

**Proceedings of the Second Session of the first Assam Legislative Assembly assembled under the provisions of the Government of India Act, 1935**

*The Assembly met at the Assembly Chamber, Shillong, at 2 p.m., on Friday, the 6th August 1937*

**QUESTIONS AND ANSWERS**

**STARRED QUESTIONS**

**Construction of a diversion bund in Sibsagar Town**

SRIJUT BHUBAN CHANDRA GOGOI asked :

\*47. Is it a fact that the Public Works Department has constructed a diversion Bund, near the Ring Bund, in the town of Sibsagar ?

\*48. Will Government be pleased to state its length, and the expenditure incurred therein since its inception up to the present time ?

\*49. Will the Government be pleased to consider the question of a Sluice gate to protect the rate-payers, who are left out to the mercy of the Dikhow, by the construction of the diversion Bund.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

47.—The answer is in the affirmative.

48.—The length is 42 miles. And the cost of construction is Rs.16,927.

49.—Proposals for provision of a syphon for the drainage of this area is under consideration of Government, who are awaiting the collection of further information regarding flood levels during the present rains.

SRIJUT DEVESWAR SARMAH: When are we to expect a decision, Sir ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: As I said, Government is considering the question of the provision of a syphon and we are taking levels now. Data will be available after the rainy season.

**Introduction of Compulsory Primary Education**

SRIJUT PURNA CHANDRA SARMA asked :

\*50. Have Government made any scheme for the introduction of compulsory primary education in the province and, if so, will Government place the same on the table ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: replied :

50.—Under the present law—the Assam Primary Education Act—the initiative of devising schemes rests with the local authorities concerned.

SRIJUT DEVESWAR SARMAH: What is the intention of Government on the subject at the present moment ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: I have already said that the initiative lies with the local authorities.

MR. FAKHRUDDIN ALI AHMED: Has no scheme been prepared by the Hon'ble Minister ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: The initiative should come from the local authority.

MAULAVI MUNAWWAR ALI: Is the Hon'ble Minister aware that the Act provides for two-thirds of the cost to be provided by Government ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: Yes, but this question does not really arise.

SRIJUT PURNA CHANDRA SARMA: Has the Hon'ble Minister provided any money for that ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: No scheme has been put forward by the local authorities for financial reasons, perhaps.

SRIJUT PURNA CHANDRA SARMA: Does not the Act provide for the initiative to be taken by Government ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: No.

SRIJUT GOPI NATH BARDOLOI: Will Government provide money if the local authorities resolve upon initiating Compulsory Primary Education ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: Under the provisions of.....

BABU RABINDRA NATH ADITYA: On a point of order, Sir, the Hon'ble Minister is addressing the floor.

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: Under the present Act if the education cess levied by the local authorities is equal to one-third of the cost, the other two-thirds would be paid by Government.

MAULAVI MUNAWWAR ALI: Should that be by local cess ? Is that the provision ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: Not necessarily by local cess ; it may be by any means possible.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI: Did the Hon'ble Minister receive any petition from Baniyachong in the Habiganj subdivision for the introduction of Compulsory Primary Education there ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: I do not remember about Baniyachong. There were several schemes put forward by local authorities ; but they could not be carried out for financial reasons : the local authorities could not provide funds.

MAULAVI MUNAWWARALI: Is the Hon'ble Minister prepared to provide money in the budget if the local authorities would be forthcoming with their schemes ?

THE HON'BLE THE SPEAKER: That question has already been answered.

MAULAVI MUNAWWAR ALI: I did not hear the reply.

SRIJUT BELI RAM DAS: Has the Hon'ble Minister budgeted any sum for the education of the depressed classes and the backward peoples ?

THE HON'BLE THE SPEAKER: That matter will come up in reply to some other question.

SRIJUT GOPI NATH BARDOLOI: Am I to understand that not a single pie has been provided for expansion of compulsory primary education ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : Because no scheme has been forthcoming from local bodies.

SRIJUT PURNA CHANDRA SARMA asked :

\*51. Will Government be pleased to state (a) the approximate cost of compulsory primary education, (b) whether Government propose to introduce the same and (c) if so, when ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED replied :

51.—The approximate cost of introducing compulsory primary education throughout the province will be something in the nature of about three crores of rupees.

SRIJUT PURNA CHANDRA SARMA: Is it recurring or non-recurring ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : Recurring of course.

As regards (b), obviously Government do not propose to introduce the same throughout the province at present. But the policy of Government is expansion of primary education as a step towards the introduction of compulsory primary education and the introduction of compulsory primary education itself will be considered when funds permit.

As regards (c) Government cannot say.

SRIJUT SIDDHI NATH SARMA: What will be the cost, Sir ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : I have said it will be something in the nature of about three crores of rupees.

MR. NABA KUMAR DATTA: How was this arrived at ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : That was calculated by Mr. Cunningham.

SRIJUT SIDDHI NATH SARMA: What is the basis of that calculation ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : I want notice of that.

SRIJUT PURNA CHANDRA SARMA: When was the scheme prepared by Mr. Cunningham ?

**SRIJUT KRISHNA NATH SARMAH:** Will Government make a beginning ?

**THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED:** Under the Act I am prepared to make a beginning.

**SRIJUT RAJANI KANTA BAROOAH:** There is of course the Act passed by a bygone Government. I want to know whether the present Government under provincial autonomy is contemplating to do anything, and if so, what it is ?

**THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED:** The policy, Sir, is the expansion of primary education as a step towards the introduction of the principle of compulsion, as provided in the Act. First of all we must have primary education brought within easy reach of the people and then the question of the introduction of compulsion will be thought of.

**SRIJUT RAJANI KANTA BAROOAH:** May I know when primary education is going to be brought within the reach of the people, and when is compulsion contemplated to be introduced ? I want to know the approximate time.

**SRIJUT DEVESWAR SARMAH:** Will the Hon'ble Minister say when free compulsory primary education will be introduced—whether within 5 years or 10 years or 100 years.

**THE HON'BLE THE SPEAKER:** The hon. member will please avoid the tone of banter.

**SRIJUT PURNA CHANDRA SARMA:** Is there any scheme at present ?

**THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA:** There is no scheme at all at present, Sir. We are now bound by the Assam Primary Education Act. Under the provisions of that Act the initiative is with the local bodies. If they first provide one-third of the cost then Government will contribute the remaining two-thirds. No scheme has upto now been taken up, because no local body has been able to provide one-third of the cost.

**SRIJUT RAJANI KANTA BAROOAH:** Do we understand, Sir, that Government never thought of compulsory primary education in the province ?

**THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA:** Government did consider, Sir, and I, as Education Minister, introduced the Bill that was passed into Act by the House.

**SRIJUT KRISHNA NATH SARMAH:** Has it not worked during the last ten years ?

**THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED:** There is a resolution to that effect, Sir, and when it comes, I shall answer that question.

**SRIJUT PURNA CHANDRA SARMA:** The Hon'ble Minister says, Sir, that although a scheme has not been prepared, some beginning has been made. Then the Hon'ble Minister must have prepared a scheme under which he is going to begin the introduction of compulsory primary education. May I know what is the period within which he is going to introduce compulsion ?

**THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED:** The Act is there and the scheme is also there. But the initiative rests with the local bodies.

**KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI:** Has the Hon'ble Minister provided any money for local boards, if they come with a prayer for grants?

**THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED:** We are ready to do that.

**RAI BAHADUR PROMODE CHANDRA DUTT:** Suppose the local boards neglect their duty. In that case will Government do anything or not?

**THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED:** As far as the Act is concerned, the duty first of all rests with the local bodies.

**RAI BAHADUR PROMODE CHANDRA DUTT:** We have heard it said a thousand times like that. I want to know whether, in the case stated by me, Government will do anything.

**THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA:** If my hon. friend has gone through the budget he would have found that Government is doing more than its share in primary education. Government has already provided about 10 lakhs in the budget for the expansion of primary education.

**SRIJUT PURNA CHANDRA SARMA:** I think, Sir, the law is a little different. Will the Hon'ble Minister please read the rule of the Act which is before him under which he says that the initiative is always with the local bodies?

**THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED:** I want notice.

**THE HON'BLE THE SPEAKER:** I think that, when constant references to the Act have been made by the Hon'ble Minister, the hon. member is quite in order in asking the question. No notice is required in such cases.

**THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA:** I can say, Sir, that in every case the initiative for provision of funds rests with the local board.

**SRIJUT LAKHESVAR BOROOAH:** A little while ago the Hon'ble Chief Minister said that 10 lakhs have been provided in the budget. May I know whether any amount has been ear-marked for the introduction of compulsory primary education?

**THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA:** I have already said that there is no provision under the Act in the budget, because no local board has been able, on account of the present financial depression, to provide one-third of the cost necessary to be subscribed by them.

**MR. FAKHRUDDIN ALI AHMED:** Am I to understand that the hands of Government are bound by the Act?

**THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED:** The Act was passed by the House.

**MR. FAKHRUDDIN ALI AHMED:** Is not Government going to take any initiative in the matter?

(No reply.)

**SRIJUT PURNA CHANDRA SARMA** asked:

\*52. Is it a fact that in the primary schools the boys attend the classes in the lowest standard for a few months only and then give up the school for ever? If so, do Government propose to take immediate measures to check it by introducing a sort of compulsion under which children who have attended school for a prescribed period should not be withdrawn from school before they complete their school age?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : The wastage in primary schools is of course very great. Government will consider the possibility of introducing some form of compulsory retention.

SRIJUT PURNA CHANDRA SARMA : Is the Hon'ble Minister aware that such a scheme has been adopted in Burma and Madras ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : I am not aware. But we are considering this question.

## QUESTIONS AND ANSWERS

### UNSTARRED QUESTIONS

#### Affairs of Sylhet Municipality

BABU KARUNA SINDHU ROY asked :

48. Has Government received any petition sent by numerous respectable citizens of Sylhet for stay of the ensuing municipal election or for ordering a fresh election under section 293 of the Assam Municipal Act ?

49. If so, what action do Government propose to adopt on the petition.

50. Has the attention of Government been drawn to the Editorial article of the *Sylhet Chronicle* of 14th June, 1937 wherein it is stated, with details of the numbers of Holdings and Ward—that several persons are in the Rolls who are teachers of Lower Primary Schools under Balaganj Police Station and are resident within 14 miles of the town and that one such is an Assistant Teacher in Mangalchandi High School ?

51. Will Government enquire if these were illegal entries and were made in the interests of the Chairman, North Sylhet Local Board, who was a candidate for this Ward ?

52. Will Government consider the desirability of enquiring into the conduct of the Chairman in such cases ?

53. Is it a fact that the Nomination papers of Babu Gopesh Chandra Aditya and Md. Waris candidates for Ward No. II in which the Municipal Chairman and one of his brothers and the Vice-Chairman were also candidates, were found on scrutiny to contain wrong numbers were also candidates of proposers and seconders and that on the contention against the names the Election Magistrate declared the nomination valid, holding that the wrong numbers were forgeries being interpolations in the original correct numbers put down in the nomination papers ?

54. Is it a fact that the Deputy Commissioner, Sylhet, held enquiries about these altered numbers ?

55. Will Government please say if the responsibility for the alterations of numbers has been fixed and if any action has been taken by the Deputy Commissioner ; if so, what ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY replied :

48.—Yes.

49.—Government were advised that it would not be in accordance with the law for them to postpone the election.

BABU KARUNA SINDHU ROY: Will the Hon'ble Minister say who are the Government legal advisers?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: The Legal Advisers of Government.

BABU RABINDRANATH ADITYA: Was the opinion of the Government Pleader, Sylhet, taken in the matter?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: As far as I remember no, Sir.

BABU RABINDRANATH ADITYA: Whose advice does Government take?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: That of the Legal Remembrancer?

BABU RABINDRANATH ADITYA: Was that the only opinion taken in the matter?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: That was supposed to be sufficient.

BABU RABINDRANATH ADITYA: Am I to take it that the opinion of the Government Pleader, Sylhet, was not taken in the matter?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I have already answered that question, Sir.

THE HON'BLE REV. J. J. M. NICHOLS-ROY replied:

50.—Yes.

51.—Under the Electoral Rules the electoral roll when published is final. It is not therefore understood how any entries in the final roll can be deemed to be illegal.

BABU RABINDRANATH ADITYA: I am afraid it is not a proper answer to the question. The answer is: "Under the Electoral Rules the electoral roll when published is final. It is not therefore understood how many entries in the final roll can be deemed to be illegal." If it is final does it necessarily mean that it has been quite legal?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: If the rule says that the electoral roll when published is final then it must be final.

BABU RABINDRANATH ADITYA: But it may not be legal. The question is whether it was legal.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I am not prepared to discuss the legal question here.

BABU RABINDRANATH ADITYA: The question is whether it was legal or not?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: It is a very clear and plain thing to any body who reads the rules of Municipal Election, and I do not see why a question should be raised on that.

BABU RABINDRANATH ADITYA: Whether it was legal that is the question?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: It is already stated that under the Electoral Rules the electoral roll when published is final, and from the stand-point of Government it is legal and final.

BABU RABINDRANATH ADITYA: From the stand-point of Government what is final is legal?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Yes.

(Laughter).

MAULAVI MUNAWWAR ALI: Is the Hon'ble Minister aware that any rules prepared under the Assam Municipal Act require the sanction of the Assembly?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: No, Sir, I am not aware of that, but I am aware of the fact that the rules should be laid before the legislature. That is the only provision in the Act.

MAULAVI MUNAWWAR ALI: Do rules become legal before they are laid before the legislature?

THE HON'BLE THE SPEAKER: I think that is not a proper question.

THE HON'BLE REV. J. J. M. NICHOLS-ROY replied:  
52.—No.

53.—Wrong electoral numbers were found on certain nomination papers against the names of proposers and seconders, but the Magistrate refused to reject those papers on the ground that the irregularity could be condoned as the proposers and seconders were duly qualified to propose and second.

