

**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 11 a.m., on Monday, the 9th August, 1937*

**QUESTIONS AND ANSWERS**

**STARRED QUESTIONS**

**Procedure re selection of persons for nomination to Municipal Boards**

SRIJUT SIDDHI NATH SARMA asked :

\*59. Will the Hon'ble Minister in charge of Local Self-Government be pleased to state—

- (a) Under what principle or principles the nomination to Municipal Boards in Assam is made ?
- (b) What is the usual procedure adopted in selecting persons for nomination ?

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

(a)—The main principle is to secure the representation of under-represented and unrepresented communities and interests.

(b)—Government examine the number of persons of the various communities who have secured election and then proceed to make nominations to redress the inequalities disclosed.

MR. NABA KUMAR DATTA : Is it a fact, Sir, that nominations have been given this time to some persons who are not residents of the municipal area ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : I do not remember, Sir, that any such nominations have been made.

SRIJUT SIDDHI NATH SARMA : Is there any rule enunciating this principle, Sir ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : The principle of nomination is understood to give representation to under-represented or unrepresented communities.

BABU AKSHAY KUMAR DAS : May I know if it is so stated in the Act, Sir ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : It is not stated very plainly in the Act, Sir ; but that is the principle always followed.

MR. NABA KUMAR DATTA : If any nomination has been made from outside the municipal area, will that be undone now ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : That is a question, Sir, which will have to be considered.

SRIJUT SIDDHI NATH SARMA : Who are those unrepresented communities ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : There are several communities considered at the time of nomination ; for example, the Muhammadans, non-Muhammadans, Scheduled castes and other people like the mercantile community are all considered.

BABU AKSHAY KUMAR DAS: Has this principle of nomination been ever followed in the subdivision of Sunamganj ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I do not know whether it has ever been followed in the past, but the present Government, in considering nominations, have considered the numbers of persons in each municipality of all the communities.

SRIJUT RAJENDRA NATH BARUA: Has this principle been adopted in the Golaghat Municipality ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: The same principle is adopted everywhere.

SRIJUT RAJENDRA NATH BARUA: I do not find, Sir, that Scheduled castes are represented there.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: There must be a reason for that. The Scheduled castes are very small in number.

SRIJUT GHANASHYAM DAS: Has this been followed, Sir, in the Goalpara Municipality ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: That is followed there also, Sir.

MR. FAKHRUDDIN ALI AHMED: Has the Hon'ble Minister considered that the Assam Valley Hindus and Muhammadans are in a minority in Shillong ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: In Shillong, Sir, the Assam Valley Muhammadans and Hindus are taken as one community and one Assamese Muhammadan has been returned to the Board by election.

SRIJUT BELI RAM DAS: Is it a fact that in the nomination of the Palasbari Committee there has been no representation from the Scheduled castes either by election or by nomination ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I have nothing to do with that now. It is not a municipality.

MR. NABA KUMAR DATTA: Is the nomination only given to the unrepresented communities ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: As far as I know, it is for the under-represented and unrepresented communities.

SRIJUT DEBESWAR SARMA: With regard to (b) who provides the names for the consideration of Government ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: That will come in the next question, Sir.

SRIJUT SIDDHI NATH SARMA asked :

\*60. (a) Is it a fact that the Deputy Commissioners and the Commissioners are asked to submit names of persons for nomination ?

(b) If the answer to question 60(a) above is in the affirmative will the Hon'ble Minister in charge be pleased to state whether the recommendations of the Deputy Commissioners and the Commissioners are accepted ?

(c) What percentage of such recommendations has been accepted by the Hon'ble Minister in charge during nominations of Members to the present municipal boards of the province ?

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

(a)—Yes.

(b)—Some are and some are not.

(c)—Government are not prepared to disclose any matter connected with the recommendations of their officers, as such recommendations are regarded as confidential.

SRIJUT DEBESWAR SARMAH: Will the Hon'be Minister be pleased to state the reasons for considering them as strictly confidential ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: When the names of certain persons are recommended by the officers, they are supposed not to be known to the public.

SRIJUT DEBESWAR SARMAH: Does Government consider that the reasons are secret or confidential, I mean the reasons for selecting a particular member as a nominated member? What is the State secrecy about it?

THE HON'BLE THE SPEAKER: He has already given the answer.

BABU RABINDRA NATH ADITYA: Is the Criminal Investigation Department report consulted in making nominations?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: We have nothing to do with the Criminal Investigation Department in this matter.

SRIJUT KRISHNA NATH SARMAH: Did any of the Members of Legislative Assembly who have been nominated in larger number this time ask for nomination?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Many of them asked for nominations. (*Laughter*).

SRIJUT DEBESWAR SARMAH: Is it a fact that certain members of this House ran up to Shillong to fetch nomination promising support to the Cabinet?

THE HON'BLE THE SPEAKER: I do not think this question should be asked.

BABU RABINDRA NATH ADITYA: Is it a qualification for nomination to sit behind the Treasury Bench?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: On a point of order, Sir. The hon. member has made himself an infant terrible every time putting his questions in a bantering tone. We seek the protection of the Chair to uphold the dignity of the House.

BABU RABINDRA NATH ADITYA: I think, Sir, it is quite a pertinent question to ask whether sitting behind the Treasury Bench is a qualification for nominations, when we find that many of such members have already secured nomination?

THE HON'BLE THE SPEAKER: This is also not in order.

MAULAVI ASHRAF UDDIN MD. CHAUDHURI: Is it a fact that nomination was given to some members of the Legislative Assembly this year even without consultation with them?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: No, Sir, as far as I remember there is none.

MAULAVI ASHRAF UDDIN MD. CHAUDHURI: Is it a fact that certain members were not even consulted? As for myself I was never consulted either by the Deputy Commissioner or by the Minister.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: The Deputy Commissioner recommended his name as far as I remember.

THE HON'BLE THE SPEAKER: The question was whether he was consulted.

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

SRIJUT SIDDHI NATH SARMAH asked:

\*61. (a) What is the usual period which intervenes between the General Election of the Members to the Municipal Boards and the election of the Chairmen and the Vice-Chairmen of Municipal Boards?

(b) When was the list of nominations from the Commissioner received in the office of the Hon'ble Minister in charge of the Local Self-Government?

(c) When was the list of nominations by the Government published for each Municipal Board in Assam?

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

- (a) About 2 months.  
 (b) On various dates between 7th June 1937 and 24th July 1937.  
 (c) On various dates between 7th July 1937 and the present. There are a few still outstanding but these will be published very shortly.

SRIJUT SIDDHI NATH SARMA asked :

\*62.— Will the Hon'ble Minister in charge be pleased to state why there has been so much delay in publishing the nominations to the several Municipal Boards in Assam ?

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

62. There has been no undue delay. The hon. member will realize that the case of each Board has to be closely examined, and as there are 17 Boards to be dealt with, the matter cannot be disposed of in a few days.

SRIJUT SIDDHI NATH SARMA asked :

\*63. (a) Is it a fact that a fictitious telegraphic communication was received from Gauhati by the Hon'ble Minister in charge requesting him to postpone the election of the Chairman of the Gauhati Municipal Board till the disposal of the Election petitions ?

(b) Did the Hon'ble Minister in charge cause an enquiry to be made into the genuineness of the communication referred to above ?

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

63.—(a) A telegram sent by one Ananta Chaudhuri was received.

(b)—Government have ascertained that the only well-known person of that name in Gauhati denies that the telegram was sent by him.

SRIJUT SIDDHI NATH SARMA : Is it a fact that the election of the Chairman has been postponed ?

