There is an orthodox element in every community who are guided by superstitious beliefs and are afraid to break the age long custom, but they forget that untouchability is eating away our vitals and we are becoming a laughing stock to others.

My personal experience is that opposition to entry into temples is due to our ignorance and superstitious belief. Superstition is not religion. God does not dwell in temples but in the heart of men. There must be a change of heart and we must see to the greatness of human beings to whatever community they belong.

Legislation is necessary to throw open the doors of the temples for age long superstitions do not yield to reason. As soon as a law is enacted, people give way. Many such practices in Hindu social customs have been abolished by law. The opinions received so far are more in favour than against. The Select Committee will be guided by those opinions and will make necessary modifications that will be found useful.

With these few words, I support the motion for a reference of the Bill to a Select Committee.

Mr. A. WHITTAKER: Mr. Deputy Speaker, Sir, Mr. Talukdar, with his usual courtesy, has asked for an expression of opinion of the members of the Planting and Commerce group on this Bill. If he does not think it presumptuous for a layman to express an opinion, I should like to do so. If this Bill is in advance of Hindu public opinion, it will not be effective. If it is in accordance with Hindu public opinion, it is not necessary. I have neither the knowlege nor experience to presume to offer any other comment than this and members of my group feel that they are not required to express their vote in this House on this Bill.

Rev. J. J. M. NICHOLS-ROY: Sir, I should like to speak a few words on this subject. This concerns the Hindu community. There are two sections in this community—those who are in favour of temple entry and those who are not in favour. Those who are in favour of temple entry consider the other party or other section as superstitious. While the other section, think that those who are in favour of this Bill are trying to abolish their religion. In these circumstances it is very difficult for those who are

not Hindus to express their opinion. The only point that concerns the Legislature seems to be this. Whether in this House we should legislate on religion. If this Bill is considered to be a Bill for improving the social conditions of a certain section of the people among the Hindu community, I am in favour of the Bill. I would from that stand point vote for the Bill. But if it concerns the religious feelings of the people, I would rather remain neutral and would rather have nothing to do with this, as it concerns the Hindu community alone. Therefore in my opinion it seems to be this that if this Bill is for the sake of reforming the social conditions of the Hindu community we should all be in favour of it. There is no one in this country who does not regret the existence of caste system and almost all the enlightened people among the Hindu community itself are in favour of not having any caste system and it is very regrettable that there should be any section in that community who will be considered as untouchables. This Bill seems to remove that disability or regrettable conditions in that community. From that stand point I am very much in favour of the Bill. But if in pursuance of this Bill the principle will be established in this House that this House can legislate on religion against the religious feelings of any small community, it will be a very bad precedent indeed. It will be a very dangerous precedent ; for a small community, however small it might be, has a right in its own religious feelings. And we have no right to legislate against any religious feelings of any community however small it might be. So far I find it very difficult to decide whether this Bill relates to religious feelings of the Hindu community or to social conditions. From that stand point I think that it is only right to let the Hindu legislators only decide on this point. I would request all the other members not to have anything to do with it.

The Hon'ble Dr. MAHENDRA NATH SAIKIA: Mr. Deputy Speaker, Sir, I as a member of the class for whom this Bill is meant, feel that I should avail myself of the opportunity for recording my views with regard to this motion. At the very outset, I thank the hon. member-in-charge of this Bill for taking so much courage to bring in such a piece of legislation which will in my opinion interfere with the religious sentiment of the masses of people concerned, but I doubt if it will serve any useful purpose. Little good can be obtained from an action which is not done by conviction but only done under compulsion. Opinions that have been obtained from the people are very few. It is very doubtful if the views of the few people consulted will be accepted by the interior village people. Opinions are very few in comparison to the masses of people concerned. Also it is doubtful if these few people can persuade them to abide by the provisions of the Bill. What is our experience in such matters amongst the educated class of people in towns? When there is a social ceremony held in certain quarters, the family members, though willing to give them equal treatment to the members of the Scheduled castes cannot do it owing to the objections raised by some. What we find in educated society even is that though some people are against the idea of untouchability still they have not been able to translate their ideas into action because of objections being raised by some others.