BABU HARENDRA NARAYAN CHAUDHURI: I want to know whether those electoral numbers were actually wrong and the nomination papers tempered with either by the Chairman or by the Election Magistrate and the numbers altered?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: It is stated very clearly that the Magistrate found that the numbers in those nomination papers were wrong but in spite of that he allowed those nomination papers.

BABU HARENDRA NARAYAN CHAUDHURI: If the nominations were wrong how the Magistrate could allow them?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Perhaps the proposers and seconders were known to him.

BABU HARENDRA NARAYAN CHAUDHURI: Did the Magistrate actually know the proposers and the seconders?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I think the Magistrate had them before him.

BABU HARENDRA NARAYAN CHAUDHURI: Is it because the Magistrate knew that the nomination papers were tempered with and therefore he brought those gentlemen to the court?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: That is not the question.

BABU RABINDRA NATH ADITYA: Was it the finding of the Magistrate that the wrong numbers were forgeries?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I cannot say that. The Election Officer went into the question, and whether he made a decision that it was a case of forgery, I cannot say.

BABU HARENDRA NARAYAN CHAUDHURI: Was any enquiry made?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I do not know. He may have made some enquiry, but I do not know what kind of enquiry he made.

BABU RABINDRA NATH ADITYA: If Government finds that the Election Officer found the numbers to be forged, will it take up the question?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: That is a hypothetical question.

BABU RABINDRA NATH ADITYA: May I know if Government is going to shield the accused?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Government is not going to shield any accused.

RAI BAHADUR PROMODE CHANDRA DATTA: When the Election Magistrate decided the point that means the matter ends.



**BABU RABINDRA NATH ADITYA:** The question is: "Is it a fact that the nomination papers of Babu Gopesh Chandra Aditya and Muhammad Waris candidates for Ward No. II in which the Municipal Chairman and one of his brothers and the Vice-Chairman were also candidates, were found on scrutiny to contain wrong numbers against the names of proposers and seconders and that on the contention of the candidates the Election Magistrate declared the nomination valid holding that the wrong numbers were forgeries.....". If that is the case why did not the Hon'ble Minister enquire into the matter and ascertain the truth?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** I have already answered.

**MAULAVI MUHAMMAD AMJAD ALI:** Was any enquiry made in regard to the forgery?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** I do not know if the Election Magistrate decided whether it was forgery or not.

**BABU RABINDRA NATH ADITYA:** He held it to be an irregularity or a forgery?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** The fact is that the that Election Magistrate found that there was something irregular. Whether it was forgery or not that question has not been judicially decided.

**BABU RABINDRA NATH ADITYA:** Does the Hon'ble Minister mean to say that the Election Officer found it to be a forgery?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** I did not say that the Election Officer decided that it was a forgery, but he found something irregular.

**KHAN BAHADUR MAULAVI KERAMAT ALI:** Has any election petition been filed by anybody?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** No.

**THE HON'BLE REV. J. J. M. NICHOLS-ROY** replied :

54.—Yes.

55.—No. No action in the matter has been taken.

**BABU RABINDRA NATH ADITYA:** Is Government unable or unwilling to take any action?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** Government does not wish to take any action in the matter because no rate-payer in Sylhet has taken any action on that.

**BABU RABINDRA NATH ADITYA:** Because somebody does not complain, so Government does not take any action in the matter although Government knows that something wrong was done. Is that the point?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** Is that a supplementary question?

**THE HON'BLE THE SPEAKER:** That question was answered yesterday.

### **Introduction of secret ballot system in the Local Board Election**

**BABU KARUNA SINDHU ROY** asked :

56. (a) Is it a fact that there is a strong feeling in the province to have the secret ballot system introduced in the Local Board Election?

(b) Will Government take immediate steps to introduce this system in the next election of members to the local bodies of the province?

THE HON'BLE REV. J. J. M. NICHOLS-ROY replied:

56. (a)—Yes.

(b)—The matter is under consideration. Government will certainly do their best to meet the wishes of the public in the matter.

**Grievances of tenants against the landlords in the Sunamganj Sub-division**

BABU KARUNA SINDHU ROY asked:

57. (a) Do Government propose to take any steps against the landlords in the Sunamganj Subdivision for dispossessing tenants of lands for the purpose of preparing fishery mahals with or without any compensations to the raiyats?

(b) If Government has no information about this will the Hon'ble Minister in charge propose to make an enquiry and lay a report on the table?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied:

57. (a)—Government have no information about the grievance suggested in the hon. member's question. The rights of landlords and tenants however are specifically laid down in the recently enacted Sylhet Tenancy Act which is now in force and persons aggrieved, if so advised, may seek their remedy in the civil court under the said law.

(b) It is not clear what purpose would be served by an enquiry, as Government cannot interfere with the process of the above mentioned law unless it is amended. Moreover no specific instances have been cited into which an enquiry may be made.

BABU KARUNA SINDHU ROY: Is Government aware that certain lands were taken away from the tenant by the zamindars of Gaurarang, Palash, Bhatipara and Pagla to make their fishery mahals?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I am not aware, Sir.

**Jail affairs**

BABU KARUNA SINDHU ROY asked:

58. Will Government please state—

(a) How the vegetables and fruits of every kind produced in the Jail gardens, through the manual labour of the prisoners, are disposed of?

(b) Whether the prisoners are entitled to consume these vegetables?

(c) Is it a fact that they are given what remains after sale, consumption and distribution amongst the jail staff and that they are deprived of 1st class things and that worst class and worst quality are left for them?

(d) Is Government going to reform the Jail administration?

(e) Is Government aware that Jail officials act always in violation of rules laid down in the Jail Manual, if not, will Government make an enquiry by a non-official committee about mal-administration in Jails.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

58. (a) (b)—The hon. member is referred to rule 741 of the Assam Jail Manual, Volume I.

(c)—So far as Government are aware, no.

(d)—Government are always prepared to listen to suggestions and to make changes that appear desirable.

(e)—No. The question of an enquiry does not arise on materials suggested by this question alone.

MR. NABA KUMAR DATTA: With reference to question 58(c), are not foodstuffs consumed by prisoners examined by the Jail Superintendent sometimes ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: They are examined according to the rules.

MR. NABA KUMAR DATTA: Have they got any case of complaint ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Not within the last four months.

MR. NABA KUMAR DATTA: Will Government be pleased to make actual enquiries as to any allegation made ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: If any specific allegation is made, certainly an enquiry will be made.

SRIJUT BELI RAM DAS: Is it a fact that in place of cows' milk condensed milk mixed up with hot water is supplied in some jails in Assam ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Government is not aware of that.

SRIJUT BELI RAM DAS: Will Government make an enquiry ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Does the hon. member object to the use of condensed milk ?

BABU HIRENDRA CHANDRA CHAKRAVARTI: Did Government ascertain from the Jail authorities that the conditions of rule 741 of the Jail Manual are faithfully followed.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Government has no reason to suppose that this provision has not been followed. But, as I have said, if any specific allegation is made a very careful enquiry will be made.

SRIJUT PURNA CHANDRA SARMA: Will the Hon'ble Minister state if he visited any jails in Assam during the period of his tenure ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I visited Gauhati and Dhubri Jails.

SRIJUT PURNA CHANDRA SARMA: Did he receive any complaint from any prisoners during his visit about anything ?

THE HON'BLE THE SPEAKER: The question is too wide.

SRIJUT PURNA CHANDRA SARMA: About treatment of prisoners ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: That is a very vague question and I am unable to answer that.

KHAN BAHADUR MAULAVI KERAMAT ALI: Did the Hon'ble Minister pay any surprise visit ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I did not give any surprise visit.

BABU DAKSHINA RANJAN GUPTA CHAUDHURI: Is the Hon'ble Minister speaking from his personal knowledge ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I am not prepared to indulge in sweeping remarks.

SRIJUT PURNA CHANDRA SARMA: Did the hon. member read the Jails Manual thoroughly?

THE HON'BLE THE SPEAKER: He is supposed to have done.

SRIJUT BELIRAM DAS: Has Government made any attempt to re-capture the escaped prisoner from the Gauhati Jail?

THE HON'BLE THE SPEAKER: This question does not arise.

SRIJUT PURNA CHANDRA SARMA: Does the Hon'ble Minister consider it necessary to revise the Jail Manual?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I have not yet arrived at that conclusion.

### Selection of Jurors

BABU KARUNA SINDHU ROY asked:

59. Will Government please state how the jurors are generally selected?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied:

59.—The hon. member is referred to Sections 319-324 of the Code of Criminal Procedure.

### Damage by Floods in Sunamganj Subdivision

BABU KARUNA SINDHU ROY asked:

60. (a) Will the Hon'ble Minister in charge of Public Works Department please lay on the table the latest reports from Engineers, regarding damage by floods in (i) the Aman crop area inundated by the Kushiara, in the Subdivision of Sunamganj through "Fenchi-dhala" (not very far from famous "Kalnichar-dhala" which is being silted up), (ii) the Bura crop area in Halir Haor inundated through Rathla-khal in the subdivision of Sunamganj, (iii) the Bura area lying between Shanir Haor and Halir Haor inundated through Abua-khal in the subdivision of Sunamganj, (iv) the Aman crop area surrounding Kaua Dighi haor in the South Sylhet Subdivision, inundated by the Kushiara through Kera Dair, Machua-khali and Meni-khal, (v) the Bura crop area inundated by Gagla-khali under Police Station Dharampasha in the Sunamganj Subdivision?

(b) Do Government propose to act up to the Engineers' recommendations in each case? If not, why not?

(c) Did Government ever contemplate the creation of Waterways Department to observe the course of irrigation and devise suitable means to minimise the effects of flood?

(d) If so, why the department has not been opened yet?

(e) Do Government propose to open immediately the Waterways Division for the above purpose?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied:

60. (a)—Government have only reports to the effect that the sudden overflow of the Kushiara river when in flood causes damage to the crops in the immediate vicinity of the overflow.

(b)—No recommendation has been suggested by the Engineers for dealing with this natural action of the river in spreading its surplus waters over the adjacent low land.

(c)—Yes.

(d)—In view of the expense involved.

(e)—No.

**BABU KARUNA SINDHU ROY:** Will the Hon'ble Minister in charge of Agriculture say why no records have been kept of the damages done by various causes to poor agriculturists who form the bulk of the population of the province?

**THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA:** The original question was put to me being in charge of the Public Works Department. I replied that Government have only reports to the effect that the sudden overflow of the Kushiara river when in flood causes damage to the crops in the immediate vicinity of the overflow. Beyond that we have got no reports.

**BABU RABINDRA NATH ADITYA:** What is the meaning of the words 'immediate vicinity'?

**THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA:** That depends upon the level of the neighbouring country.

**MAULAVI ABDUL BARI CHAUDHURY:** It is a fact that the Deputy Commissioner visited the areas affected by Fenchi Dhala?

**THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA:** I have got no report from the Deputy Commissioner.

**BABU HARENDRA NARAYAN CHAUDHURI:** If no recommendation has been made by Government, will the Hon'ble Minister take my opinion and bring some dredgers to raise the river?

**THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA:** If the hon. member be good enough to give his suggestions I will consider them.

#### **Newspaper article regarding prisoners sent to Andamans**

**BABU KARUNA SINDHU ROY** asked :

61. (a) Has the attention of Government been drawn to the editorial column of *Janasakti* dated the 16th June 1937, about two prisoners sent to the Andamans having conviction of seven and five years?

(b) Will Government please state why they were sent to the Andamans and how many years after their trial?

(c) Will Government please state the names of Jails from which they were sent to the Andamans?

(d) Will Government please state whether there were any terrorist activities in Assam at the time when they were sent to the Andamans?

**THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA** replied :

61. (a)—Yes.

(b)—Because their presence in a Provincial Jail was considered to be dangerous. They left Sylhet Jail for the Andamans on 27th November 1935, i.e., 15 months after their conviction.

(c)—Both from Sylhet.

(d)—Yes.

**SRIJIT RAJENDRA CHANDRA BARUA:** May I know, Sir how he comes to the conclusion that there were terrorist activities in the province?

**THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA:** We have had reports from our Intelligence Branch,

MAULAVI ASHRAF UDDIN MD. CHAUDHURI: With regard to (b) was any overt act done after they were sent to the Andamans.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: How could they? They were already confined in Jail.

MAULAVI SYED ABDUR ROUF: Because they were in the prison, how could they become dangerous?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I am not prepared to disclose the confidential report of the police.

MAULAVI SYED ABDUR ROUF: Did they consult authorities?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: The authorities were surely consulted. They were transferred in the time of the then Hon'ble Judicial Member who is present in this House. It was in 1935.

SRIJUT DEBESWAR SARMA: Were there any dangerous crimes then in existence.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Yes.

SRIJUT PURNA CHANDRA SARMA: Do the present Government call them dangerous.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: They are now in the Andamans.

BABU HARENDRA NARAYAN CHAUDHURI: Whether the British Government tumbled down during their fifteen month's stay in the Sylhet Jail.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: This Government thought that their presence in Assam Jails was undermining the discipline of other jail population as they were trying to inculcate jail prisoners in terrorist ideas and activities.

BABU HARENDRA NARAYAN CHAUDHURI: During fifteen month's nothing untoward happened?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: They were in jail.

SRIJUT PURNA CHANDRA SARMA: Was any jail punishment given to any of these prisoners?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I am not aware of that. I require notice.

MAULAVI SYED ABDUR ROUF:—If they were dangerous in jail would they not be more dangerous when coming out of it?

(laughter).

### Village Chaukidars in Sylhet District

BABU KARUNA SINDHU ROY asked :

62. (a) Will Government please state what really is the utility of maintaining the posts of village chaukidars in the district of Sylhet? What are their duties except dancing attendance on Panchayats and police officials?

(b) Is it a fact that the chaukidars in the district of Sylhet never keep watch at night?

(c) Do Government propose to undertake to form a committee to find better means for regulating and supervising the works of Panchayats and Chaukidars in the district of Sylhet?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

62. (a)—The hon. member is referred to the duties defined in Section 39 at pages 12-13 of the Bengal Village Chaukidari Act, 1870, a copy of which is placed on the Library table.