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

MR. FAKHRUDDIN ALI AHMED : On what grounds ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : There was a petition from certain gentlemen of Gauhati.

MR. FAKHRUDDIN ALI AHMED : Petition in respect to what ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : Asking for postponement of the election.

MR. FAKHRUDDIN ALI AHMED : For how long will it be postponed ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : That cannot be said.

MR. FAKHRUDDIN ALI AHMED : Does the Hon'ble Minister realise that the rate-payers are suffering for want of Municipal meetings at Gauhati ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : There is a Chairman of the Board who is still in office.

SRIJUT KAMESWAR DAS : Does it indicate any policy of Government to postpone election when election petitions are filed in similar other cases ?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : On a point of order, Sir. I do not know what you will decide, but as far as my past experience goes the policy of Government is never disclosed in course of a reply to a question. That was the previous ruling of this House. I would ask for a ruling on this point.

**THE HON'BLE THE SPEAKER:** Will the Hon'ble Minister say when it is the proper time for discussing the policy?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** I do not understand what he means by policy.

**SRIJUT SIDDHI NATH SARMA:** Because an election petition is pending and therefore the election of the Chairman has been pending. Is this a policy of the Government in election affairs so far as Local Boards and Municipalities are concerned?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** I can say that there has been no party anywhere from Assam asking for postponement of election. In this case there has been a petition asking for postponement. We think that in the interests of the party it would be better to postpone the election.

**SRIJUT SIDDHI NATH SARMA:** Is there any definite rule for this?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** There is no definite rule.

**SRIJUT GAURI KANTA TALUKDAR:** May we know, Sir, who were the signatories to the petition for postponement?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** One of them is Mr. T. R. Phookan.

**SRIJUT GAURI KANTA TALUKDAR:** Because there is an election petition regarding the election affair in which Mr. T. R. Phookan is concerned, is that the reason why this election of Chairman has been delayed?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** I can say what the reason is by only one thing. Government has asked the Commissioner to postpone the election because there has been a request from one of the members of the Municipal Board, with a statement that this will not be prejudicial to any body.

**SRIJUT GAURI KANTA TALUKDAR:** Is that a sufficient reason for making the delay?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** I do not think that I need answer that question.

**MR. FAKHRUDDIN ALI AHMED:** Is Mr. Phookan a member of the newly constituted Board?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** I think he is.

**SRIJUT SIDDHI NATH SARMA:** Will this policy be followed in future?

**THE HON'BLE REV. J. J. M. NICHOLS-ROY:** That I cannot say. It all depends on the circumstances.

### Grant of domicile certificates to Marwaries

**MR. KEDARMAL BRAHMIN** asked:

\*64. Will the Hon'ble Minister in charge be pleased to state—

(a) Why domicile certificates are refused to Marwaries in Assam though they fulfil all the conditions of the law?

(b) Has any circular been issued by Government to the Deputy Commissioners that domicile certificates should not be given to the Marwaries?

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

64. (a)—Domicile certificates are not refused to Marwaries in Assam if they fulfil the conditions laid down in Rule 307 of the Executive Manual.

MR. KEDARMAL BRAHMIN: Is Government aware that domicile certificates were not issued to one Nandalal Agarwala of Gauhati and Hardeo Das Agarwala of Sarbhog ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: They were not refused only because they were Marwaries.

MR. KEDARMAL BRAHMIN: What is the reason ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I want notice.

MAULAVI SYED ABDUR ROUF: Have the people having domicile certificates equal rights as the indigenous people ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: The rule is laid down in the Executive Manual.

MR. KEDARMAL BRAHMIN asked:

\*65. Will the Hon'ble Minister in charge be pleased to state—

(a) Whether there are two sorts of domicile certificates—(i) one for business purposes and (ii) another for other purposes ?

(b) Whether Government is aware that one domicile certificate was granted to Purnananda Sharma of Gauhati in 1935, on condition that the same certificate should not be used for business purposes ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied:

65. (a)—No.

(b)—No.

MR. KEDARMAL BRAHMIN: Is Government aware that one certificate was granted to Purnananda Sharma of Gauhati and that it was not for business purposes ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: My information is that no such condition is laid down.

MR. KEDARMAL BRAHMIN asked:

\*66. Do the Hon'ble Minister in charge propose to issue orders to the Deputy Commissioners to grant domicile certificates to the Marwaries if they fulfil all the conditions laid down in the law ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied:

No ; Government consider that the existing rule on the subject is adequate.

MR. KEDARMAL BRAHMIN: Has no circular been issued by the Government to the Deputy Commissioners that no domicile certificate should be granted to Marwaries ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Sir, I have already replied to this question in 64(b).

MR. KEDARMAL BRAHMIN: If any certificate has been issued by the past Government will Government withdraw that certificate ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Yes, if it is against rule 307 of the Executive Manual.

#### Number of opium addicts living in Tea Gardens

SRIJUT OMEO KUMAR DAS asked:

\*67. Will Government be pleased to state the number of opium addicts living in tea garden areas of (1) the Assam Valley (2) the Surma Valley ?

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

67.—Assam Valley	...	...	...	...	4,870
Surma Valley	...	...	...	...	248

SRIJUT MAHADEV SARMA: Is it a fact that new *pattas* are issued every year ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I have nothing to add, Sir.

MAULAVI MUNAWWAR ALI: Is the number increasing?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I have not investigated.

MAULAVI MUNAWWAR ALI: Is the number decreasing?

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

MAULAVI MUNAWWAR ALI: My question has not been answered.

THE HON'BLE THE SPEAKER: One answer covers both the questions.

### Encroachments upon Government lands in Jorhat

SRIJUT DEBESWAR SARMAH asked:

\*68. Will Government be pleased to state—

- (a) The number of cases of unauthorised encroachments upon Government town lands of all descriptions in the Jorhat town and the period of such encroachment in each case?
- (b) The number of such encroachments which have been reported to Government?
- (c) The number of such reported cases which have been prosecuted criminally in the Court and the number that have been let off, and why?
- (d) The steps that have been taken to remove encroachment and recover clear possession?
- (e) The name of the person or persons responsible for allowing such unauthorised encroachments and what steps Government propose to take against those officers responsible for such encroachments?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied:

68. (a) & (b)—The total number of cases reported to the Deputy Commissioner during 1936-37 is 51. There may be a few more cases as enquiries are still proceeding. No case was reported to Government. The period of encroachment, in some cases varies from three or four days to two or three years. In many cases the period has not been mentioned in the report made to the Deputy Commissioner.

(c) & (d)—Forty eight cases have been tried under the Assam Highways Act. Out of this in 29 cases final orders have not yet been passed. In 9 cases, the accused persons have been acquitted under section 245 or 248 Criminal Procedure Code. In the remaining cases, the accused persons were convicted. The reason for acquittal was either that the accused persons had vacated encroachments or had undertaken to do so, three cases are now pending institution of suit on which Commissioner's instructions are being awaited by the Deputy Commissioner.

(e)—It is difficult to give the names of persons responsible for allowing unauthorised occupations as the Sub-Deputy Collector as well as the Mandal and Kanungo may be changed from time to time. It is the duty of whichever mandal is attached to that particular lot to report encroachments which are verified by Supervisor Kanungo and Sub-Deputy Collector and reported to Deputy Commissioner.

KHAN BAHADUR MAULAVI KERAMAT ALI: Is the Hon'ble Minister aware of that the Assam Highways Act does not apply to some area within the municipality.

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

KHAN BAHADUR MAULAVI KERAMAT ALI: Will the Hon'ble Minister kindly consult law on the subject and advise Magistrates?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I shall first consult the hon. questioner.