Then, Sir, I have got experience of a certain incident. One day some Scheduled caste people went to enter a Satra in the district of Nowgong. They got very severe resistance which resulted in serious assault to them. (*A voice* :—Were you in that group?) No, but the people who were assaulted were people of my community and they brought the matter to my notice as I am their representative (*A voice* :—But you said that you

were speaking from your own experience). I am sorry if I have used the word "experience". I would substitute the word "knowledge" for "experience". Now, the people assaulted engaged a certain pleader for arguing their case. On the day the case was to be heard, all on a sudden they found that their pleader was absent. After some time they came to learn that the pleader absented himself purposely because he found that he was going to plead in a case where his own class of people were concerned. So, even if this legislation is passed into Act, and if the people do not abide by the provisions, the only course available for the people of the Scheduled castes and for whom this Bill is meant, is to go to the Court. The hon. members know that these people are very poor ; educationally also they are very backward.....

Srijut GAURI KANTA TALUKDAR : On a point of information, Sir. Does the Hon'ble Minister apprehend that only the aggrieved person can go to Court ? There is no such provision in the Bill. Anybody can go to the Court in order to enforce the law.

The Hon'ble Dr. MAHENDRA NATH SAIKIA : Yes, but it is those people, who would get resistance and who would be assaulted, will have to go to the Court. If certain Scheduled caste people or if such classes of people want to enter into a temple, even after this Bill is passed into Act, and they get resistance which is likely to result in assault on them, it is they who will have to go to the Court.

Srijut GAURI KANTA TALUKDAR : One need not go to that extent. The law does not say that only those people who are obstructed in entering a temple shall have to go to the Court. Anybody may go to the Court and the Court may enforce the law at the instance of any person.

The Hon'ble Dr. MAHENDRA NATH SAIKIA : It is only those classes of people who will be interested and the burden of proof will lie on these people only. It is they who will have to incur the expenditure of going to the Court and the House very well know that these people cannot afford to do so. So, I say, Sir, that unless and until the Caste Hindus voluntarily agree to the entry into temple of Scheduled caste and other people, this Bill will not give the benefit which is intended to be given to them.

So, Sir, my attitude towards this motion will be that I shall not take part in the voting ; I shall remain neutral. I entirely leave the matter to caste Hindus to decide whether they should allow these classes of people for whom this Bill is meant to enter into a temple or not.

The DEPUTY SPEAKER : I think the matter has been sufficiently discussed, and I now ask the Hon'ble Minister to exercise his right of reply.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI : Mr. Deputy Speaker, Sir, this Bill, as has been pointed out by some notable persons who have given their opinion, is based on a confusion of civic and social rights. The question before the hon. members of the House is whether they consider it worthwhile to legislate on social rights which are connected with religion. If the members of the House are convinced by the long speeches which

have been delivered in support of this Bill that any new civic right is going to be enforced or any political disability is going to be removed then they will be perfectly competent to pass a legislation of this kind. The hon. Hindu members of this House know that there are various social customs connected with religion and it is absolutely unthinkable that the House should legislate on them. For instance, Sir, certain days of penance are prescribed after death of near relatives. There is already difference of opinion as to whether a non-Brahmin should observe "asaucha" for 30 days or for 11 days. Can there be any legislation laying down that the days of penance should be restricted to 11 days only? Would any Hindu tolerate it?

Then, again, Sir, there is social custom of shaving one's hair, moustache and everything on the 11th or on the 30th day (*Loud laughter* from all sides of the House). I ask my hon. friend Mr. Talukdar whether he would submit to the shaving of his moustache by legislation (*Loud laughter* again). I am speaking very seriously. Would he like if a Bill is brought before the House by a member of the Assam Legislative Assembly compelling him against his will to shave his beard on the day of penance? I pause for a reply.