(b)—So far as Government are aware, the chaukidars in the district of Sylhet keep watch at night when detailed to do so.

(c)—The question of making certain changes in the present system of chaukidari administration of the Goalpara, Sylhet and Cachar districts is now under the consideration of Government.

**Appointment of officers of Government under section 10 (2) of the Assam Local Self-Government Act in Municipal affairs**

BABU HARENDRA NARAYAN CHAUDHURI asked :

63. Will the Hon'ble Minister in charge of Local Self-Government please state —

(a) the names of the Municipalities in which officers of Government are still appointed members under Section 10(2) of the Act ?

(b) Whether the practice has been discontinued in any or in all the Municipalities ? If so, when and why ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY replied :

63. (a)—In all Municipalities officers of Government are appointed as expert advisers under Section 10(2) but these officers are not members of the Board. The local Civil Surgeon and Executive Engineer (and in the case of subdivisions the Subdivisional Medical Officer and the Subdivisional Officer, Public Works Department) are generally appointed expert advisers.

(b)—Does not arise.

**Personnel of members of the Communication Board**

BABU HARENDRA NARAYAN CHAUDHURI asked :

64. Do Government propose to consider the propriety of associating the Director of Agriculture and of Public Health in the Communications Board for the purpose of facilitating direct consultation in the Board as to whether and how any scheme is likely to affect agriculture and Public Health ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

64.—No.

### Irregularities in Sylhet Municipal elections

BABU HARENDRA NARAYAN CHAUDHURI asked :

65. Will the Hon'ble Minister in charge of Local Self-Government please state if it is a fact that on scrutiny of nomination papers of two candidates in the last elections of Sylhet Municipality, the Election Magistrate found that certain numbers of voters given on the nomination papers had been altered ; and that after taking the deposition on oath of a proposer, who is a District Bar Pleader and several others, he came to the conclusion that the numbers had been altered and that original numbers were correct and held the nomination papers valid ?

66. Will Government be pleased to state whether any step has since been taken to fix the responsibility for these forgeries as found by the Election Magistrate ?

67. If so, what action has been taken against the persons concerned ?

68. Do Government propose to consult its legal advisers whether the custodian of a public document, to wit, the nomination papers, is not responsible and also will Government state if the Chairman was the custodian in the present case ?

69. Do Government propose to enact laws or make rules so as to fix the responsibility with regard to documents of these nature and thus provide against such forgeries ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY replied :

65, 66 and 67.—The hon. member is referred to the answers given to the questions put by Babu Karuna Sindhu Roy.

68.—No.

69.—Under the election rules nomination papers are delivered to the Chairman who forwards them to the Magistrate for scrutiny. Government will consider the desirability of amending this rule so as to provide for nomination papers being filed direct to the Magistrate.

### Recurrence of floods in Assam

BABU HARENDRA NARAYAN CHAUDHURI asked :

70. Is it a fact that Assam is seriously affected by recurring floods ?

71. (a) Will Government be pleased to state if its own experts have formulated any scheme for providing remedies against floods ? If so, has the scheme been tried with any effect ?

(b) What are the qualifications and designations of these experts, and how many are they ?

72. Is it a fact that all the provinces of India except Assam contribute to the maintenance of the Central Board of Irrigation ?

73. Is it a fact that this year's floods so far are not abnormal and shortage of rainfalls is reported from Cherrapunji and Silchar, the two meteorological stations of Surma Valley ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

70.— Assam owing to its geographical situation is subject to floods.



71.— (a) In pursuance of a Resolution passed at the September 1929 session of the Council a flood enquiry committee consisting of the following was appointed:—

1. Mr. A. Lines, Chief Engineer, Railway Board.
2. Rai Bahadur G. C. Das, Chief Engineer of Messrs. Martin's Light Railways.
3. Mr. H. S. R. Boyagian, Chief Engineer, Assam-Bengal Railway.
4. Mr. G. D. Walker, I.C.S., Deputy Commissioner, Cachar.
5. Mr. M. Little, I.S.E.
6. Mr. H. P. Barua, I.S.E.

The Committee visited and inspected both the Valleys and submitted a comprehensive report recommending amongst others, the opening of a Waterways Division with an experienced Irrigation Officer as the Executive Engineer in charge to deal with the various problems dealt with in the report. This Waterways Division could not be opened as it is inter-dependent on the passing of the Embankment and Drainage Bill giving statutory powers for the facility of the work and also owing to the expense involved.

Mr. D. G. Harris, C.I.E., Consulting Engineer to the Government of India also made a tour of inspection in Assam in 1929 and submitted a note which is placed on the Library table.

Recently Mr. G. Reid Shaw, I.S.E., enquired into the causes of the floods in the Nowgong district and submitted a report. According to his suggestions the waterways of some of the bridges in the embankments have been extended. A copy of the report is placed on the Library table.

(b)— The hon. member is referred to the Public Works Department Classified List.

BABU HARENDRA NARAYAN CHAUDHURI: With regard to (a), will Government be pleased to pass the Embankment and Drainage Bill?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Government prepared an Embankment and Drainage Bill while I was in charge of the Public Works Department in 1931. I consulted the Leaders of the different groups in the House then and found that the majority of opinion was against the passing of the Bill and so it had to be dropped.

BABU HARENDRA NARAYAN CHAUDHURI: Will the Hon'ble Minister in-charge be pleased to try this again in this House?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: A notice of the same Bill which was initiated at my instance was given by one private member. I thought that it would come up to the House and we would be able to know the opinion of the House but now I find that the Bill has been disallowed for some technical defect.

SRIJUT PURNA CHANDRA SARMA: May we know whether Government will support the Bill if it comes to the House?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: We cannot say just now. The hon. member shall have to wait till the Bill is introduced.

72.—Government have no information on the subject.

73.—Yes.

#### Procedure re next Local Board election

SRIJUT KAMESWAR DAS asked:

74. (a) Will the Hon'ble Minister for Local Self-Government please state if the next Local Board election will be held under the existing Local Self-Government Act?

(b) Do Government propose to amend the Act forthwith in view of the changes in principle and policy brought in by the Government of India Act, 1935 ?

(c) Will Government please state if any decision has been arrived at as to the number and nature of constituencies and as to franchise and voting system, etc., in each of the Local Boards for the next election ?

(d) If so, do Government propose to supply the details to each member individually and give this Assembly an opportunity of discussing them before issue of final orders ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY replied :

74. (a)—The question of postponing the next Local Board elections pending the introduction of a Local Board Amendment Bill is under the consideration of Government.

(b)—Yes.

(c)—Not yet.

(d)—Government will certainly give full publicity to their proposals. The Assembly will have an opportunity of discussing the whole matter when the amending Bill is before them.

SRIJUT KAMESWAR DAS : May I know when the amendment Bill is likely to come up before the House.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : The amendment Bill will probably come up before the House next session or session after that ?

SRIJUT KAMESWAR DAS : By whom the amendment Bill will be brought in ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : By Government.

#### Scale of pay of Accountants in Sub-Treasuries

SRIJUT BHUBAN CHANDRA GOGOI asked :

75. Will Government be pleased to state the scale of pay of Accountants in the Sub-Treasuries ?

76. Is it a fact that the scale of pay of the Accountants in the Sub-Treasuries of Habiganj and Sunamganj is different, *i.e.*, Rs.80—4—120 ?

77. Will Government be pleased to state the reason for this difference ?

78. Is it a fact that the Accountants of some Sub-Treasuries in the Assam Valley, have, in addition to their own duties, to do touring works, specially in Sibsagar ?

79. Do Government propose to revise the scale of pay of those Accountants, whose works are as heavy as those of Habiganj and Sunamganj ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

75 to 77.—No separate post of Accountant is sanctioned for Sub-Treasuries. The clerical staff of the offices of the Deputy Commissioner and the Subdivisional Officers is borne on an amalgamated district cadre and is distributed by the Deputy Commissioner at his discretion as necessity dictates. It is therefore quite possible for the clerk doing Accountant's work to be drawing the upper division scale of pay in one Sub-Treasury and the lower division scale of pay in another.

78.—Government have no information, but if the hon. member will quote specific instances Government will enquire into the matter.

79.—Does not arise in view of the answer given to questions 75 to 77.

### Eradication of Water Hyacinth

SRIJUT KRISHNA NATH SARMAH asked :

80. Is it a fact (a) that water hyacinth is a growing menace to the cultivation as well as health of the rural population of this province ?  
(b) If so, what steps, Government is going to take to destroy it ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY replied :

80. (a)—It is more a menace to cultivation than to health.

(b)—The hon. member is referred to the replies given to a question on the same subject by Babu Dakshina Ranjan Gupta Chaudhuri at this session.

SRIJUT KRISHNA NATH SARMAH : May I know whether the Water-hyacinth Act is still in force or whether any action has been taken to enforce it ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : According to the Water-hyacinth Act, initiative should be taken by the Local Boards. If the local bodies do not take any initiative, then the Act becomes useless.

SRIJUT KRISHNA NATH SARMAH : Does the Hon'ble Minister consider that the water hyacinth is the source of creating mosquitoes and that it is dangerous to the health of the rural population of this province ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : That is a question of opinion whether it is dangerous to health. But as far as I understand it is not dangerous to health but it is dangerous to cultivation.

### Contract for printing works of the Government

KHAN BAHADUR MAULAVI KERAMAT ALI asked :

81. Will the Hon'ble Finance Minister be pleased to state :

(a) How the contract for Printing works of Government have been distributed among the different Presses in the Province and outside for the term 1937-38 ?

(b) On what basis has the distribution been made ?

(c) What is the total number of Presses in the Assam Valley districts ?

(d) Whether any of the Assam Valley Presses submitted tenders ? If so, how were they disposed of ?

(e) Who makes the distribution ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

81. (a)—Contracts for the printing and supply of forms were made in February last for a term of three years from 1st April 1937. A list of successful tenderers is given below :

Names of Presses	No. of Schedules allotted	Approximate cost
		Rs.
1. Messrs. Lal Chand and Sons, Calcutta	11	60,900
2. Messrs. Seetal Chander Banerji and Company, Calcutta.	4	9,000
3. The Sarada Printing and Publishing Limited, Sylhet	3	9,100
4. Paridarsak Printing Office, Sylhet ...	8	7,300
5. Dinanath Press, Sylhet ...	4	2,700
6. Aryan Press, Silchar ...	4	9,500
7. The Bani Press Limited, Sylhet ...	24	55,800
8. New Press, Gauhati ...	2	21,700
9. Imperial Printing Works, Tezpur ...	1	2,200
10. Borooah Press, Dibrugarh ...	1	6,500

(b).—As a general principle, the lowest tenders were accepted. The capacity of the various presses to cope with the amount of work tendered for was also considered and preferential treatment accorded to provincial presses, wherever this could fairly and reasonably be done.

(c).—The number of Presses in the Assam Valley Division was 45 during 1936-37.

(d).—Ten Assam Valley Presses submitted tenders and three of them were given contracts.

(e).—The distribution is made by Government in the Judicial and General Department.

KHAN BAHADUR MAULAVI KERAMAT ALI: Did the New Press at Gauhati submit any tender only for those two items as shown in the list ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I want notice of that question.

MAULAVI ABDUR RAHMAN: Did any press from Habiganj submit any tender ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I want notice of the question, Sir. I have no information.

MR. NABA KUMAR DATTA: Is it a fact that Messrs. Lal Chand and Sons of Calcutta were given contract for printing last year and they failed to fulfill their contracts ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: It does not arise.

MR. NABA KUMAR DATTA: It does arise from Question 81 (b).

KHAN BAHADUR MAULAVI KERAMAT ALI: Is it a fact that Messrs. Lal Chand and Sons of Calcutta have been given preference over the local firms this year also though they could not fulfill their work last year ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I want notice of that question, Sir,

MR. NABA KUMAR DATTA : Am I to understand that the Hon'ble Minister did not go through the file while he was preparing the answer ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : It was not necessary to go into that question at all.

MAULAVI ABDUR RAHMAN : Are Government aware that there are many presses in the province ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : Yes, Sir. I think there are a number of presses in the province.

MAULAVI ABDUR RAHMAN : Will the Hon'ble Minister please make a note that in future the local presses should be given preference over the presses from outside ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : Government will give preference to the local presses provided that they can work satisfactorily.

SRIJUT PURNA CHANDRA SARMA : Were the tenders accepted by the Hon'ble Judicial Minister himself ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : No Sir. Tenders were distributed before the 1st April, 1937.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI : May I know why the contract has been given for three years ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I think for the sake of convenience the contract has been given for three years.

SRIJUT RAJENDRA NATH BARUA : Is the capacity of the Bani Press of Sylhet greater than the New Press of Gauhati ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I have no information about that. But from the answer it would seem that the capacity of the Bani Press is greater than that of the New Press of Gauhati.

SRIJUT RAJENDRA NATH BARUA : Will the Hon'ble Minister be pleased to enquire whether the capacity of the Bani Press is greater or not ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I do not think any useful purpose would be served because the contracts have already been distributed for three years.

KHAN BAHADUR MAULAVI KERAMAT ALI : In view of the fact that out of ten tenders received from the Assam Valley only 3 were given contracts, will the Hon'ble Minister please give preference to Assam Valley presses next time ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : Sir, provided tenders are reasonable that can be done but we have no such method whereby we can give preference to Assam Valley. We take the whole business as the business of the Province.

MAULAVI MUDABBIR HUSSAIN CHAUDHURY : Why, Sir, preference will be given to the other Valley ?

MAULAVI ABDUR RAHMAN : Does the Hon'ble Minister know that there are 4 long-standing presses at Habiganj ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : I have no such information, Sir. But as the hon. member says I think it is true.

### Bhogdoi bridge on the Assam Trunk Road

KHAN BAHADUR MAULAVI KERAMAT ALI asked :

82. Will Government be pleased to state—  
 (a) whether they propose to widen the Bhogdoi bridge on the Trunk Road at Jorhat ?  
 (b) If so, what is the proposal ?
83. Is it a fact that the vehicular traffic on this bridge is very heavy and that great inconvenience is felt by the pedestrians as the bridge is too narrow ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

82 & 83.—The hon. member is referred to the replies given to starred question No. 5(a) and (b) by Srijut Debeswar Sarmah.