### Vice-Chairman of the Gauhati Local Board

\*SRIJUT JOGENDRA NATH BARUA asked :

\*69. Will the Hon'ble Minister in charge of Local Self-Government please state—

- (a) when was the election of the present Vice-Chairman of the Gauhati Local Board held ?
- (b) when was the Vice-Chairman, Srijut Siddhi Nath Sarma, elected and when did his term of office terminate ?
- (c) whether fresh election, if at all, of the Vice-Chairman of the Gauhati Local Board did not fall due till after the 21st May, 1937 ?
- (d) whether Srijut Siddhi Nath Sarma and another member of the Gauhati Local Board objected to the last election of the present Vice-Chairman on the ground that it was not in conformity with the law ?
- (e) whether the last election of the Vice-Chairman of Gauhati Local Board was in conformity with the law ; if so, under what provisions, sections or rules of the Local Self-Government Act ?
- (f) whether the Hon'ble Minister is prepared to take steps for holding the election of the Vice-Chairman of the Gauhati Local Board in conformity with the law in case it is admitted that the last election has not been so done ?

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

69. (a)—On the 22nd April 1937.

(b)—On the 21st May 1934. Under section 12(3) of the Assam Local Self-Government Act the term of office of a Vice-Chairman is the residue of his term of office, provided that it shall in no case exceed three years.

(c)—This is a matter of the legal interpretation of the Act.

(d)—Yes.

(e)—This is tantamount to asking for an expression of opinion and Government are not prepared to give a reply.

(f)—Government have received no representation in the matter and are not prepared to take any action at present.

SRIJUT GOPI NATH BARDOLOI: Is the Hon'ble Minister aware that Srijut Siddhi Nath Sarma was elected Vice-Chairman on May 21, 1934 ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: That is already stated, Sir.

SRIJUT GOPI NATH BARDOLOI: Is not the time between the period of his election and the time when he gave up the Vice-Chairmanship less than three years ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I am not aware, Sir.

SRIJUT GOPI NATH BARDOLOI: Is not the 21st of May 1934 to 22nd April, 1937, less than three years ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: That of course is stated plainly.

MR. FAKHRUDDIN ALI AHMED: Is not the Hon'ble Minister aware that the new Vice-Chairman was elected in the month of April 1937 ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: That, Sir, I am not aware of.



SRIJUT GOPI NATH BARDOLOI: May I know, whether this extension of one year was not granted under the Emergency Act of 1936 ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: The term of the Local Board was extended by one year.

MR. FAKHRUDDIN ALI AHMED: How can the term of the Vice-Chairman be extended by the Act when no representation was made by anybody? May I know when the present Vice-Chairman was elected? The Minister said that he was not aware of it.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: That is an error I should acknowledge.

MR. FAKHRUDDIN ALI AHMED: So the Hon'ble Minister admits that the new Vice-Chairman was elected before the expiry of three years?

SRIJUT LAKSHESVAR BOROOAH: With regard to (e) the Hon'ble Minister just now said that this question asked for an expression of opinion. But my contention is that this question has already been admitted by the Hon'ble Speaker under the Rules. Can the Hon'ble Minister say that it is a matter of opinion?

THE HON'BLE THE SPEAKER: It was not proper for him to say that it was a matter of opinion. It is not a matter of opinion.

MR. FAKHRUDDIN ALI AHMED: I have not received any reply to my question whether Government has received any representation in the matter from anybody? Will the Hon'ble Minister make an enquiry into the matter?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: I will take the suggestion of the hon. member into consideration.

SRIJUT GOPI NATH BARDOLOI: Were not the proceedings of the Local Board sent to Government?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Yes, Sir, the proceedings of the Local Board were sent to Government.

SRIJUT GOPI NATH BARDOLOI: How is it then that the Hon'ble Minister says that he is not aware of it? May I know whether any representation was sent to Government?

THE HON'BLE REV. J. J. M. NICHOLS-ROY: No, Sir. No official representation was sent from anybody?

BABU HIRENDRA CHANDRA CHAKRAVARTI: Was not the proceedings sent to the Secretary, Transferred Departments?

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

## QUESTIONS AND ANSWERS

### UNSTARRED QUESTIONS

#### Haj Pilgrimage

MAULAVI DEWAN MD. AHBAB CHAUDHURY VIDYABINODE asked:

120. Is it a fact that the Assam Arabic Students' Association at Calcutta have organised a branch Society under their control, called the Khadimal Hujjaj (Servants of the pilgrims) which is a non-political body, to serve the Haj pilgrims at Calcutta?

121. If so, do Government propose to encourage the Khadimal Hujjaj by recognising their services and offering them financial help for the maintenance of the Association?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

120.—Yes.

121.—There is no budget provision for any such grant and the Association is one started on a voluntary basis.

KHAN SAHIB MAULAVI MUDABBIR HUSSAIN CHAUDHURI: Is there any bar to give any financial help to the Association called the Khadimal Hujjaj ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: There is no bar to give any financial help to the Association.

MAULAVI MUNAWWARALI: Will the Hon'ble Minister be pleased to provide some money in the budget for giving help to the Khadimal Hujjaj ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: It is too late to provide any money in the present budget.

MAULAVI MUNAWWARALI: Does the Hon'ble Minister propose to give any help from the Government fund ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: If the House passes, I can give something from the discretionary allotment grant.

#### Sunamganj Local Board

MAULAVI DEWAN MD. AHBAB CHAUDHURY VIDYABINODE asked :

122. Is it a fact that a resolution was carried in the Sunamganj Local Board to increase the number of its members on the principle of population basis ?

123. If so do Government propose to increase the number of the members of the Sunamganj Local Board from the next election which is to be held in 1938 ?

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

122.—The hon. member is presumably referring to a resolution passed by a majority of the Board in January 1935 to move the authorities to allot seats to Muslims on a population basis. The eleven Muhammadan members present at this meeting voted in favour of this resolution but the nine non-Muhammadans present voted against it.

123.—The whole question of Local Board representation is under the consideration of Government.

#### Appointment in the Sunamganj Local Board

MAULAVI DEWAN MD. AHBAB CHAUDHURY VIDYABINODE asked :

124. Is it a fact that a resolution was passed in the Sunamganj Local Board to give 80 per cent. of posts to Muslim, till the requisite percentage towards proportionate Muslim representation was reached ?

125. If the answer to above question is in affirmative, is it also a fact that the Chairman of the Sunamganj Local Board is making appointments contrary to the spirit of the above mentioned resolution ?

126. If so, do Government propose to make an enquiry into the matter and remove the grievance of the Sunamganj Muslim public ?

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

124.—Yes.

125.—Government have no information.

126.—The reply is in the negative. The matter is one for the Board to determine.

**Newspaper comments re allegations against Sub-Deputy Collector in Habiganj**

BABU SHIBENDRA CHANDRA BISWAS asked :

127. Has the attention of Government been drawn to the petition of one Sk. Thanda of Jirunda, a copy of which has been published in the issue of *Mukti*, dated 10th March 1937, to the Subdivisional Officer, Habiganj, containing certain allegations against a Sub-Deputy Collector and to the editorial comments made thereon in the said paper? If so, will Government please state what action has been taken by the Subdivisional Officer on the petition?

128. Is it a fact that the said Sk. Thanda moved a petition to the Local Government, through the Subdivisional Officer, Habiganj, praying for sanction for prosecution of the Sub-Deputy Collector concerned under section 197 of the Criminal Procedure Code?

129. Will Government please state whether the Subdivisional Officer in forwarding the petition submitted any report to Government? If so, will Government please lay on the table the said report?