Srijut GAURI KANTA TALUKDAR: Sir, I refuse to answer such a silly question. I am really sorry to find that a responsible Hindu Minister, instead of meeting the points raised by me, should go to the length of indulging in humorous remarks such as shaving one's moustache in the midst of such a serious discussion. May I ask the Hon'ble Minister whether he would have raised such childish objections at the time when the Sarda Act, the Widow Remarriage Act and the Suttee Act were passed?

The DEPUTY SPEAKER: These things will be subsequently decided by vote. I hope the hon. members will not disturb the Hon'ble Minister now.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: I take it, Sir, that my hon. friend Mr. Talukdar would not submit to that tyranny.

Srijut GAURI KANTA TALUKDAR: Sir, I consider the matters in which the Hon'ble Minister is indulging as not only silly but offensive. We are discussing a matter which is of vital importance to the Hindus and I can never regard the way in which the Hon'ble Minister is carrying on the debate either as graceful or helpful. It indicates a sad mentality of the Hon'ble Minister. So I refuse to be dragged into such a debate.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: So, Sir, there is the danger of a legislation of this kind interfering with social rights and privileges. My hon. friend Mr. Talukdar who has made a very lengthy speech on this Bill, must take it as a valuable contribution to the debate on this Bill. But there is a saying in our country, which is "গছত কৈ গুট ডাঙৰ" that is to say, the seed is bigger than the tree itself. There is another saying "কাপোৰতকৈ দহি দৌৰল" that is to say, the lace is longer than the gown itself (*laughter*). My hon. friend the mover of this Bill seems to have left the entire speech-making to my hon. friend Mr. Talukdar. He has not touched my main point.

Sir, one pertinent question was asked—Whether it concerns the religious feelings of any particular community. Now there is no doubt, Sir, that in this country there are orthodox and unorthodox Hindus. There is absolutely no doubt that the feeling of the orthodox Hindus will be wounded. They seriously and sincerely believe that an entry into temples of all kinds of people will defile the temples. That feeling is very unfortunate and I do not for a moment encourage that feeling, but the feeling is there.

Srijut GAURI KANTA TALUKDAR: Sir, may we know whether he is in favour of the Bill or against it?

The DEPUTY SPEAKER: That he will speak out. You need not be anxious.

Srijut GAURI KANTA TALUKDAR: Sir, we want to know what is the attitude of the Hon'ble Minister towards this Bill.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: I am dilating my points, and I am developing my arguments. There are various stages of debate and they must not be forgotten by a debator. First, the point at issue, then the arguments, and then the conclusion (*laughter*).

Now, Sir, there are, as I have said, orthodox and unorthodox people. This Bill is being sponsored by unorthodox people and I challenge my hon' friend Mr. Talukdar if he can say that he has entered any temple, even a big and important temple like Kamakhya within the last 20 years.

Srijut GAURI KANTA TALUKDAR: It pains me very much to find that the Hon'ble Minister instead of meeting the various points raised by us is indulging in personal attacks and references.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: He may or may not reply to my question.

Srijut GAURI KANTA TALUKDAR: The Hon'ble Minister seems to be making a fun. However for the information of the Hon'ble Minister I may tell him that I have entered not only the famous Kamakhya Temple but several other temples of Kamrup frequently.

(*Interruptions*).

The DEPUTY SPEAKER: I won't allow any amount of interruptions like this. Order, order. If there be anything unparliamentary I shall see to it.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: When I ask the hon. member any question he may or may not reply, but he should not use unparliamentary language.

(At this stage Srijut Gauri Kanta Talukdar rose to speak).

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Sir, if you do not protect me it will be impossible for me to proceed.

Now, Sir, as I have said, my greatest grievance is that this Bill has been sponsored by people who do not care two pence for the sanctity of the temples (*voices—question*). I have already questioned whether the only vehement supporter of the Bill had ever cared to go inside a temple. (*A voice—He is not allowed*). He is allowed but he did not care. Now by the provision of this Bill the feelings of the orthodox Hindus are alienated whereas the unorthodox people do not care a bit for the sanctity of the temple at all. This

is a very peculiar position and I do not know what to say. Naturally if the members of the Scheduled castes are allowed this sort of thing, if the move had come from the orthodox people who really take a serious view of this thing, the Scheduled caste people would have felt assured that they would be protected not only by the provisions of this Bill but also by the society. But here this Bill is only supported by the people who do not care for the interest of what is known as orthodox or Sanatan Dharma and so the Scheduled Caste people will have no protection except what is given by legislation.