### Hail-Haor in South Sylhet Subdivision

BABU LALIT MOHAN KAR asked :

84. (a) Is it a fact that the vast area known as Hail-Haor in the southern portion of South-Sylhet subdivision is a hill-bound area with the Gopla river as the only drainage, and that the said Gopla river running through the South Sylhet and Habiganj Subdivisions has got its bed silted up in many places so as to make the Hail-Haor unfit for cultivation and a dangerous muster-ground of water-hyacinth ?

(b) If the reply is in the negative do Government propose to hold an enquiry about the present condition of the river Gopla and its unfitness for boat traffic and drainage of Hail-Haor waters ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

84 (a).—Government have no information on the subject.

(b).—Enquiries will be made from the district officers.

BABU LALIT MOHON KAR: Have the District Officers been asked to enquire ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Yes, Sir. Since the notice of the question, we have asked our District Officers to enquire.

BABU LALIT MOHON KAR: When may we know the result of the enquiry ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: It is a question of flooding of a vast area and so may require time to investigate. We cannot say anything until a reply is received from our District Officers.

### Cholera Cases in Habiganj Subdivision

MAULAVI ABDUR RAHMAN asked :

85. Will the Hon'ble Minister in charge of Medical Department be pleased to lay on the table :—

A comparative state ment showing the cholera cases in the Subdivision of Habiganj from the year 1934-35 to 1936-37, year by year, and the number of cholera cases in each thana during these years ?

86. (a) Is it a fact that there were more cases of cholera in those places where there is extreme scarcity of drinking water than in other places where there is no scarcity of water?

(b). If so, do Government propose to make more adequate arrangements for supply of pure drinking water in rural areas?

THE HON'BLE REV. J. J. M. NICHOLS-ROY replied:

85.—A statement is laid on the table.

A comparative statement showing the number of cholera cases in the subdivision of Habiganj excluding tea gardens from the year 1934-35 to 1936-37, year by year and the number of cholera cases in each thana during these years:—

1934-35	...	...	...	399 cases	
1935-36	...	...	...	730 "	
1936-37	...	...	...	488 "	
			1934-35	1935-36	1936-37
(1) Habiganj	thana	...	55	144	28
(2) Muchikandi (Chunarighat)	thana	...	79	142	16
(3) Baniyachung	"	...	83	169	87
(4) Ajmiriganj	"	...	33	78	44
(5) Nabiganj	"	...	26	34	106
(6) Madhabpur	"	...	52	4	58
(7) Lakhai	"	...	65	133	140
(8) Bahubal	"	...	6	26	9

86 (a).—It is presumed that by scarcity of drinking water the hon. member means scarcity of pure drinking water. If so, the answer must be in the affirmative.

(b).—Government are doing and will continue to do everything in their power to improve the supply of pure drinking water in such areas.

MAULAVI ASHRAFUDDIN MD. CHAUDHURY: Is the Hon'ble Minister going to dig tube wells in these areas? There were so many cholera cases last year for want of pure drinking water.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: That question arises under question 86(b), I think.

MAULAVI ABDUR RAHMAN: Will Government provide more money for digging tube wells in areas where there is extreme scarcity of drinking water?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: The answer is there. Government are doing and will continue to do everything in their power to improve the supply of pure drinking water in such areas. We have already provided grants from the Rural Development Grant.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURY: May we know, Sir, what is the amount of Government grant that has been given to the Habiganj Local Board in each year?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I am afraid, I cannot give the exact amount just now. But I can supply the information afterwards.

KHAN BAHADUR MAULAVI MUFIZUR RAHMAN: Is it known to the Hon'ble Minister that tube well is a failure in the district of Sylhet? People are in favour of tanks. Are Government ready to replenish old tanks or give new tanks?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: That suggestion has not been given to us by the district officers or by local boards. Government will consider if that be the case.

MAULAVI MUDABBIR HUSSAIN CHAUDHURY: Will the Hon'ble Minister provide any grant in this Budget for water-supply in Habiganj?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: There is already a provision of Rs 1,55,000 in this Budget for water-supply in rural areas.

MAULAVI ABDUR RAHMAN: Will it be distributed to the local boards?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Yes. These grants are distributed to the local officers and the work is done by the local boards in various areas.

SRIJUT PURNA CHANDRA SARMA: Is there any harm in giving this grant to the local board?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: The District Officers act together with the Chairmen of local boards.

MAULAVI ABDUR RAHMAN: It should have been given to the local board?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I heard the other day from some member that some local boards were sleeping.

BABU DAKSHINA RANJAN GUPTA CHAUDHURY: Is the grant from Central Government Fund or from the Provincial Government Fund?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: It is a grant given by the Central Government to the Provincial Government. From that grant about Rs.30,00,000 is used for providing pure drinking water in rural areas.

BABU DAKSHINA RANJAN GUPTA CHAUDHURY: Am I to understand that the Provincial Government is acting as a mere agent of the Central Government in this case?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: The Provincial Government has the right to get certain grants from the Central Government. That comes to the Provincial Revenues?

SRIJUT PURNA CHANDRA SARMA: What is the idea of having this done through District Officers?

No reply.

MAULAVI ABDUR RAHMAN: Is it a fact that some money was contributed to the Subdivisional Officers for water-supply?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Yes.

MAULAVI ABDUR RAHMAN: Do Government know how the money has been distributed by the Subdivisional Officer. Did the Subdivisional Officer form any Committee for the purpose and with whom?

SRIJUT PURNA CHANDRA SARMA: Is it a fact that some 3 lakhs of rupees are lying in the hands of the District Officers from the last year?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: No, Sir, that is not a fact.

BABU HIRENDRA CHANDRA CHAKRAVARTI: The Hon'ble Minister said that he heard that some local boards were sleeping. Did he believe that.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I only said I heard some one said that some boards were sleeping.

BABU HIRENDRA CHANDRA CHAKRAVARTI: Did the Hon'ble Minister use the word sleeping to insinuate?

MAULAVI MUNAWWARALI: Why the Hon'ble Minister insinuates by recapitulating that statement?



THE HON'BLE REV. J. J. M. NICHOLS-ROY : That shows the lack of confidence of some public persons in some of the local board's management.

KHAN BAHADUR MAULAVI KERAMAT ALI : Is it a fact that Subdivisional Officers have been instructed to spend the money in consultation with the Chairmen and other members of the board.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : Yes, Sir.

### Assam Public Service Commission

MAULAVI ABDUR RAHMAN asked :

87. Will Government be pleased to state—

- (a) The annual total expenditure to be incurred on account of the establishment of the Public Service Commission in Assam ?
- (b) How many appointments in various departments are likely to be made during the year 1937 ?
- (c) Was Bengal or any other Province asked to have one Public Service Commission jointly with this Province ? If so, what answer was received ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

87. (a)—An estimate of the expenditure will be found under "25—General Administration—N—Public Service Commission" in the annual budget estimates—a copy of which has already been circulated to the hon. members. It will be seen therefrom that the total annual expenditure has been calculated at Rs. 63,926.

(b)—It is impossible to give any figure, as a number of incalculable factors are involved, such as death, transfer, promotion and premature retirement.

(c)—The question of Assam having a joint Public Service Commission with Bengal was fully considered. Bengal's answer was not found favourable to Assam on financial and administrative grounds.

MR. NABA KUMAR DUTTA : With regard to 87(b), may I know how many appointments have been made up-to-date through the Assam Public Service Commission ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : All these figures will be available to the hon. member in an answer to another question that is coming later on.

SRIJUT PURNA CHANDRA SARMA : Was the Cabinet ever consulted by His Excellency the Governor in the matter of appointment of the Public Service Commission ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Yes, Sir. The Assam Public Service Commission came into existence after due consultation with the then Cabinet.

SRIJUT KRISHNA NATH SARMAH : Is it a fact that medical scholarships which could not be granted by the Public Service Commission had to be referred to His Excellency the Governor ? What are the reasons ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : In the first place that does not arise. In the second place, the information of my hon. friend is absolutely wrong.

**BABU DAKSHINA RANJAN GUPTA CHAUDHURY:** What are the administrative and financial grounds on which the answer of the Bengal Government was considered unfavourable? Will Government be pleased to place the whole correspondence on the table?

**THE HON'BLE MAULAVI SAYID SIR MUHAMMAD SAADULLA:** I shall be very pleased to answer, provided, Sir, you allow me time.

**THE HON'BLE THE SPEAKER:** The time for questions is over. It can be taken up to-morrow.

### THE ASSAM LOCAL RATES (AMENDMENT) BILL, 1937.

**THE HON'BLE THE SPEAKER:** Now we shall take up Maulavi Abdul Matin Chaudhury's Bill—the Assam Local Rates (Amendment) Bill, 1937.

**BABU RABINDRA NATH ADITYA:** Sir, we find that although the Bill of Babu Dakshina Ranjan Gupta Chaudhury has not been moved, amendments are placed on our table. Is it not discourteous to the mover to put amendments on the Bill when it has not been moved?

**THE HON'BLE THE SPEAKER:** The Bill introduced was the Bill of Maulavi Abdul Matin Chaudhury, and amendments on the other Bill have been placed on the tables of hon. members for their information. This Bill may be introduced to-day.

**BABU RABINDRA NATH ADITYA:** My point is that we do not know yet what the hon. mover will say, and what is the object of the Bill. Before we have heard what the object of the Bill is, is it not discourteous to the hon. member to place amendments on the Bill on the table of members?

**THE HON'BLE THE SPEAKER:** It is for the information of hon. members, and I consider that it is courteous and not discourteous, that members should be informed. (*Hear! hear!*)

**THE HON'BLE THE SPEAKER:** The motion is that the Assam Local Rates (Amendment) Bill, 1937, be taken into consideration.

(Here there was some discussion as to whose turn it was to speak. The Hon'ble Minister for Local Self-Government said that he had not finished his speech and Maulavi Abdur Rahman said that he was still speaking when the House rose for the day. The Hon'ble the Speaker said that Maulavi Abdur Rahman was speaking on another motion and that it was the Hon'ble Minister's turn to speak.)

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** Sir, When we were discussing this matter last I said that I was going to speak on two points. The first was to compare the local rates that are prevailing in the Mymensingh and Sylhet districts, and then to show.....

**BABU KAMINI KUMAR SEN:** Is it road cess or local rates; there are no local rates in Mymensingh?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** I was reading from the speech of Sir Abraham Lainé on the Assam Local Rates (Amendment) Bill, 1931.

**MR. FAKHRUDDIN ALI AHMED:** He has already inflicted about two pages of Sir Abraham's speech on us.

**THE HON'BLE THE SPEAKER:** He may be allowed to go on.

**MAULAVI MUNAWWARALI:** Yes, but he is quoting here.

**THE HON'BLE THE SPEAKER:** He is entitled to quote from books in support of his arguments.

**MAULAVI MUNAWWARALI:** If his whole speech is a quotation from other people then it is a different thing.

**THE HON'BLE THE SPEAKER:** We do not know as yet whether his whole speech is composed of quotations or not.

**THE HON'BLE REV. J. J. M. NICHOLS-ROY :** I do not want to waste the time of the House by referring to Mymensingh, but I will now place some figures before the House. I want first to show the local rates realised from the local board areas in the Assam Valley districts *minus* Goalpara district. The amount of local rates realised from these districts in the year 1935-36 was Rs.7,16,881. The Government grant to these Local Boards, *minus* Goalpara, was Rs.7,07,334. For the Goalpara district the Government grants were Rs.1,77,060, and the amount of local rates realised from the Goalpara district was Rs. 1,99,894. The Government grants to the five local boards in the district of Sylhet amounted to Rs.4,71,498 ; the local rates paid by the areas in these five local boards of Sylhet amounted to Rs.2,85,629.

Now I want to show some figures regarding the Education grant from the Government to the local boards in the Assam Valley Districts *minus* Goalpara and also to the Sylhet Local Boards. Assam Valley districts *minus* Goalpara got in 1935-36, the sum of Rs.3,46,047, and Sylhet district got only Rs.3,22,158.

**MR. BAIDYANATH MOOKERJEE :** The Hon'ble Minister mentioned here about the money realised by the different valleys from the local rates. But we want to know also the comparative productive capacity of the valleys.

**THE HON'BLE REV. J. J. M. NICHOLS-ROY :** That is a question of argument which the hon. member may conveniently use when making a speech. But I have not got the figures here.

**MR. BAIDYANATH MOOKERJEE :** The Hon'ble Minister has taken so much time to prepare the figures he quoted.

**KHAN BAHADUR MAULAVI KERAMAT ALI :** Is production taken into consideration in distributing Government funds to different local boards ?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY :** That question is not taken at all. At the time of distributing money to the local boards, the amount is distributed on the basis of their needs. That will be seen from the fact that while the local rates realised from the Sylhet district in 1935-36, amounted to Rs. 2,85,629, Government grants amounted to Rs.4,71,498, and also from the fact that while local rates paid by the Assam Valley districts *minus* Goalpara amounted to Rs. 7,16,881 the Government grants amounted to Rs. 7,07,334.

**BABU DAKSHINA RANJAN GUPTA CHAUDHURY :** On a point of information Sir, may I know if the time limit of ten minutes for speeches is not applicable to the Hon'ble Ministers also ?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY :** As a matter of fact the hon. members have taken some ten minutes of my time and I must have ten minutes more.

**THE HON'BLE THE SPEAKER :** So far as Bills are concerned, I am disposed to waive the time limit. In the Central Assembly, there is no time limit for Bills. Here also I have consulted the rules and there is nothing definite. Therefore, as far as possible, I shall allow members to speak without imposing any time limit so far as Bills are concerned.

**MR. ARUN KUMAR CHANDA :** I hope that won't encourage the Hon'ble Minister to revert to the report, Sir.

**THE HON'BLE REV. J. J. M. NICHOLS-ROY :** I suppose, Sir, I may conveniently also give here the figures relating to Goalpara.