130. Will Government please state what action has been taken by Government on the petition mentioned in question 128 above?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

127.—Yes. On local enquiry the Subdivisional Officer found the allegations to be entirely false and baseless.

BABU SHIBENDRA CHANDRA BISWAS: Will the Hon'ble Minister be pleased to tell us in the words of the Subdivisional Officer himself what evidence he recorded during his inquiry?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I require notice of that question, Sir.

MAULAVI ASHRAF UDDIN MD. CHAUDHURI: Did the Subdivisional Officer personally make the enquiry into the matter?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: From the report of the Subdivisional Officer, I gather that he personally made the enquiry into the complaint.

MAULAVI ABDUR RAHMAN: May I know whether the Sub-Divisional Officer took any action against the applicant Sk. Thanda for bringing false allegation against the Sub-Deputy Collector?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: No action was taken against the petitioner as the allegations by Sk. Thanda were found false and baseless on enquiry.

MAULAVI ABDUR RAHMAN: Are Government aware that there is a provision under section 182, Indian Penal Code, for prosecuting a person for bringing false allegations?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: Yes Sir, Government is aware of the provision in that Act.

MAULAVI ABDUR RAHMAN: May I know, Sir, whether Government prosecuted the petitioner?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: No.

SRIJUT MAHI CHANDRA BORA: Was the enquiry a judicial one?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: No, Sir, it was not a judicial enquiry.

BABU SHIBENDRA CHANDRA BISWAS: Is the official report confidential?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA :  
Yes, Sir, the report is confidential.

BABU SHIBENDRA CHANDRA BISWAS : Will the Hon'ble Minister please read it to the House ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : It is not customary on the part of the Government to read the whole of the official report of the Subordinate officer in the House.

MAULAVI ABDUR RAHMAN : May I know, Sir, who is Government ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : I think, the hon. member is sufficiently well aware what is meant by Government.

MAULAVI ABDUR RAHMAN : Are we to understand that we are nobody to Government ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : The hon. members of the House have got no connection with the Executive Government.

SRIJUT PURNA CHANDRA SARMA : Do not Government consider the hon. members responsible in such matters ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Government considers the hon. members to be responsible in certain matters.

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

128.—The reply is in the affirmative.

129.—Yes. Government are not prepared to lay an official report on the table.

BABU SHIBENDRA CHANDRA BISWAS : Sir, may I know, in the words of the Subdivisional Officer himself, what recommendation he made on the petition of Sk. Thanda in forwarding the petition to the Government ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Sir, I will just read one sentence in the words of the Subdivisional Officer himself "upon full consideration of all facts, I think that Sk. Thanda's allegations are entirely false and baseless and are made with a view to secure him against any prosecution".

MAULAVI ABDUR RAHMAN : Sir, if I say that no thorough and proper enquiry was held locally, do Government propose to form a Committee to enquire into the matter and find out the real culprit ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : No, Sir. I am not prepared to form a committee to enquire into the matter again as Government has already made a thorough enquiry.

SRIJUT PURNA CHANDRA SARMA : Is the Subdivisional Officer an Executive Government Officer ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Yes, Sir, the Subdivisional Officer is an Executive Officer.

SRIJUT PURNA CHANDRA SARMA : Is he also responsible to the legislature with regard to this matter which has been treated as confidential ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : No, Sir, he is not responsible to the legislature in that matter.

MAULAVI ABDUR RAHMAN : On a point of information, Sir. If we are not allowed to hear the report from the Subdivisional Officer because of its confidential nature, may we know in which report we can be taken into confidence or not at all ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Sir, I am not prepared to answer all these hypothetical questions.

MR. BAIDYANATH MOOKERJEE: Sir, on a point of information. In reply to some question the Hon'ble Finance Minister replied that in some matters they are responsible to the legislature but may I know in which matters they are not responsible to the legislature (*hear, hear*).

THE HON'BLE THE SPEAKER: We cannot go back. If the hon. member desires he may put the question afterwards.

MR. BAIDYANATH MOOKERJEE: Everybody, Sir, is willing to hear.

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

130.—No action was taken on the petition as the allegations were on enquiry found to be untrue and baseless.

BABU SHIBENDRA CHANDRA BISWAS: Does the Hon'ble Minister propose to appoint a Commission of Enquiry?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA: I have already answered in reply to a supplementary question that Government see no reason to appoint a Commission of Enquiry.

### Inspector of Motor Vehicles

BABU SHIBENDRA CHANDRA BISWAS asked:

131. Will Government be pleased to state when and how the post of Inspector of Motor Vehicles will be filled up?

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

131.—There is no vacancy in the rank of Motor Vehicles Inspector. The only sanctioned post is occupied.

### Cotton College, Gauhati

MAULAVI JAHANUDDIN AHMED asked:

132. Is it a fact that Government have restricted the number of students in the Cotton College, Gauhati, the only Government College in this Valley? If so, will Government be pleased to state the grounds for doing so?

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

132.—A restriction was imposed by the late Government for financial reasons but arrangements have recently been made under which additional students can be admitted.

MAULAVI JAHANUDDIN AHMED: May I know, Sir, the nature of the financial reasons?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: Yes, a restriction was imposed by the late Government for financial reasons. But arrangements have recently been made for removing the restrictions and allowing additional students to be taken up.

MR. FAKHRUDDIN ALI AHMED: May I know, Sir, whether the restriction that was imposed by the previous Government has been withdrawn by the present Government?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED: Yes, we have withdrawn it.

MR. FAKHRUDDIN ALI AHMED: Has this been communicated to the college authority?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD.  
WAHEED: Yes, it has been communicated.

MR. FAKHRUDDIN ALI AHMED: Did the Hon'ble Minister receive any representation from Gauhati in regard to this matter?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD.  
WAHEED: Yes, Sir. I received a special representation from Gauhati.

MR. FAKHRUDDIN ALI AHMED: With due respect to his old age, did the Hon'ble Minister care to reply to the representation received from Gauhati?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD.  
WAHEED: I thought, Sir, that the reply that the matter was under my consideration would satisfy all.

MR. FAKHRUDDIN ALI AHMED: When was the matter fully considered and decision arrived at?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD.  
WAHEED: The decision was arrived at, I think, by the last week of June.

MR. FAKHRUDDIN ALI AHMED: Did the Hon'ble Minister care to inform the person who made the representation in regard to this matter, after the decision was arrived at?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD.  
WAHEED: No, I did not think it was necessary.

#### Affairs of the Wards Estate

MAULAVI JAHANUDDIN AHMED asked :

133.(a) Is it a fact that the officers of the Wards Estate who are *bona fide* tenants of the Estate, are not allowed to have any new landed property?

(b) If so, do Government propose to consider their case favourably?

134. Is it a fact that Maulavi Abual Majid Ziaoshshams, the then Member, Legislative Council, interpellated the Government in the last September session in the Assam Legislative Council to elicit whether any price list of staple agricultural produce was prepared according to the Goalpara Tenancy Act by the Deputy Commissioner and the Local Government?

135.(a) Will the Minister in charge be pleased to state what steps, if any, the Deputy Commissioner or the Government has taken since then regarding the publication of the said price list?

(b) If the answer to (a) above be in the negative, will the Government be pleased to state the reasons why no steps have been taken?

136. Do Government propose to make an enquiry as to whether the tenants are running the risk of losing their cases on account of the non-preparation of the price list under the Goalpara Tenancy Act?