Then, let us for a moment recall to mind the effect of the Sarada Bill which makes it penal for any one to give his daughter in marriage under a certain age. I ask, Sir, I think I need not ask but I can definitely state, Sir, that the Brahmin members of that group (Pointing to Congress) had deliberately gone against the Sarada Act and given their daughters under the prescribed age in marriage. Even the Leader of the Opposition is not free from that weakness nor the members of the Congress group who seem to be in favour of such a forward legislation to-day.

Srijut MAHADEV SARMA: যি বিলাক প্ৰদেশৰ পৰিস্থিতিৰ ওপৰত নিৰ্ভৰ কৰি Sarada Act কৰা হৈছে সেই বিলাক প্ৰদেশৰ ব্যৱস্থাৰ লগত আমাৰ প্ৰদেশৰ ব্যৱস্থাৰ পাৰ্থক্য মন্ত্ৰী ডাঙৰায়ী জানেনে ?

The DEPUTY SPEAKER: No interruptions please.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: I only wanted to show, Sir, that mere passing of a piece of legislation will not really bring about social reforms and the application of the Sarada Act is an instance in point. Everyone of us knows that even in the town of Gauhati after the passing of that Act several marriages were celebrated by the leading people in high Congress politics—not to speak of others—thus deliberately breaking that law.

Now, in this case surely unpleasantness will arise if this law is not backed by the leaders of the society. This law has laid down a penal clause. The clause is that any one who prohibits the entry of a Scheduled caste people or a 'Harijan' into a temple will be punished with a term of imprisonment or with a fine. Who is going to complain? The person who was prohibited. If so, how is he going to get evidence? Even if a conviction takes place, will not that create further unpleasantness? Now-a-days the Hindu society has advanced and has advanced a great deal. Not to speak of allowing people in the temples, some Hindus have gone to the length of taking food, (*i.e.*, inter-dining) with the people of the Scheduled castes. We do not think it derogatory to allow a man of the Scheduled caste to enter the room where we are taking food. Now, all these are going on without interference by the State. If at this juncture when we are progressing, there is a piece of legislation which goes to the length of prosecuting and punishing a person who on account of religious belief does not allow a person to enter a temple then this amity and good understanding would disappear. Would not this piece of legislation rather stop than improve the progress of social reform?

That is the point which has got to be considered before you cast a vote on either side.

Then, Sir, who is going to decide this question? Whether we want a law on this subject or not? It is the concern of my hon. friend on the right who represents the Scheduled castes, but he has expressly stated that he does not wish to take any part in it, and there are other members of the

Scheduled castes in this House who have not come forward to express their opinion at all. But it is the caste Hindus who have got to decide this question, but the majority of the caste Hindus are in the Congress group. They have no liberty of thought in this matter because it is a part of the Congress creed to remove untouchability. So they cannot hold an independent opinion. Here in Assam, Scheduled and caste Hindus are living peacefully together; here in Assam social reform is going on steadily, but my hon. friends, the caste Hindus in the Congress group, are bound to express their opinion in one way only. They cannot but express their opinion in favour of the Bill. Now who is going to decide this question?

It is a well-known fact that in no other province in India, except Madras where the doctrine of untouchability had been dragged to a shameful extent, any attempt has been made to have a Bill of this kind. In the Central Assembly there was at one time an attempt to have a Bill of this kind, but the idea was dropped. Now, Sir, this is an important question, whether we in Assam should have this legislation when there is no such legislation in other parts of India where there are important temples?

(At this stage the clock struck 4 p.m.)

Adjournment

The Assembly was then adjourned till 2 p. m. on Friday the 22nd November, 1940.

SHILLONG,
The 10th January, 1941.

A. K. BARUA,
Secretary, Assam Legislative Assembly

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