**RAI BAHADUR PROMODE CHANDRA DUTT :** That has already been given.

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** Then it is all right. I have not given the figures relating to Cachar district. The local rates realised from Cachar amounted to Rs. 79,860 and the total Government grant was Rs. 1,45,092. These are all figures for 1935-36.

Now, Sir, it is very clear from these figures that the basis of distribution of Government grants to the local boards was their needs.

**MAULAVI GHYASUDDIN AHMED:** On a point of information, Sir, the Hon'ble Minister in charge was telling about Goalpara. Will he kindly give us the figures of Goalpara district both for the permanently-settled areas and the temporarily-settled areas ?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** I am sorry I have not got the figures separately for the permanently-settled and the temporarily-settled areas. I have got only the figures for the whole district and I have already given that.

It is, therefore, very clear that these boards were not able to carry on their administration properly and that they were in financial distress, and they came up to Government for help. From the figures it appears that the Government had, as Sir Abraham Lainé said, lavishly and disproportionately given grants to certain local boards that were in financial distress and were not able to help themselves. It is on account of this disproportionate giving of grants to the different local boards that the previous Government attempted to equalise the grants they were giving by proposing to withdraw some grants from the local boards of Sylhet. But they saw that if they withdrew the grants the local boards would fail. So they introduced the Bill to raise the local rates. I need not go into the question of how the local rates were realized in Sylhet district. Day before yesterday I made a statement that in the temporarily-settled areas the local rate was based on an annual letting value of land of Rs. 8 per acre and in the permanently-settled areas of Sylhet district it was based on an annual letting value of land of Rs. 2.

Now, Sir, I want also to tell this House that if the present Act continues the local boards of Sylhet expect to get about Rs.4,04,421 from local rates whereas the local rate demand in the year 1935-36 was Rs.2,85,000. If these local boards would not get these excess amount, the Government would have to continue the grant, and even with the grant which the Government are giving, some of the local boards are in distress and they are not able to pay their debts. I think the hon. members who were here in the old Legislative Council last year will remember that Government had to give a loan of Rs.45,000 to the North Sylhet local board because it would not carry on with the amount of money which they realised from the Government grants as well as from the local rates and other incomes. And these local boards of Sylhet would be in great difficulty if the amount of grant would not be increased. It is a natural thing when any particular board is not able to carry on its administration and is in financial difficulty, it will come up to Government and ask Government to help it and Government will be compelled to help it if its condition is very bad. In the previous Legislative Council in this very House speeches were made to the effect that grants should be given to the local boards and not only loans. Of course Government will be compelled in the future, if the Act which we have at the present time is practically repealed, as it will be, if the amending Bill be passed, to stop any further increment of grants to the local boards of Sylhet. There will be no reason for increasing any grant, on the other hand there will be a question of withdrawing. It is a question of justice and equity to be done between the different local boards. (One hon. member—good

conscience?) Yes! it is a question of good conscience also. According to the proportion it will be seen very clearly that the local boards of Assam Valley get only about the same amount that they realise from the local rates, whereas the local boards of the Sylhet district get from the Government grants almost double the amount realized from local rates.

**KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURY**: Has Goalpara been excluded?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY**: Goalpara has taxed itself. It has raised its local rates to 1 anna 3 pies.

This, Sir, is all I have to say. I feel a great pity for the local boards of Sylhet. If they come to me for money, I shall not be able to extract it from Government. Government will say "your local boards are not doing their duty. How can we give you money?" (*an hon. member—*who is the Government?) I am only one of the members of Government. (*Interruptions*). I do not mind, Sir, if anybody makes *golmal*, but my speech is not heard by hon. members.

**THE HON'BLE THE SPEAKER**: I would request hon. members not to indulge in such remarks when the Hon'ble Minister is speaking.

**BABU HIRENDRA CHANDRA CHAKRAVARTY**: On a point of order, Sir. When the Hon'ble Speaker spoke, the Hon'ble Minister did not take his seat.

**THE HON'BLE REV. J. J. M. NICHOLS-ROY**: I am sorry, Sir.

Several boards are running their administration on a deficit. The South Sylhet local board also took a loan from Government of Rs.4,500. I have already stated that the North Sylhet local board took a loan of Rs.45,000. This shows the financial position of these boards. If these boards do not get help from the proposed enhanced local rates, they will surely suffer in the future. It is the rate payers, the people who need pure drinking water, primary education, medical aid etc., it is they who will suffer. But the local rates, as I understand, in the Sylhet district are realised mostly from the zaminders. But the people who get the advantage from these are the common people in all the rural areas. (*One hon. member—justice is there.*) I suppose, Sir, there is a good deal of justice in this, considering many matters, but I am not ready to discuss that now.

**KHAN BAHADUR MAULAVI MAHMUD ALI**: I want to know, Sir, from what source these grants are made to the local bodies.

**THE HON'BLE REV. J. J. M. NICHOLS-ROY**: The grants are made from the provincial revenues.

**BABU DAKSHINA RANJAN GUPTA CHAUDHURY**: On a point of information, Sir. The Hon'ble Minister said that the local rates were paid by the zamindars. Have not the zamindars the same right to get it from the tenants also?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY**: It is said that the zamindars may pass on these payments to the tenants. That cannot be done. But that is a different question altogether. The question here is that of equity and justice to be done between local boards. Why should one local board whether from Surma Valley or Assam Valley come up to Government and ask for more money when its people are unwilling to agree to pay as much tax as the others do? If the local boards do not do their duty, Government, in reality, should not help them. But Government sometimes is forced to help them on account of financial distress. Therefore, in order to do justice to all local boards this Bill was introduced by the late Government and was passed into an Act, but its operation was postponed until the 1st April 1936. In one local board only the local rates have been realised for one year only and in Karimganj and South Sylhet the Act is in force from the 1st of April 1937.

**THE HON'BLE THE SPEAKER :** The Hon'ble Member has taken almost 20 minutes. I should ask him to finish his speech without repeating the arguments already made.

**THE HON'BLE REV. J. J. M. NICHOLS-ROY :** I will finish, Sir. The last thing I have to say is this that the local boards, as far as we see, can hardly get along without financial aid, and Government is not able and willing to give such aid, if the enhanced local rates be abolished by this Bill. Government will be in a difficult position to give financial aid. The Sylhet local boards will suffer.

**MR. F. W. HOCKENHULL :** On a point of information, Sir. May I know at whose option the raising of the rates may take place?

**THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI :** If the hon. member is asking as to who is the authority who can extend the Act to particular areas I may mention that it is the Government. Under the Act of 1932, it is for Government to extend the provisions of this section by which the local rates have been enhanced to particular areas in the permanently-settled districts. Under the old Act each local board was entitled to raise their local rate up to 1 anna 4 pies. That is the law. In the Assam Valley districts in the temporarily-settled areas the general rate is 1 anna per rupee. And any particular board can raise it to 1 anna 4 pies. Actually the Dhubri local board have raised their local rates up to 1 anna 3 pies.

**BABU KAMINI KUMAR SEN :** Is it not a fact that in Sylhet the old rate was 1 anna, although the Act says 1 anna 4 pies ?

**THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI :** That was the maximum. Even now we have not come to the maximum laid down under the Act of 1932.

**KHAN SAHIB MAULAVI SAYIDUR RAHMAN :** Government have nowhere raised the rate to the maximum. We were told by the hon. mover and his supporters that the passage of this Bill will not affect the boards in the temporarily-settled areas. But from the figures given by the Hon'ble Minister for Local Self-Government it is clear that the boards in the permanently-settled areas are receiving Government grants which are more than their share. Now if the provisions of this Bill are adopted they will have their income further reduced. Then they will naturally look for increased grant from Government. So I want an assurance from the hon. mover and the supporters of this Bill that they will not ask for any increase of grant from Government if this Bill be passed, because they are going voluntarily to reduce their income by reduction of this local rate. If I can get such an assurance I shall have no hesitation to support the Bill.

**MAULAVI ABDUL MATIN CHAUDHURY :** The last speaker has asked from us for an assurance that if this Bill is passed the Sylhet local boards will not come for additional grant. Both the Revenue Minister and the Minister for Local Self-Government as well as their supporter Khan Sahib Maulavi Sayidur Rahman have made the statement that the permanently-settled districts are less heavily taxed in the matter of local rate than the temporarily-settled districts. This is the position which I dispute and I shall quote figures to prove that the permanently-settled districts are more heavily taxed than the temporarily settled districts. I have also listened to the speech of Hon'ble Rev. Nichols-Roy supported by statistics. I remind him of a saying by an English politician. He said there are three kinds of lies—lies, damned lie, and statistics.

**THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI :** Is it parliamentary, Sir, to say like that ?

**MAULAVI ABDUL MATIN CHAUDHURY:** I have said this in a humorous vein. There is no malice or anything of the kind. I maintain that the permanently-settled districts of Sylhet is more heavily taxed in the matter of local rate than the temporarily-settled districts. In that district there are 35 lakhs of acres of land and the incidence of taxation per acre.....

**KHAN SAHIB MAULAVI SAYIDUR RAHMAN:** Is the hon. member making a speech ?

**MAULAVI ABDUL MATIN CHAUDHURY:** I am giving a comparative list to show that the temporarily-settled districts are less heavily taxed than the permanently-settled districts. In Sylhet the incidence of local rate per acre is 0-1-3 pies, in Goalpara 0-1-2 pies, in Kamrup 0-1-1·7 pies, in Darrang 0-0-11·8 pies, in Nowgong 0-0-7·5 pies, in Sibsagar 0-0-10·6 pies, in Lakhimpur 0-0-6·8 pies and in Cachar 0-0-5·1 pies.

Sir, the whole argument, both of Revenue Minister and the Minister for Local Self-Government hinges on the point that the district of Sylhet is more lightly taxed than the temporarily-settled districts. But we are not basing our case on the question of incidence of taxation. We maintain that the people are not in a position to pay additional tax and members from every section of the House excepting my hon. friend Khan Sahib Maulavi Sayidur Rahman have expressed their opinion in support of this view. I am also glad to say that the Congress party refused to be caught in the trap set by the Revenue Minister. He tried to set up one valley against the other. The Congress rose above the valley wrangling. I congratulate them on the stand they took.

**THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI:** I think I have a very few words to say in reply. My hon. friend Maulavi Munawwarali has been pleased to characterise my attitude towards this Bill as metamorphic. I do not know how far I deserve this remark from that particular gentleman and how I could give him an opportunity on any occasion to make such a remark on the floor of this House excepting that I am now in the Government Bench and helped in the formation of the Ministry. I think the idea of formation of Ministry was never repugnant to him and yet he is accusing me for nothing. My hon. friend will, if he refreshes his memory a bit, remember that I never opposed the Bill of 1932 nor did my hon. friend Srijut Sarveswar Barua. We never opposed this Bill and what is more it will perhaps be news to the House that none of the members representing the temporarily-settled districts voted against it. I think my hon. friend in whom we see a change of garb—I refer to Babu Hirendra Chandra Chakravarty—not only did not oppose the Bill of 1932 but actively supported it and went to the same lobby with Government and voted for its passing. So, Sir it is not a question of valley. The people living in the temporarily-settled districts feel that they have to pay heavily as compared with the permanently-settled districts and it is for that reason that an honourable gentleman like Mr. Hirendra Chandra Chakravarty could not but support the passing of the Bill in 1932. At the same time all hon. friends hailing from Goalpara opposed the passing of this Bill. So to say that this Bill is now being opposed by a member of the Government Bench under valley jealousy or on account of valley differences is nothing short of irresponsibility. I hope the hon. members who are not supporters of this Bill realise the actual position. We are opposing this Bill not because the operation of this Bill will mean any loss to the revenue. The policy which has been hitherto followed by this Government (and according to some it is a right and reasonable policy) that Government should help the local boards according to their

requirements. Sir, if that policy has to be followed, will the hon. member pause for a moment and consider what will be the effect of the passing of this Bill. The effect of the passing of this Bill will be that the resources of the local boards in the district of Sylhet will considerably decrease and if Government have to make up that difference from the money at their disposal—from the ordinary tax-payer's money—the Government will, to that extent, have to reduce the grants made to the local boards in the district of Sylhet. I ask the hon. members of this house, are they prepared to accept that position? Will they ask us to deprive the local boards of Sylhet of the reasonable assistance of Government merely because some hon. members of this House have asked us to reduce the rates considerably? Sir, what will be the effect supposing that Government takes up the position that as these local boards are gradually diminishing their income, it is not our business to allot money which should have gone to different quarters and help needy local boards. What will be the effect upon the local boards of the district of Sylhet? Will not there be considerable reduction of the amount that Government grants for its dispensaries? Will not there be considerable reduction of the amount that Government is paying for the construction of wells and tanks? Will it not perpetually affect the progress of education if we reduce the amount? Are the hon. members prepared to accept that contingency? I would ask the hon. members to seriously consider this position. If this bill is passed, either Government will have to reduce their grants to local boards in the different parts of the province, so as to drive them to the position of denying assistance to the local board of Sylhet at any rate. This will have an unsatisfactory and undesirable effect on the poor people of that district.

MR. BAIDYANATH MOOKHERJEE: On a point of information, Sir. This is a kind of threat. Money can be saved from other heads by minimising expenditure.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Then, Sir, much has been said that unless this Bill is passed, the condition of the poor tenants in the district of Sylhet will be miserable. Hon. members will note carefully that we are not assessing everybody at the rate of annas two and pies eight which is the maximum. Now the rates so far introduced are: in first class land, annas two; in second class land, one anna six pies; and in third class land anna one only. By first class lands we mean those lands annual patta of which has been assessed at Rs.4 per acre. By second class lands we mean those lands the assessment of which varies between two and four rupees; third class lands are those which are assessed at less than Rs. 2. So these poorer tenants, who are now to pay at the rate of one anna, have not been affected by the introduction of the Local Rates Act of 1932. It is only the rich class of people or probably the middle class people who are affected by the operation of the Act of 1932. This is the point which I think hon. members will remember in casting their votes.