137. Do Government propose to take steps to amend section 33 of the Goalpara Tenancy Act so that the tenants instead of instituting a suit may as well file application before the Deputy Commissioner for the relief provided for in the section?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied :

133.(a)—The reply is in the affirmative: the hon. member's attention is drawn to rule 30 at page 137 of the Wards Manual, 1919.

(b)—Government see no reason to alter this very salutary provision.

MAULAVI JAHANUDDIN AHMED: What special principle is involved in not allowing Estate officers to acquire any property in the Estate?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I have already drawn the hon. member's attention to rule 30.

MAULAVI JAHANUDDIN AHMED: May I take it that they, *i.e.*, Estate officers, are to go without any landed property?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: The rule is perfectly clear and I have nothing to add to that. So long as the rule stands, we must give effect to that.

MAULAVI MUNAWWARALI: Does the Hon'ble Minister propose to change that rule in the light of suggestions thrown by this House?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: So far as our information goes, we do not see any reason to change the rule, but if any new light is thrown, Government will be prepared to consider.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied:

134.—Yes.

135.(a)—Instructions have been subsequently issued to the local officers to carry out the provisions of the Act, and a report has been received from the Deputy Commissioner that such price lists are now being prepared.

(b)—Does not arise.

MAULAVI GHYASUDDIN AHMED: With regard to (a) may I know, Sir, when the instructions were issued?

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

MAULAVI JAHANUDDIN AHMED: Is it published in the Local Gazette or kept in the Deputy Commissioner's office?

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

MAULAVI GHYASUDDIN AHMED: Will the Hon'ble Minister state by whom the price-list is prepared?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Well, I have no information as to who supplies the details.

MAULAVI JAHANUDDIN AHMED: May I take it that some responsible officers take up the business of preparing the list?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I presume some responsible officers prepare the list. The Deputy Commissioner takes the responsibility of correction of this list.

MAULAVI GHYASUDDIN AHMED: Is the Hon'ble Minister aware that these lists are valuable documents in the matter of enhancement and reduction of rent according to the rise and fall in the price of agricultural produce in the district?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Certainly, Sir, these are valuable documents.

KUMAR AJIT NARAYAN DEV: When the lists will be published?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I think as soon as they are complete.

MAULAVI GHYASUDDIN AHMED: Are Government going to appoint a Special Officer for the purpose in view of the fact that it will be a most important document in the Goalpara Tenancy Act in which rights and privileges of landlords and tenants will be vitally affected?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: Government see no reason which would authorise them to take such an action, but if the hon. member explains to me why it is necessary, certainly, Sir, Government will consider.

SRIJUT JOGENDRA NARAYAN MANDAL: Will the Hon'ble Minister issue instructions to the District Officer or Officers concerned to fix a list of the price of staple agricultural produce in the notice board of Dhubri Bar Library Room?

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I shall communicate the desire of the hon. member to the Deputy Commissioner.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI replied:

136.—No, the lists are now being published, and, as stated in reply to Maulavi Abual Majid Ziaoshshams last September, for years no cases were filed under sections 31 and 33 of the Act, for which such price lists were prescribed.

137.—Government do not propose to usurp the jurisdiction of the Civil Courts in the manner suggested.

### Settlement of Forest blocks in Kachugaon and Haltugaon Forest Divisions

MAULAVI JAHANUDDIN AHMED asked:

138. Will Government be pleased to state—

- (a) The names of the Blocks and Coupes with the names of the contractors and the sums on which these Blocks had been settled with them in the Kachugaon and Haltugaon forest divisions from the year 1932 to 1937?
- (b) How many of these contractors are men of this district and what are their names?
- (c) Whether there was any default by any of the contractors named in (a) if so, who are they and what are their home districts?
- (d) Whether any of these defaulting contractors were allowed to have any Block or Coupe of any kind after they had defaulted? If so, who are they and what are their home districts?
- (e) Whether an sum was written off by Government for the default of the contractors mentioned in (a)? If so, who are they and what are their home districts and the amount so written off?

139. Is it a fact that some deadwood coupes were given to some contractors mentioned in 138(a) without any monopoly fee? If so, who are they and what are their home districts?

140. Will Government be pleased to state—

- (a) The number of persons that were taken for the posts of foresters, forest guards, head guards and in other clerical jobs in the Kachugaon and Haltugaon forest divisions and also in the Dhubri Forest office stating the names of the persons with their home districts from the year 1932 to 1937?
- (b) The total number of the above mentioned officers in the Kachugaon and Haltugaon Forest divisions?
- (c) The names and the number of the persons that were confirmed in their respective posts, *i.e.*, in the posts of foresters and clerical jobs in the Kachugaon and Haltugaon Forest divisions and also in the Dhubri Forest office from the year 1932 to 1937 stating their date of appointment, the date of confirmation, and also their home districts?

141. Will Government be pleased to state whether Government count the temporary period of service of foresters and other clerks on confirmation? If so, how many officers' temporary period of service was counted on confirmation and what are their names and home districts?

142. Will Government be pleased to state —

- (a) Whether an officer is allowed to draw higher salary when he is allowed to hold the charge of a higher post temporarily in the Forest Department?



(b) If so, do Government allow a forest officer to draw double or more than double of his original pay ?

(c) Do Government treat the matter in question in the same way as in the case of every officer ? If not, why not ?

143. Will Government be pleased to state :—

(a) Whether there is any fixed period of service for the foresters and other officers to serve continuously in one place ?

(b) If so, is it strictly followed in every case in the Kachugaon and Haltugaon Forest divisions ?

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

138. (a) and (b)—A statement is laid on the Library table for the information of members. The word "Goalpara" has been mentioned against the name of each contractor who is a native of the district.

(c)—None.

(d) & (e)—The question does not arise.

MAULAVI JAHANUDDIN AHMED : With regard to (a), will Government be pleased to mention the home districts of the contractors other than those of Goalpara, in the statement laid on the Library table ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : The information has been supplied in the statement, as far as I know.

MAULAVI GHYASUDDIN AHMED : Is it a fact that all the contracts of the Forest Department had been monopolised by one contractor Himmat Shingka and thereby all the local contractors were ousted ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : I have no information.

SRIJUT JOGENDRA NARAYAN MANDAL : Are Government going to publish this list in the local Gazette ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : You mean the statement laid on the Library table ?

MAULAVI MUNAWWARALI : The question is whether the Hon'ble Minister will take steps to get this list published in the Gazette ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : It will appear in the proceedings.

MAULAVI MUNAWWARALI : Are we to understand, Sir, that henceforward all statements that are laid on the Library table will also be published in the Gazette ?

THE HON'BLE THE SPEAKER : No, the statements which are laid on the Library table are not published as proceedings.

MAULAVI MUNAWWARALI : But the Hon'ble Minister stated that it would be published in the Gazette. Will it be an exception to the general rule ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : If that statement is published in the Gazette irrespective of context and question it will be meaningless. If the hon. member wants that the statement will be published in the proceedings of the Legislature, he should request the Hon'ble Speaker.

MAULAVI MUNAWWARALI : We desire, Sir, that this statement be published.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : That I have submitted to the Chair.

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

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

139.—No.

MAULAVI GHYASUDDIN AHMED : Are Government aware that one Himmatshingka, a timber merchant is monopolising the timber business in the district of Goalpara ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD.  
WAHEED : I have no information

MAULAVI GHYASUDDIN AHMED : Will the Hon'ble Minister in charge make an enquiry ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD.  
WAHEED : If the hon. member wants it, I shall do so.

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

140. (a)—A statement is laid on the Library table. There are no head guards in the Forest Department.

(b)—Ninety.

(c)—The information is furnished in the statement submitted in reply to question No.140(a) above. All the persons were confirmed with effect from the date of appointment except one clerk in the Dhubri Forest Office who is still officiating.

MAULAVI GHYASUDDIN AHMED : Are the Government aware that present Divisional Forest Officer at Kachugaon has been there for a very long time ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD.  
WAHEED : I am not aware of it.

MAULAVI GHYASUDDIN AHMED : Will the Hon'ble Minister in charge please make an enquiry ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD.  
WAHEED : Notice will be taken of that question.

MAULAVI GHYASUDDIN AHMED : Kachugaon is a bad locality. Is it not proper that the Divisional Forest Officer there should get a healthier and better place ? (*laughter.*)

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI : Everybody wants a good place.

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD.  
WAHEED : That matter will be considered.

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

141.—In the case of all officers (ministerial and non-ministerial) temporary and officiating continuous services rendered prior to confirmation count for leave only, but not for pension. In the case of clerks the officiating period in the time-scale of pay counts for increment.

142. (a)—Yes.

(b)—The pay of an officiating Forest Officer is regulated by the Fundamental Rules.

(c)—Yes.

143. (a)—There is no fixed period. Officers are transferred from one place to another in the interests of the public service and for reasons of health.

(b)—Does not arise.

### Forest Officers of Goalpara Division

SRIJUT JOGENDRA CHANDRA NATH asked :

144. Will the Hon'ble Minister in charge of Forests be pleased to state :

- (a) If it is a fact that the Forest Officers of the Goalpara Division receive a special pay for working in bad localities such as Kachugaon, Haltugaon, etc.?
- (b) Whether the Forest Officers working in Damra, Nibari, Mendipathar and Bagmara of the Northern Range of the Garo Hills Division receive any such special pay on the ground that these localities are equally bad as Kachugaon and Haltugaon ?
- (c) If not, do Government propose at an early date to extend to the officers of the Northern and Southern Range the same facilities ?

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

144. (a)—Yes.

(b)—No.

(c)—A proposal for granting special pay to Forest Officers stationed at unhealthy localities in the Garo Hills is under consideration.

SRIJUT JOGENDRA CHANDRA NATH : May I know what special pay the different officers get ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : I have no information about that now, but I can supply the information later.

SRIJUT GHANASHYAM DAS : Why and under what rule is this special pay given ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : The rule is not known to me at present, but I can inform the hon. member afterwards.

SRIJUT GHANASHYAM DAS : Is there any such rule in the Forest Manual under which these forest officers get more pay ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : All officers stationed in unhealthy localities get special pay. That is the policy of Government.

SRIJUT GHANASHYAM DAS : May I know whose proposal it is ?

THE HON'BLE SHAMS-UL-ULAMA MAULANA ABU NASR MD. WAHEED : The proposal of the Head of the Department.

### Number of Public Health dispensaries in Goalpara Subdivision

SRIJUT JOGENDRA CHANDRA NATH asked :

145. Will the Hon'ble Minister in charge of the Medical Department be pleased to state—

- (a) The number of Public Health Dispensaries, if any, in the Lakhipur Police Station of Goalpara Subdivision ?
- (b) Whether the attention of Government has been drawn to the fact that one such dispensary is badly needed at Kharmuja ?
- (c) Whether Government propose to open at an early date a Public Health Dispensary in that centre ?

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

145. (a)—Nil.

(b)—Yes.

(c)—The matter is under consideration.

### Status of the Garo Hills District under the New Constitution

MR. JABANG D. MARAK asked :

146. Will Government be pleased to state whether the extension of

section 35 of the Chin Hills Regulation, 1896 (Regulation V of 1896), in the modified form is still applicable in the "Partially Excluded Areas" under the New Constitution?

147. Will Government be pleased to state whether the Garo Hills District is still a political district, as previous to the operation of the New Constitution?

148. Will Government be pleased to state whether there is any law forbidding complaints in written form, to be submitted in court, in any "Partially Excluded Areas" under the Reforms?

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

MR. JABANG D. MARAK : Are Government aware that the previous permission is to be taken from the Deputy Commissioner of the Garo Hills in order to appoint a petition-writer in criminal cases?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Does the question arise, Sir? The question is will Government be pleased to state whether there is any law forbidding complaints in written form, to be submitted in court, in any partially excluded areas under the Reforms? I say there is no law.

THE HON'BLE THE SPEAKER : The question does not arise properly.

MR. JABANG D. MARAK : We want to know if there is any law limiting the number of petition-writers in that area?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : No, Sir, there is no law.

SRIJUT GOPI NATH BARDOLOI : Are we to understand that the Regulation still remains in force?

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

SRIJUT GHANOSHYAM DAS : Are the actions of the Deputy Commissioner to be taken as law there?

MR. JABANG D. MARAK : I want the particular rule or Regulation of the Act which is still applicable in the partially-excluded areas.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : Section 35 of the Chin Hills Regulation of 1896 was extended to the backward tracts of Assam in a modified form in 1933 under the Scheduled Districts Act, 1874. With the commencement of Part III of the Government of India Act, 1935, the Scheduled Districts Act has ceased to have effect; but notifications issued before will continue to have validity under the Adaptation Order. Of the backward tracts the Garo Hills, Mikir Hills, and the Khasi and Jaintia Hills (British portions only) are now termed "partially excluded areas", and the others, namely, Naga Hills, Lushai Hills, North Cachar Hills, Lakhimpur Frontier Tract, Sadiya Frontier Tract are totally excluded areas.

MR. JABANG D. MARAK : Is there a particular section or law in force to make clansmen liable for another persons offence?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : No, there is a distinct Regulation for the administration of Civil and Criminal justice there.

SRIJUT GHANASHYAM DAS : Are Government aware that sometimes the Deputy Commissioner of Garo Hills goes beyond the provisions of the law?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : No, Sir, Government is not aware, and so far, I have received no complaint.

SRIJUT GHANASHYAM DAS : Will Government please make an enquiry?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : If the hon. member will mention any specific case or cases in which the Deputy Commissioner has gone beyond the provisions of the law, I will make enquiry.

SRIJUT JOGENDRA CHANDRA NATH : Is it not a fact that anybody can write petitions ?

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA : There is no objection to anybody having the requisite knowledge of writing petitions.

THE HON'BLE MAULAVI SAIYID SIR MUHAMMAD SAADULLA replied :

147.—The district was formerly a " backward tract " under section 52A(2) of the Government of India Act, 1919, and is now a " partially excluded area " under section 91(1) of the Government of India Act, 1935,

148.—No,

#### STATEMENT MADE BY THE HON'BLE SPEAKER ABOUT ALLOTMENT OF TIME FOR DISCUSSION OF DEMANDS FOR GRANTS.

THE HON'BLE THE SPEAKER : Before we proceed to the next item of business, I want to draw the attention of the House to one matter, about which I requested the House on Saturday last. That was with regard to the question of the allotment of the time for discussion of demands for grants that will be coming up. I requested the House to supply me with a list showing the order of preference in which they want to take up the demands during the dates allotted for the voting of demands. Now I have got a list from the hon. the Leader of the Opposition but I think it is not an agreed list. Therefore, I propose that the hon. Leaders of the different Parties will please meet me in my room along with other hon. members who are not attached to any party, so that the list may be discussed and a timetable may be settled. I think it will be convenient to hold the discussion at about 1.30 p.m. and I hope that would suit the convenience of the members and the Leaders.