Then, Sir, I will again remind the House that Government has proceeded very carefully in this matter. As I have said the other day, we—myself and my hon. friend Srijut Sarveswar Barua—wanted only this concession that this Bill may not be brought into force before 1934. But what has Government done? Government actually waited till 1936 before they introduced new rules. Even now the entire district of Sylhet has not been affected by this Act. Sir, how carefully Government has proceeded—how sympathetically they have dealt with the people of Sylhet. They took only the North Sylhet subdivision in 1936. In 1937 they have proceeded to Karimganj and Maulavibazar. We have not yet touched the subdivision from which my hon. friend Maulavi Munawwar Ali comes.



I assure the House that it is not on account of any personal regard for my hon. friend Maulavi Munawwar Ali that we have desisted from introducing the rate in the Sunamganj and Habiganj subdivisions. It is because we feel that the economic condition in these two subdivisions has not improved to that extent, so as to demand the immediate introduction of these rates. Therefore, Sir, I appeal to the House to remember the condition of those people who are directly benefited by an institution like the local board before they cast votes in this matter.

There is one other matter which has been slightly touched by some of the speakers.

**KHAN BAHADUR MAULAVI MAHMUD ALI:** May I know from the Hon'ble Minister how does he know that the economic condition of the Karimganj and Maulavibazar subdivisions has improved?

**THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI:** I am using my knowledge in the matter.

**KHAN BAHADUR MAULAVI MAHMUD ALI:** Did he make any enquiry. If so, from whom.

**THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI:** From District Officers.

Now, Sir, landlords are primarily the persons who have to pay the local rates and the local rates are not entirely to be paid by the tenants. Local rate cannot be entirely passed on to the tenants by the landlords. If the landlords do it, I think the House will have no sympathy for such landlords. Let me read section 17 of the Regulation:

When a rate is levied under this Regulation from a landholder in respect of any land under sub-clause (a), (b), (c) or (d) of clause (5) of section 2, and such land is held by a tenant of such landholder at a rent less than the aggregate of the annual value of such land and the revenue, if any, payable in respect of the same, such landholder may realise from such tenant a part of such rate bearing to the whole of such rate the same ratio as the excess of such aggregate above such rent bears to the annual value.

So this is the position, Sir. I will just read out provision of the section by way of illustration. "A is the holder of land of the description mentioned in sub-clause (a) of clause (5) of section 2, of which the land revenue is Rs.100. The annual value is therefore Rs.100 and the rate at one anna per rupee would be Rs. 6-4-0. The land is held by a tenant, B, at a rent of Rs.150. Then  $100 : (200 - 150) = 50 : Rs.6-4 : Rs.3-2$ . A may realise Rs.3-2-0 from B.

**MAULAVI ASHRAFUDDIN MD. CHAUDHURI:** Section 17 is read but not section 2.

**THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI:** I am only reading it by way of illustration.

Now let me come to the question of Goalpara. This Act of 1932 has not affected Goalpara for two reasons. First of all the members representing the people of Goalpara in their local boards have shown commendable example by increasing amongst themselves the local rate in order to meet the needs of the poor raiyats of that district and secondly, Sir, the annual letting value of Goalpara has not exceeded Rs.2 per acre and therefore it has not become necessary to undertake any classification in that district and also it has not become necessary to increase the local rate there. Compared with the old basis of the local rate of Sylhet, the tax that is paid by the people of Goalpara ought to be rather diminished. It is for this reason that Goalpara has not at all been affected by the Act of 1932 and there

is no chance of that district being affected at all in the near future. Sir, my hon. friend Khan Sahib Maulavi Mudabbir Hussain Chaudhuri has made certain remarks about the anomalies in the method of classification. I have to say a word or two of explanation on that point. These anomalies are not the creation of to-day. They are existing from 1880 and Government do not dispute that. Anomalies exist and shall exist till the survey of the records-of-right which the zemindars must pay for and which will cost about 50 lakhs of rupees is made. Until these records-of-right are regulated these anomalies are bound to exist.

Where classification was made actually, the proprietors paid for it. He only had to re-calculate the annual value of these Estates numbering 954 in all. For the remaining small estates he had only to reassess the local rates on the existing Tausis and had not to re-calculate the annual value. Hence he could not reconcile the anomalies which already existed. This is all, I have to say before the house.

**SRIJUT SARVESWAR BARUA**: May we know what the Hon'ble Minister has got to say with regard to the contention of Maulavi Abdul Matin Chaudhuri that the people in the permanently-settled districts are more heavily taxed in respect of local rates than the people in temporarily-settled districts?

**THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI**: Sir, I absolutely deny that. It cannot be so. On the other hand they are taking double advantage. There have been several reassessments in temporarily-settled areas since 1879. The annual value of the land at Sylhet had that arbitrary rate of Rs.2 per acre from 1879 and that rate is still continuing in some subdivisions. The local rate has also increased in temporarily-settled districts with the increase of land revenue. If we compare the amount with that of Cachar where the rate of taxation is very low, we will find that the annual value of land at Cachar is Rs.6 per acre in places, whereas it is only Rs.2 per acre at Sylhet.

**MR. BAIDYANATH MOOKERJEE**: On a point of information, Sir. May I know whether both on productive and unproductive land at Cachar Rs.6 per acre is charged?

**THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI**: The question of productive and unproductive does not come into operation in the matter of assessment of local rates. In the temporarily-settled districts the local rate is fixed according to the rate of revenue paid for the land.

**KHAN BAHADUR MAULAVI MAFIZUR RAHMAN**: The assessment at Sylhet includes also waste lands. In Sylhet, Sir, there are 200 to 300 co-sharers in an Estate of over 400 acres. A man who applies for survey of waste land has to pay 4 annas per acre for the survey of the waste land of the entire estate. The result was that only ten estates out of fifty estates applied for, were surveyed out of one thousand big estates. Waste land does not bring any profit to the owner but still a flat rate of 2 annas per acre has been imposed on it.

**SRIJUT SARVESWAR BARUA\***: Sir, Maulavi Abdul Matin Chaudhuri has said that the pressure for land at Sylhet is very heavy and still tax is heavier there in comparison with the tax in the Assam Valley where the pressure for land is much less.

**BABU HIRENDRA CHANDRA CHAKRAVARTY**: On a point of personal explanation, Sir. The Hon'ble Revenue Minister has stated before the House that at the time of passing the bill in 1932 I vehemently supported it.

\*Speech not corrected by hon. member.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I did not say vehemently. I said that the hon. member actively supported the Bill when it was passed.

BABU HIRENDRA CHANDRA CHAKRAVARTY: I do not think that I was either vehement or active at the time of passing the Bill. If I had done anything it was due to the feeling created by my hon. friend who was speaking close to me.

THE HON'BLE THE SPEAKER: The hon. member should not criticise his statement. In that case he would be delivering a speech. Hon. member is entitled only to offer a personal explanation.

BABU HIRENDRA CHANDRA CHAKRAVARTY: I am explaining how it was due to him. He told that at the expense of the temporarily-settled districts the permanently settled district of Sylhet was enjoying. But, Sir, now I find that circumstances are quite different and all the figures that were supplied cannot justify the action that was taken at that time.

SRIJUT ROHINI KUMAR CHAUDHURI: I deny that, Sir.

RAI BAHADUR PROMODE CHANDRA DATTA: On a point of information, Sir. Will the Hon'ble Minister in charge of Local Self-Government.....

THE HON'BLE THE SPEAKER: Order, order. The Hon'ble Minister has replied and I do not think any speech should be made now.

MR. F. W. HOCKENHULL: Sir, may we know, before you put the question, whether we can get any reply from our friends on the right?

*A voice*—(The reply has been given)

THE HON'BLE THE SPEAKER: Yes. The Hon'ble Minister has given his reply. Whether it is a reply or not the House is to judge it.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Sir, I may mention that I have got the figures for incidence of taxation. Roughly I can say the incidence of local rates taxation in the Assam Valley is nearly  $\frac{2}{7}$  pies per acre more than what it would be in the permanently-settled districts of Sylhet under the Amended Act of 1932.

THE HON'BLE THE SPEAKER: The question is that the Assam Local Rates (Amendment) Bill, 1937, be taken into consideration. Those who are in favour of it would say "Aye" and those against it would say "No"

(After the members acted accordingly)

THE HON'BLE THE SPEAKER: I think "Ayes" have it.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I claim a division, Sir.

(The Division Bell was rung and members took their seat.)

THE HON'BLE THE SPEAKER: Order order. The question before the House is that the Assam Local Rates (Amendment) Bill be taken into consideration. Those who are in favour of it would say "Aye" and those against it would say "No."

(Members again acted accordingly.)

THE HON'BLE THE SPEAKER: The "Ayes" have it. (No division was challenged)—Ayes have it—Ayes have it.

The motion was carried.

### THE ASSAM MUNICIPAL (AMENDMENT) BILL, 1937, OF SRIJUT RAJENDRA NATH BARUA.

THE HON'BLE THE SPEAKER: Next we take up the Assam Municipal (Amendment) Bill, 1937, of Srijut Rajendra Nath Barua.

SRIJUT RAJENDRA NATH BARUA: I beg to move for leave to introduce the Assam Municipal (Amendment) Bill, 1937.

THE HON'BLE THE SPEAKER: The question is that leave be granted to introduce the Assam Municipal (Amendment) Bill, 1937.

Leave was granted.

SRIJUT RAJENDRA NATH BARUA: Sir, I beg to introduce the Bill. I beg to move that the Assam Municipal (Amendment) Bill, 1937, be referred to a Select Committee.....

THE HON'BLE THE SPEAKER: Not at this stage. You are now to introduce the Bill.

SRIJUT RAJENDRA NATH BARUA: I have introduced it, Sir.

THE HON'BLE THE SPEAKER: The motion is that the Assam Municipal (Amendment) Bill, 1937, be introduced.

RAI BAHADUR PROMODE CHANDRA DUTT: No motion to that effect is necessary, Sir. After the motion for leave is granted the Secretary reads the title and the Bill is deemed to be introduced in the House.

THE HON'BLE THE SPEAKER: The introduction may be opposed. If anybody opposes he can make a speech and the member in charge can make a speech and then it is to be introduced.

RAI BAHADUR PROMODE CHANDRA DUTT: I think, Sir, when the leave is granted, the Bill is automatically introduced. Rule 48(2) of the Assembly Rules states "If such motion be carried, the Secretary shall read the title of the Bill, and the Bill shall thereupon be deemed to be introduced in the Assembly".

[The Hon'ble Speaker then read the rule.]

THE HON'BLE THE SPEAKER: Oh, I see. Formerly I think it was not the practice. It seems that leave can be opposed and not the introduction of the Bill.

RAI BAHADUR PROMODE CHANDRA DUTT: When the motion for leave is carried, what is ordinarily done is this. The member says "I beg to introduce the Bill" and Secretary reads the title and the Bill is automatically introduced.

THE HON'BLE THE SPEAKER: Of course, I was following the procedure that motion for introduction is to be put.

THE HON'BLE THE SPEAKER: The motion is that the Assam Municipal (Amendment) Bill, 1937, be introduced.

[The motion was carried.] The Secretary then read out the title of the Bill and the Bill was introduced.

SRIJUT RAJENDRA NATH BARUA: I beg to move, Sir, that the Bill be referred to a Select Committee consisting of the following members:—

1. The Hon'ble Minister for Local Self-Government.
2. Khan Bahadur Maulavi Keramat Ali.
3. Srijut Sarveswar Barua.
4. Maulavi Abdul Matin Chaudhury.
5. Srijut Jogendra Nath Barua.
6. Babu Dakshina Ranjan Gupta Chaudhuri.
7. Srijut Beli Ram Das.
8. Babu Rabindra Nath Aditya.
9. Srijut Mahi Chandra Bora.
10. Maulavi Munawwar Ali.
11. Srijut Rajendra Nath Barua.
12. Srijut Rajani Kanta Barooah.

(Seven members to form a quorum.)

Sir, the object of the Bill as laid down is a very simple one. We all know that the present Municipal Act may well be compared to a crippled child of the diseased mother known as the Montague-Chelmsford

Reforms, which is the Government of India Act of 1919. This Act has undergone many operations in England and has emerged in a form which is known as the Government of India Act, under which we are now working.

Sir, we feel that this Bill, if introduced and passed, will remove a great want of the rate-payers who consider that official control over municipal affairs should be greatly lessened. The main principle of the Bill is to do away with the Government nominations and to constitute a Board of elected representatives of the rate-payers. I need hardly say that if the Government nomination goes the next thing would be to do away with the Government Officers who have still the right to be represented on the Municipality. So, Sir, taking this into consideration the Bill may be divided into two parts, *viz.*,—the constitution of the Board, and the control. My hon. friends or colleagues should not mind this that when they are in a Municipality, where civic responsibilities are to be looked after, no question of caste, colour or creed can be taken into consideration. I mean to say that no sort of representation of scheduled castes and minority communities can be given.

The next item is the Government control. Of course my hon. friends might be dismayed that I am going to do away with Government control altogether, but this is not so. I have simply said that the Government control should be to a great extent lessened, I mean to say the control of the Subdivisional Officer, the Deputy Commissioner and the Commissioner should be lessened to a great extent. I need not go into the sections at this stage, but my hon. friends will find that Government also will have a hand in the Municipal administration, only the Subdivisional Officer who has now the power to go into the records and of inspection and other things will have that power taken away, but in the matter of election of President, etc. the power has still been left. I do not think that this Bill is of a revolutionary character. You could have called it that, had the Bill been on the lines of the United Provinces Bill which is now being contemplated. I am not sure but I think they are going to give the Chairman magisterial powers and to have the police within the Municipality under their control and to introduce the system of adult franchise. But nothing of this sort will be found here and so I say that this is a very modest measure, and I hope my hon. friends will support the Bill.