#### GENERAL DISCUSSION OF THE BUDGET

REV. L. GATPHOH : Sir, it has been the custom of this House, I believe, to criticize the budget after it has been introduced to the House. If that be the case, I am afraid I can make no contribution whatever, as I have not yet learnt the art of criticism. Criticism is true, constructive criticism, has a salutary effect on individuals or corporate bodies. But there is also another method for producing the same, if not better, effect, that is the method of appreciation. It is humane, and we are all human beings : more so within the precincts of this Assembly Hall.

Sir, I am now going to take the latter course. The course of picking out all that is good and constructive in the budget. I am doing this not for the sake of supporting the budget presented by the Chief and Finance Minister and his Government. I am doing it because I see in it the principle of constructive policy. I am not concerned with details. To me they do not matter much. I am concerned only with principles and policy. The new Government has taken great provincial responsibilities from the old Government and they have also added on to themselves new ones which have been created by the status of provincial autonomy accorded to this province. At this transition stage, from the old to the new regime when many adjustments have got to be made, alterations and additions have been and are

being made. Personally I should not feel disappointed even if it were a deficit budget that was presented. But I were happy to find a surplus budget of Rs.2 lakhs, if I am correct. The Government are indeed to be congratulated on presenting a surplus budget. If budget making were a thing that could be cleverly manipulated by experts within the four walls of an office room with no relation to the facts and figures whatever, with no sufficient data to go upon for approximate estimates, then certainly, Sir, we were not only wasting our precious time in this Assembly Hall, but were dupes of Government. Sir, to me to entertain such an idea even is repulsive. However, some of the hon. members may say within themselves 'You may still have to learn'.

Now to come to facts and figures, the sum budgeted during the current year for education is about Rs.35,73,000 according to the report of the Education Minister. That is the record expenditure figure in the history of Assam in the Education Department. Certainly, this indicates the intention of Government to steadily push on schemes for fostering education in the province as funds permit. The Compulsory Primary Education Act is a very important Act. It is a step in the right direction. But it must be admitted by all who are familiar with rural life in all its varied conditions in the different parts of the province that it is not expedient to put it in force at the present moment in every part of the province, apart from the question of finance. If this is enforced it will only mean an engine of oppression, not to speak of corruption, which will be brought into existence. Sir, in this I confine my remarks to my constituency only. The Government scheme or policy of subsidising private enterprise is the next best course to complete state control over education. At this juncture it provides ample scope for patriotic men, young men and young women to serve their country in their humble and obscure way of teaching children of poor and ignorant peasant in schools of private venture. I certainly wish that more money were provided for primary education and I would be one of those who will be directly benefited by it. But the increased and increasing demand for university education in the province is a fact which cannot be ignored. We must, therefore, stop and think before we ask why more money could not be granted for primary education. A time will soon come when a tie in the public mind will be drawn between primary education and university education.

I see the wisdom of the Finance Minister in keeping 2 lakhs of rupees unutilised for cases of emergency such as floods, earthquakes and other unforeseen calamities in the province. With regard to this I would make one observation only by way of request. I suggest that Government should be pleased to issue instructions or standing orders to their officers, both local and district, not to be over-sensitive with the use of such Government money when occasion arises for distribution either as loans or gratuitous relief.

Well, Sir, I have reason to complain in regard to this matter in connection with the present distress in the Jowai Subdivision, owing to the damage caused by hailstorms to the crops. There is no time to relate the sad story, it is very pathetic. I would request the members to read the story between the lines of my questions when they come up.

But I do not blame this Government. And besides we are a very forgiving people, although we were characterised in the past—in the days of the East India Company—as a "very vindictive people". Sir, if fighting for the preservation of one's race—for expansion of power were construed as vindictive,—then who were and are not—we certainly were. But we are among the most harmless and peace-loving people now in the province.

And I hope our friends and neighbours who have come to live temporarily or permanently in this town will not take undue advantage of our disposition.

I will just say a word about land revenue. The increase is partly because of trade depression. This may sound as a paradox. But the slump in lac has driven hundreds of people to the soil—more land has been brought under cultivation. It is also due to the introduction of bone-meal by the Agricultural Department. Land under margin of cultivation has been cultivated and assessed to revenue as the result of the use of it. A reduction of 4 annas in the rupee has given a great relief to the people and I hope Government will continue the reduction. The classification of wet rice fields and the rate of assessment fixed is a serious innovation in the hills. The hilly nature of the country makes the difficulty unsurmountable. Unless it is really done with a view to give relief to poor lands, I think it would add to the burden of the subdivision. I would therefore request the Government to go into the matter carefully and not rush it through only to get it completed before the beginning of the next financial year, if it is to be of any real help to the people.

I would also draw the attention of Government to a very urgent and serious matter, and that is to the question of free-hold lands. These free-hold lands have been held as such from time immemorial. There is a great alarm and agitation in the subdivision over the rumour that Government is going to assess them. I would only say on this occasion that, if this be the case, the impression that will be left in the minds of the people will be (1) that they are paying the penalty for the political status the subdivision has received as a partially excluded area—the penalty for throwing in their lot in the Legislative Assembly with their fellow countrymen of the plains of Assam ; (2) that the people of the poor and backward tracts are being taxed more and more to meet the increased expenditure of other districts. Sir, if free-hold lands be taxed, will the same treatment be meted out to other free-hold lands in other districts ? We expect justice, Sir, and not one law for the weak and another for the strong.

**THE HON'BLE THE SPEAKER :** The hon. member has got only two minutes more.

**REV. L. GATPHOH :** As regards road communication, Sir, the head-quarter of the subdivision is 33 miles from the capital of Assam. But the remotest parts of the province are nearer to it than this subdivision. For want of communications we are absolutely cut off from the civilized world. As a result of this we are feeling very badly the want of educational and medical facilities. Have Government done anything so far for the education of the British subjects in this district ? I do not want an answer. I want only that Government should feel it. Have Government done anything for medical relief ? As regards this, we have all these years been depending on charity—the charity of the good and generous Welsh Mission. We cannot get on on charity for ever.

Then Sir, the want of a Veterinary Surgeon in this subdivision is a handicap to cattle breeding. The frequent outbreaks of cattle epidemics, like rinderpest, have affected not only the inhabitants of the subdivision but a very large number of cultivators in the Jaintia Parganas of the Surma Valley, who depend entirely on the hill people for their ploughing oxen.

Then Sir, a word about opium. One Mikir Dolloi, Sir, came to me the other day and said—"I have not been able to realise all house tax. I shall go and tell the Subdivisional Officer that the Government must either stop opium shops or abolish house tax." This is only one illustration, Sir,

as showing the connection of the tax-paying capacity of the people with the opium habit. The Hon'ble Minister referred to the falling off of revenue under this head. What we want to know is whether the habit has decreased. If the evil is to be stamped out, I think the Excise staff should be strengthened, otherwise the closing of shops will be only mean loss in revenue to Government while the evil will grow rampant more than ever.

**SRIJIT RUPNATH BRAHMA :** Sir, the budget that has been presented before the House is a surplus one, and considering the deficit budgets for the preceding years, I agree with some of my hon. friends in saying that the Hon'ble the Finance Minister deserves congratulation for preparing and presenting the present surplus budget for the year 1937-38. But, Sir, at the same time I must confess that the budget as presented before the House is certainly far behind our expectation and it is greatly disappointing to some important sections of the people of the province—I mean the backward tribal people of the province. Now-a-days we hear a great cry in the country for the uplift of these backward people, and we have been given to understand that the Government also have taken up special responsibility for the safeguarding of the interests of these minority people. Sir, we as of right reasonably expected that, with the inauguration of the new Constitution, our cases would receive due and special consideration at the hands of our popular and responsible Government. But it is greatly surprising that nowhere in the budget we find any specific provision for the uplift of the backward tribal people of the plains. It is known to all under what acute economic distress these people have been groaning for ages long without proper education and sanitation. Sir, nobody would have grudged if some special provision had been made in the present budget for the education of these poor backward tribal people of the plains. Unless these people are given proper opportunity and special facilities to grow, how can one dream of the idea of nation-building?