**THE HON'BLE THE SPEAKER :** The motion moved is that the Assam Municipal (Amendment) Bill, 1937, be referred to a select committee consisting of the following members—

1. The Hon'ble Minister for Local Self-Government.
2. Khan Bahadur Maulavi Keramat Ali.
3. Srijut Sarveswar Barua.
4. Maulavi Abdul Matin Chaudhury.
5. Srijut Jogendra Nath Barua.
6. Babu Dakshina Ranjan Gupta Chaudhuri.
7. Srijut Beli Ram Das.
8. Babu Rabindra Nath Aditya.
9. Srijut Mahi Chandra Bora.
10. Maulavi Munawwar Ali.
11. Srijut Rajendra Nath Barua.
12. Srijut Rajani Kanta Barooah.

(Seven to form the quorum.)

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Sir, the Bill as presented before the House is not so innocent as the hon. mover has said. It involves many important principles. One is the abolition of the principle of nomination, and the other is the important principle of the relaxation of immediate control.

Now, Sir, the proposal to do away with nomination is an ideal principle no doubt, but the principle underlying nomination is that certain under-represented communities and minorities may get a chance to be represented in the Municipal Boards. Unless special arrangement is made for the sake of giving representation to these under-represented minorities and communities it is not desirable that nominations should be done away with. We find that in the last elections of the Municipal Boards even an important community like the Muslim community has lost in many Municipalities. For example in Sylhet the Muslims according to population ought to get over 6 elected members, or about 7, but they got only 3 returned. Then, Sir, in Maulavibazar the Muslims according to their population ought to have got 4 members returned but there are two only returned. In Dhubri the Muslims should have got about 3 at least but none was returned. And then there are demands also from several minority communities for representation in the local boards. If we do away with nomination and we do not make special arrangements for the representation of these communities, I think those communities who are under-represented and the minorities will not be agreeable and will strongly object to this. Nomination is for the sake of giving representation to such communities as are not able to return their candidates to represent their cause in the municipal boards. Government do not see their way to accept that principle of the Bill and therefore they oppose it.

Sir, there is another principle of the Bill and that is to make the ministerial officers ineligible for election. At present the ministerial officers are allowed to become members of the Municipal Board and this Bill seeks to do away with that right. Government will not be opposed to that if that be the desire of this House.

There is another principle which I should call a revolutionary principle and that is the proposal to eliminate the control of the Magistrate in the subdivision. In the present Act section 289 says this—"The Commissioner, the Deputy Commissioner and the Magistrate in charge of the subdivision or any officer of Government authorised in this behalf by the local Government by a general or special order may at all times enter upon or into and inspect or for the purpose of his inspection cause any other person to enter upon or into any immoveable property in the occupation.....or any work in progress under the orders, or any institution under the control and administration of the Board,.....and call for and inspect any book or document which may be, for the purpose of this Act, in the possession or under the control of the Board". The Bill proposes to do away with the power given to the Subdivisional Officer to enter into the Municipal office to examine the records. But it does not propose to eliminate the power of the Deputy Commissioner to enter into this Municipal Board to examine the records. Sir, for example, in Golaghat we have a Subdivisional Officer who is in touch every day with the affairs of the Board, under the proposal in the Bill that officer cannot enter into the office of the Golaghat Municipal Board and inspect it. What will happen? It will mean that the Deputy Commissioner from Jorhat or that the Commissioner from Gauhati should go into the Golaghat Municipal office and inspect it. I see no reason for this

The Bill wants to eliminate the power of a Subdivisional Officer given by the Act to inspect a Municipal Board in a subdivision but does not propose to eliminate the power of the district officer to inspect at any time the Municipal Board office in the headquarters of the district. This is partiality shown to the Municipal Boards in subdivisions. The Government is opposed to this principle.

Then, Sir, there is also another principle in the Bill which proposes to do away with the emergency power given by the Act to the Deputy Commissioner and the Commissioner. According to the Act, the Deputy Commissioner or Commissioner can prohibit any action or suspend any resolution passed by the Board if that action or resolution is apprehended to bring about a breach of the public peace or cause any harm to any community. That emergency power given under the Act to the Deputy Commissioner and Commissioner is proposed to be transferred to the local Government under the provisions of this Bill. The local Government at Shillong cannot conveniently and effectively exercise the emergency power. Suppose the Board passes a resolution not to allow a procession to go in front of a certain mosque, and there is an apprehension of a riot. By the time the local Government from Shillong knows the conditions and passes orders some mischief might have been done. This emergency power is given to the Deputy Commissioner and Commissioner for special things that may be done by the Board which may create a breach of peace and cause disturbance to any society or community. But this Bill proposes to eliminate that emergency power and confers it on Government. We see no reason for this. This proposal will only do away with the object of the Act itself.

Now, Sir, there is another proposal to transfer the Deputy Commissioner's power to the Commissioners for calling upon the Board to perform certain immediate works. According to section 292 sub-section (3), of the Act, the Deputy Commissioner can ask the Board to perform certain act which requires to be done urgently for the sake of public safety and public health. But if this power of the Deputy Commissioner is taken away and given to Commissioner who is far from the locality the object of the section is entirely gone. This emergency power is given for the sake of immediate work. Supposing a bridge is broken on a certain road in a Municipality and the Municipal Board does not take any action, the Deputy Commissioner has the power under this Act to tell the Board to repair that bridge and if the Board does not repair it, the Deputy Commissioner can appoint somebody to do that work and ask the Municipal Board to pay for it. But this Bill proposes to take away that power of the Deputy Commissioner and transfer it to the Commissioner and to transfer the power to order the Board to pay for the expenditure incurred to the Local Government. We do not see any reason for this proposal.

**BABU HIRENDRA CHANDRA CHAKRAVARTY:** On a point of order, Sir. I think the Hon'ble Minister is discussing the Bill clause by clause.

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** I am only speaking, Sir, on the different principles contained in the different clauses.

**THE HON'BLE THE SPEAKER:** The Hon'ble Minister is entitled to examine the principles underlying the clauses.

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** Government have no objection if the power of the local officer is not eliminated, the local Government being the final authority in cases of appeal. But to do away with the power of the local officers even in cases of emergency is a thing which will disturb and will not be conducive to good administration. Therefore, Government do not accept these principles and oppose them.

Then, Sir, there is another very objectionable principle. The last clause of the Bill proposes to refer all disputes between local bodies to the Local Government directly. According to the present Act, if there be a dispute between a local board and a municipal board, Deputy Commissioner will decide it in the first instance. If there be a dispute between a municipal board and the cantonment authorities, the Deputy Commissioner can decide that. If there be a dispute between one municipal board and another in different districts, the matter goes to the Commissioner. But all appeals come to Government finally. I think this is a very reasonable provision in the Act. But this Bill proposes that all disputes between the local bodies should be directly sent to the Local Government for final decision. The first objection to this proposal is that the decision of such disputes will be delayed, as the Local Government will not be able to come to a final decision without referring them back to the local officers. Another objection is that, if all these cases come to the Local Government for decision, there will be so much of work to be done by the Local Government that the administration will be greatly hampered. Therefore, Sir, I say that this Bill proposes to change the proper course of administration and to bring the Local Government directly into touch with the local bodies, which is very objectionable from the point of view of sound administration. There is a right of appeal from all the decisions of the Deputy Commissioners and also from the Commissioner to the Local Government finally. The present Act provides that. But the Bill, Sir, seeks to do away with the lower authorities. I therefore, move, Sir, that this Bill be circulated for eliciting public opinion before the 30th September 1937.

**SRIJUT SARVESWAR BARUA:** On a point of order, Sir. If a motion is to be moved, should it not precede the speech?

**THE HON'BLE THE SPEAKER:** I think the Hon'ble Minister should have done so. He should have begun his speech by moving the motion.

**THE HON'BLE REV. J. J. M. NICHOLS-BOY:** It matters very little, Sir.

**SRIJUT LAKSHESVAR BOROOAH:** Sir, under Rule 50 of the Assembly Rules can the Hon'ble Minister move this amendment, the motion before the House being that the Bill be referred to a Select Committee?

**THE HON'BLE THE SPEAKER:** This is governed by rule 50, sub-rule (2)(b) which runs—

“At this stage no amendments to the Bill may be moved, but if the member in charge moves that the Bill be referred to a Select Committee, any member may move as an amendment that the Bill be circulated for the purpose of eliciting opinion.”

So the Hon'ble Minister is in order.

**KHAN SAHIB MAULAVI SATYIDUR RAHMAN:** Sir. I am afraid I am not in favour of the motion for referring the Bill to a Select Committee. I would prefer that the Bill be circulated for eliciting public opinion. In the statement of objects and reasons it has been said that it is only in the fitness of things that with the inauguration of the new Government of India Act nominations to the municipal bodies should be done away with. My first submission is that the analogy of the Government of India Act does not hold water here, because as you all know in the Government of India Act representation of minorities is provided by a system of separate electorates, whereas in the Municipal Act there is no such separate representation. I do not mean to suggest that we should go back to separate representation now in the Municipal Act. But the fact is that, under the present provisions of the Municipal Act, most of the minority communities are not properly



represented. At the last general election, as has just been pointed out by the Hon'ble Minister, out of 18 municipalities, in as many as 13 municipalities the Muhammadans could not get their due share according to the ratio of their population. This was under a system of joint electorates. Now, if there be a provision for reservation of seats for the Muhammadan community in this Bill, it may be acceptable to that community. So I think the provisions of this Bill, so far as nomination is concerned, will affect the entire Muhammadan community of this province. It is in the fitness of things therefore that the Bill be circulated among the public for eliciting their opinion.

There are also, Sir, some other provisions in the Bill which I think require some modification. There is a phrase in clause 4, namely 'Municipal officer'. I do not know what my hon. friend the mover means by that.

**SRIJUT RAJENDRA NATH BARUA:** On a point of explanation, Sir. The words 'municipal officer' were put in by mistake. But I think this can be corrected in the Bill when it is taken up by the House clause by clause. These words are actually redundant.

**THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA:** It is, I think, a typing mistake for ministerial officer?

**SRIJUT RAJENDRA NATH BARUA:** That is also not necessary.

**KHAN SAHIB MAULAVI SAIYIDUR RAHMAN:** I think there is a resolution to abolish the post of Commissioner. But my hon. friend states in clauses 10 and 11 that for the words 'Deputy Commissioner' the word 'Commissioner' shall be substituted. I would prefer that the words 'Deputy Commissioner' be retained and the word 'Commissioner' be deleted wherever it occurs. So I think nomination is an archaic form of representation and as has been said by the Hon'ble Minister it is only to give representation to the unrepresented communities. But whether that should go or that should take some other form is, I think, a matter which should be decided by the public. The public should have a say in the matter. So I would pertinently ask the mover to agree to the circulation of the Bill.

**SRIJUT GOPINATH BARDOLOI:** Sir, I support the Bill in spite of the Hon'ble Minister's long argument. I am not convinced with his argument as to the desirability of sending the Bill for eliciting public opinion.

The first thing that is objected to by the Hon'ble Minister is that it will offend against the interests of the minorities, I submit, Sir, that it will only be a matter of detail about the Bill. The Hon'ble Minister has been pleased to say that he will be agreeable to do away with nomination. We may not be disagreeable to the representation of minorities by a kind of joint electorate system. I consider that this is really not an innovation. But the way as to how many seats should be allocated, is a matter which may surely come within the purview of the Committee.

I am glad that the Hon'ble Minister has been pleased to accede to the suggestion made about the matter of ineligibility of the ministerial officers getting representation.

As to the control of the Deputy Commissioner I must say that the illustration which the Hon'ble Minister has given could not convince anybody. The emergency power can be exercised by the provisions of the Criminal Procedure Code. For instance, if there is any apprehension of a riot there is section 144. So it was not necessary to bring forward an illustration of that nature in the first place, and secondly, I think, that if occasion arises, it can very well be met by the provisions of the Criminal Procedure Code and there is absolutely no necessity to keep the control of the Deputy Commissioner.

Another point that was put forward by the Hon'ble Minister is, I suppose, in reference to certain actions that may be compelled by the Deputy Commissioner under those emergency powers and my hon. friend was referring to cases, for example, of a bridge. I am prepared to believe that a rate-payer can be fully conscious of those difficulties and I am sure he will be in a position to safeguard his position much better. The whole argument is based on the conception that the Municipal members are not competent to look after the interests of the rate-payers.

Regarding the settlement of disputes, I think, it can be left to Government. A Board is supposed to be a respectable body and it is only just that any dispute that may arise between the Board and a certain party should be settled by Government.

As my hon. friend Khan Sahib Maulavi Sayidur Rahman just now said that there is a contemplation of this House to see that the Commissionership is abolished. I do not know how far that will come as a practical proposition when the question comes before the House. But I can say this much that this provision is just and proper. So my submission is that the argument put forward by the Hon'ble Minister does not convince anybody that the principle of this Bill will offend against the interests of the minorities as a whole. The intention of even the Montagu-Chelmsford Reform was to give complete responsibility to the local bodies. We are now in the domain of Provincial Autonomy. These are semi-Government institutions and if it is to be confessed that we are unable to run them with our elected representatives then we have got to say that we should not proceed further. I suppose this is not the stand-point of the Hon'ble Minister and I would request him to withdraw his motion for circulation and allow this to go to the Select Committee.

✓ MAULAVI ASHRAFUDDIN MD. CHAUDHURI: In going to support the Hon'ble Minister I should like to draw the attention of the hon. members to my question No. 92. I shall invite their attention to the list showing the position of the minority communities so far as Municipal election is concerned. Sir, those hon. gentlemen who would rather like that there should be the 'line system' prevailing to protect the indigenous people should not in the same breath be inconsistent with reference to those minorities living in the Municipal areas who should have protection of the Local Government. Is there no provision in the Government of India Act for the protection of the minorities? Sir, I can say this much that in the district headquarters like Sylhet we the Muhammadans have got only three elected members on the Board.

SRIJUT DEBESWAR SARMAH: On a point of information, Sir. Is the speaker a nominated member? (*Loud laughter*).

✓ THE HON'BLE THE SPEAKER: That does not arise

MAULAVI ASHRAFUDDIN MD. CHAUDHURI: I will come to that. While the Hon'ble Minister has been pleased to nominate certain members of this House to the Municipal Board I can tell him that the gentlemen who have been able to return by election with the help of some party groups have not even passed the threshold of Matriculation, though we find enough educated, responsible people are there. Three gentlemen who had been able to enter by the result of the election, three such innocent gentlemen will hardly be able to follow very correctly and very accurately the proceedings of the meetings. Are these gentlemen able to safeguard the interests of the Muhammadans of the Sylhet town? Everyone knows that Sylhet was once the capital of the Muhammadans. Even now it has got remnants of the past. Even now what have we got

there when we find that this sort of people are securing seats there. If the Hon'ble Minister for Local Self-Government had nominated people like Khan Bahadur Maulavi Mufizur Rahman, retired Assistant Director of Land Records—what is the harm!—I am not of course advocating the reservation of seats—I think the result will not be rather happier than what has been in the town of Sylhet. Nothing can be rather more vivid and expressive. And the answers given by the Hon'ble Minister in charge of Local Self-Government will show that the major minor community—Muhammadans being the important minority community—have got their legitimate share. If they are faced with this difficulty, I do not know what will be the fate of other minority communities unless there is some sort of protection or safeguards at the hands of the Local Government. The minority communities must have a place there. In Sylhet there are occasions when some Congress members approached the Ministry during the last election bringing in charges against the group which is in charge of the Municipal body. They were referred to the replies to question No. 60(a). They however approached somehow or other the Deputy Commissioner; petitions were filed to the effect that the election of this style must be stale. The first attempt was made with the Deputy Commissioner and then the Local Government. But their attempts failed. So I say that let the Bill be circulated and let us see what the minority community has to say on the point.

MR. FAKHRUDDIN ALI AHMED: Sir, we have listened to the speech of the Hon'ble Minister. We have also heard the speech of Maulavi Ashrafuddin Md. Chaudhuri. The Hon'ble Minister wants the retention of nomination to give representation to the under-represented communities. Maulavi Ashrafuddin Md. Chaudhuri wants the retention of nomination for the purpose of giving representation to the people who have passed the Matriculation standard.

Sir, first of all, let us consider whether the system of nomination does in fact give representation to the unrepresented community or not. Together with this we have to consider, whether by doing away with nominations, we can give better representation to unrepresented communities by some other system. If the purpose of the Bill is not to disregard the position and claim of recognised minorities, there is no sense in opposing that this Bill should be referred to a Select Committee. I think having joint electorates with reservation of seats for recognised minorities, the interests of the communities will be better represented. What do we find to-day? There are minorities practically in the whole part of Assam. Even with the nomination system the minorities are not adequately represented in the municipalities. If we do away with the system of nomination, and in its place reserve adequate seats for the minorities, I think more representation will be given to the minorities than at present. Therefore I whole-heartedly support that this Bill should be referred to a Select Committee and need not be circulated for eliciting public opinion. Sir, the idea is that the people in sending their representatives to the municipalities or to the local boards should have more say in the administration of those institutions than the Ministers who are governing the province. Sir, do we find this to-day? As a result of the past experience we find that only a few favourites of the Minister have found nominations (*shame*). We want to give this power not to the Minister but we want to give this power to the rate-payers. If this is the principle, I do not see how my hon. friends can oppose the principle of the Bill. As regards other matters I need not go into detail. These matters can easily be thrashed out in the Select Committee.

I therefore whole-heartedly support that this Bill be referred to a Select Committee.

**SRIJUT DEBESWAR SARMAH:** I rise Sir, to support the motion that this Bill be sent to the Select Committee for consideration of details. From what the Hon'ble Minister for Local Self-Government has said, I think this is a matter which primarily concerns the Local Self-Government, and the reasons that are advanced by the Hon'ble Minister for Local Self-Government would be going very far to indicate the ideas that are being entertained by the Hon'ble Minister, or for the matter of that by the cabinet, relating to the things to come under this Provincial Autonomous Government.

Sir, what we have heard from the Hon'ble Minister is extremely disappointing. I do not so much mind whether the Bill comes through or fails. It has been sponsored by a member of the Congress party. Even so, the Congress party does not stand to gain or lose its weight by the success or failure of this piece of Bill itself. But I do hope and trust that the members of this House will try to realise the gravity of the pronouncement that is being made by the Hon'ble Minister this afternoon. It means the negation of the principle of self-government,—it means to kill autonomy in Local Self-Governing institutions like the municipal bodies—which autonomy has been extended to provinces even by the Government of India Act, 1935. The opposition that has been put forward by Government if it is a *bona fide* one, is I submit entirely misconceived. I say if it is *bona fide*,—because I frankly confess that there is a lurking suspicion in my mind that the opposition put forward to the harmless piece of Bill is not entirely *bona fide*. I venture to think that the human weakness, I mean the element of flesh and blood, the race for more food, more speed, more power is behind the idea of opposition. After all what does this Bill ask for? Let us forget the details of the Bill for a moment. The Bill asks that there should be no nomination, or in other words, that the power of nomination which was in the hands of Government should now be waived for the benefit of the people. The Bill presupposes that the people are sufficiently well informed and capable of looking after themselves in their municipal matters. This power of nominating members should be taken away from Government and the people of cities and towns in Assam should be allowed to elect their own representatives to administer their civic matters.

**KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI:** On a point of information, Sir. Has the personnel of the Select Committee been suggested and, if so, we want to know the names?

**THE HON'BLE THE SPEAKER:** The motion was read before the House.

**SRIJUT DEBESWAR SARMAH:** Now the principle is one which admittedly to-day in the year of grace, 1937, Government has been pleased to accept and the result is that Provincial Autonomy is here and it should be acted upon. In six provinces in India, the Congress party are running the administration of the country and in the five other provinces though coalition ministries are running the Government, the provincial autonomy is there in theory. Now will the hon. members of this House oppose this principle of autonomy in towns and municipalities and say that the representatives of the people elected by duly constituted joint electorate are incapable of looking after themselves and setting their own things right? I will come to this nomination affair a little later though I will not indulge in detailed criticism, because that will bring in too many unpleasant matters and it is farthest from my desire to create unpleasantness on the floor of this House.

Now, Sir, I ask the hon. members whether or not they agree with and accept the principle of autonomy or self-government. Here is the Hon'ble Minister for Local Self-Government of this province. Is he going

to minister to the needs of the province by giving nomination and by opposing the principle of representation? What this House is then going to stand for? The Government of India Act makes no provision for nomination to this Assembly, does this House agree to sit and take reactionary measures? Sir, I hope and trust the British members will appreciate what I am trying to put forward. I may be deficient in English which is not my mother tongue. The Hon'ble Minister for Local Self-Government might have taken a lesson from the White Ministers in the art of "divide and rule". The White masters did their part very well in their own way but our brown Ministers in trying to imitate their White masters are cutting sorry figures. In this House they are trying to play one section against another. It pains me very much and I hope that the Hon'ble Minister will not again indulge in playing one community against another. I hope and trust that the British members of this House will help and contribute towards growth of Self-Governing institutions. Let them place themselves in their English county shire mentally and say whether they would have nominations in their elected county councils. I hope, freedom loving people as they are, by their example this evening they will lead us on in the path of autonomy.

Now, Sir, the Hon'ble Minister for Local Self-Government said that in certain municipalities there were no proportionate number of Muhammadan candidates and nomination was necessary to make up the number. May be, but what is it due to? Has he been able to show that it is due to some unhealthy reason? Has he been able to show that it is due to certain manipulation that the Muhammadans have been deprived of their due share in a municipality? No, he has not been able to allege any such reason. On the contrary take the case of the Jorhat municipality. In the Jorhat municipality the Hindus and Muhammadans are about half and half. At present the number of Muhammadan members is three and that of Hindus twelve. But we are having Khan Bahadur Maulavi Keramat Ali as our elected Chairman to-day and for the last nine years (*laughter*). There should certainly not be any differentiation between the Hindus and Muhammadans. When there is joint electorate, there is no necessity for separate protection or reservation. The best man always comes out. It pains me to hear Khan Sahib Maulavi Sayidur Rahman saying that Muhammadan members may be less and there may not be adequate Muhammadan representation. Sir, when it is a question of joint electorate, deserving man should always find place. What cogent reason has been advanced by the Hon'ble Minister against the joint electorate? We have been told that they have not got their adequate quota of representation. But why? Has any community prevented that community from getting their due quota? If in Jorhat where there is also joint electorate, the Muhammadans being only one-fifth of the total strength and Hindus four-fifth in the municipal board, Khan Bahadur Maulavi Keramat Ali can find place as Chairman, why then the question of community should come in? The principle should be that the best man should always come in.

The next point is as regards nomination. The hon. member from Sylhet I mean Maulavi Ashrafuddin Md. Chaudhuri has said that deserving man will not be had in the municipalities if there be no nomination. I am astounded to hear this. Does he mean to say that the people will just return undeserving people to the municipalities leaving the jewels to be picked up by Government and sent in by the back door to the municipality? As regards the question of nomination our past experience is not very encouraging.

Shillong is the capital of Assam and Assam Valley Hindus contribute considerable amount of money towards the upkeep of the capital here. In this capital, of course, I speak subject to correction, there is no Assamese Hindu member elected from the Shillong Municipality. There was one candidate but I learn that he was defeated. The Assamese Hindu community was not fortunate enough to be able to draw the attention of the Hon'ble Minister for Local Self-Government for getting a nomination to the Shillong Municipal Board. Are the Assamese in Shillong so negligible that they cannot get a nomination? This is one instance. Let me cite another. The Caste Hindus in Jorhat Municipality were very well represented, so well represented indeed that they have got more than their quota of representation. But when nomination came in, again a Caste Hindu was nominated neglecting other unrepresented community. What are these, Sir? What are the reasons that the Hon'ble Minister in charge of Local Self-Government can give for such nominations in the municipalities? I have no quarrel with anybody, but I am criticising from the standpoint of policy, from the standpoint of representation of minority. The statement made by the Hon'ble Minister and Khan Sahib Maulavi Sayidur Rahman that the Muhammadans will not be represented cannot be accepted because no data have been given, no materials have been placed before this House to come to such a conclusion. We have no reason to presuppose perversity on the part of the electorate. Now, Sir, I do not think I will take up the time of the House any longer, but what I would request the hon. members to think—to ask themselves—is whether they would act contrary to the principle of Self-Government. If they want real Self-Government they cannot say that the principle of nomination should be continued. The principle of nomination should not be left to the whims of the Ministers. It helps to corrupt whoever comes in touch with this nomination business. This Bill should go to the Select Committee which consists of members of all parties and the details of the Bill may be adjusted and set right there.

### (FURTHER DISCUSSION ON THE BILL POSTPONED)

#### STATEMENT OF THE HON'BLE SPEAKER REGARDING TIME LIMIT FOR GENERAL DISCUSSION OF THE BUDGET

THE HON'BLE THE SPEAKER: Presently I am going to adjourn the House. Before I do it I want to draw the attention of the Hon'ble House to one fact and that relates to the general discussion of the Budget which is to commence from to-morrow. I asked the hon. members to give me the names of the hon. members who would take part in the general discussion and the names have been supplied to me and I find 72 names have been given. We have got four days for the purpose. The last day will be a half day because on that date non-official business would be coming up after lunch and we shall practically get one hour for the budget discussion on that date. So practically we have got three days and I think it will not be possible for 72 members to take part in the debate if the time limit is fixed at 15 minutes per member. So I request the party leaders to have a discussion amongst themselves and come to a decision whether all these 72 hon. members should take part in the discussion. Now for the first day names of 13 members have been put up and for the second day names of 33 and for the third day 14 and for the last day 12 members. We are also to consider the fact that the Hon'ble Ministers will have to reply. I do not know whether there will be one reply on behalf of the Ministry or separate replies. But if all the Hon'ble Ministers want to reply then on the last day we shall have 17

members to take part. If 17 members are to speak within one hour I do not know what will be the time limit. So if the general discussion of the Budget is to be properly conducted I think the list should be curtailed and I appeal to the hon. members to curtail the list. I also notice that the European members have not as yet furnished their list of members who would speak. If they speak the list will be still longer.

MR. F. W. HOCKENHULL: We beg to apologise, Sir. We did not know the time limit. Might I suggest the possibility of having a meeting of party leaders in order to come to a decision about this? That may solve the difficulty.

THE HON'BLE THE SPEAKER: Yes, if the party leaders meet in a conference and decide amongst themselves and give me the names of the members, that will save much time. I appeal to the party leaders to meet in a conference and send me the names of members selected by them to take part in the budget discussion. There are some hon. members who do not belong to any party; they should also be consulted, I think, before the names are selected for the budget discussion.

MR. F. W. HOCKENHULL: Might I suggest quarter to ten to-morrow for party leaders' meeting and furnish you with the result of their consultation by, say, 10-30?

THE HON'BLE THE SPEAKER: That is for the party leaders to say.

MR. F. W. HOCKENHULL: If we meet at that time the result of the discussion may be communicated to you by 10-30, in good time to make arrangements.

THE HON'BLE THE SPEAKER: I may ask the hon. members to have a conference at 9-45 to-morrow, as suggested by Mr. Hockenhull and I request them to join that conference and settle the points raised.

SRIJUT GOPINATH BARDOLOI: That may not be suitable to us. It may be some time in the morning.

MR. F. W. HOCKENHULL: At what time?

SRIJUT GOPINATH BARDOLOI: Say about 8-30.

RAI BAHADUR PROMODE CHANDRA DUTT: Why not meet now?

THE HON'BLE THE SPEAKER: After I adjourn the House, the hon. members can discuss the point and settle the matter do-day.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Sir, so far as the Ministers are concerned, each Hon'ble Minister will reply for the departments under his charge. In allotting time it must be considered that five of the Government Bench are speaking.

The House was then adjourned till 11 a.m. on Saturday, the 7th August 1937.

A. K. BARUA,

SHILLONG,  
The 6th September, 1937.

Secretary, Assam Legislative Assembly.