Sir, it is with the inauguration of the new Constitution, with separate electorate, that these people have been able for the first time to send their representatives to this House to speak out their wants and demands. Before that they had no chance and opportunity of sending their men to fight out their causes. No one did really care to raise any question in favour of these people. Rightly speaking, their wants and legitimate demands were then totally ignored by Government and the leaders of the country. That is why these people demanded a separate electorates for them and still insist that the system should be retained at least for some years to come. It is for the same reason that these people demand that this system of separate electorates should also be introduced into the local bodies for the safeguarding of their interests.

Sir, the condition of the district of Goalpara in point of education, sanitation and communication is worse than that of any other district of the Province. It is after all a backward district. The northern part of the district of Goalpara, I mean the whole Eastern Duars specially the vast area covered by Bijni, Kokrajhar and Sidli Thanas is mainly inhabited by these backward tribal people. I draw the special attention of Government and the House to this part of the province. There in that part are no sufficient primary schools to educate the children of the backward people. There are a good number of venture primary schools which have been started by the people but have not yet been taken over by the Dhubri Local Board for want of funds.

There is a great demand for secondary education also among these people. The people are so poor that they cannot afford to send their children to the town and other distant High Schools. Reference has already



been made by one of my hon. tribal friends to the Kokrajhar High English School which has been started by the backward people themselves in the central place of the backward tribal area in the northern part of the district of Goalpara. I appeal to the Hon'ble Education Minister for giving sufficient grants to the said Kokrajhar High School and taking over the same at an early date. I also hope that sufficient sum be specially provided for taking over the venture primary schools in the said backward tribal area. I also draw the attention of the Hon'ble Minister in charge to the Buska area in the district of Kamrup.

As regards communication the district of Goalpara is the most neglected part of the province. In the Northern part of the district which is mainly inhabited by the backward tribal people save and except the North Trunk Road there is actually no other road. There being no roads it is very difficult for the traders and merchants to go there and the people cannot sell their agricultural products at proper market price. During the rainy season for want of roads people cannot move from one place to another as the village paths become quite impassable. People remain quite cut-off from the trading centres and important business places. Therefore I hope that the Board of Communications will take the case of those places into their due consideration.

Sir, another thing to which I should like to draw the attention of the Hon'ble Minister in charge is irrigation. The people in the northern part of the district cannot depend on rain alone. They mainly depend on irrigation for supplying water to their paddy fields. There the people raise bunds in the *Jhoras* and small rivers, and supply water to their agricultural lands by cutting irrigation canals which are called "Dongs". In this connection I beg to draw the attention of the Hon'ble Ministers specially the Finance Minister to the Tarang bund which is lying within the Bijni Raj Wards' Estate in the Kokrajhar area. Last year through the earnest efforts of the Deputy Commissioner, Mr. I. Majid, and in co-operation with the Eastern Bengal Railway, the Forest Department and the Bijni Raj Wards' Estate and the raiyats a bund was placed just at the breach of Champamati. But unfortunately the bund did not stand, and the water of Champamati is still causing great damages to the irrigation canals and Tarang Bunds and the Eastern Bengal Railway line is also being threatened thereby every year. The raiyats of that locality under the Bijni Wards' Estate are in alarming distress and this year the prospect of crop is hopelessly miserable. I therefore hope that the Hon'ble Minister in charge will make some grants in the present budget for protection of the irrigation canals and bunds in this locality and thereby render some relief to the suffering raiyats.

These are the bare facts I lay before the Hon'ble Ministers for due consideration and I hope and trust that the legitimate demands of Goalpara backward tribal people will not be overlooked by our present popular Government.

One word more, Sir, I have been just informed by one of my hon. tribal friends that the Gareswar Middle English School in Kamrup is in great need of help where there are tribal students. They are asking for a grant for maintenance of the school and I hope the matter will be taken into consideration by the Hon'ble Minister for Education. With these few words I resume my seat.

**BABU HARENDRA NARAYAN CHAUDHURI:** Sir, I wish to say a few words regarding the budget. Sir, I am not going to inflict a long speech on the House. Being a novice on matters financial and naturally

shy of figures, I will not try to enter into the intricacies or rather the jugglery of figures shown—and that it may be beautifully—by our Hon'ble Finance Minister.

Well, Sir, it is a custom almost in every Legislature of India either to congratulate the Finance Minister if he comes forward with a surplus budget, or to condemn him if his budget is a deficit one. Well, Sir, hon. members of the House are aware from the Budget itself and from the speech of the Hon'ble Finance Minister delivered the other day, that our Budget is a surplus one—surplus by a little over two lakhs. Well if I am to follow the practice prevalent in our Legislatures, I have no other alternative but to congratulate the Finance Minister, but, Sir, I assure the House that if they think in that light, they will be disillusioned. I neither congratulate nor condemn him, but I rather pity him. I pity him for his mendicancy.

Well, Sir, the House is certainly aware of Sir Otto Niemeyer. That gentleman came to Calcutta perhaps a year ago, or a little more. The representatives of the Government of Assam including its head, our late Governor, Sir Michael Keane, ran all the way to Calcutta, and to quote from the speech of the Hon'ble Finance Minister "they did open their mouth wide to receive a dole". Well, Sir, that gentleman was kind enough to recommend to the Central Government for a subvention of Rs. 30 lakhs a year to be granted to our province to run this huge and expensive show of provincial autonomy. Well, Sir, had not the Government of India been so ready and so generous as to throw a few crumbs from their financial table, what would have been the position of our finances? What would have been the plight of our Hon'ble Finance Minister? I shall not venture an opinion; I will leave it to the House.

Well, Sir, it was on the last All Fools' Day that the present Ministry took over charge. We were given to understand that a new era would dawn and that a millennium would be ushered in, but what do we find? We find that the old things have remained; Old Bureaucracy is there; only there has been a difference in colour. Though the element of nomination is gone and the official block wiped off, an oligarchy is installed instead. The present Ministry took over charge on the 1st of April and to day is the 9th of August, but the present ministry inspite of repeated demands from the press and the public, have not been able to come forward with a programme of their own. I ask them if they have any. If they have none, they must admit their inability and give up the reins of office. I think there will be no dearth of suitable men in this House to take their place. Will the Ministers resign? I pause for a reply Sir.

Well, Sir, coming to the Ministers another thing strikes me, and it is their salary. The Salary Bill that is before the House contemplates rupees 2,800 for our Chief Minister—(I do not know whether there is any Chief Minister—Well, Sir, that will be dealt with later on when the Salary Bill is discussed) and Rs.1,800—for other Ministers. Hon. members are aware that when *interim* Ministers in six of our major provinces resigned, or were rather forced to resign and the Congress took the helm of affairs, these Congress Ministers were satisfied with Rs. 500. Are Rajagopal Achariar, Pandit Govind Ballav Pant who can adorn any cabinet of any country of the world, less competent, less efficient and inferior to our present Ministers?

MAULAVI DEWAN MUHAMMAD AHBAB CHAUDHURY BIDYABINODE: Is any allowance given to those Ministers in Congress provinces?  
 BABU HARENDRA NARAYAN CHAUDHURI: Yes, lowest Rs. 150 and highest Rs. 350 pay and allowance together, much less than Rs. 1,800 or Rs. 2,800.

Sir, I find it is argued in some circles, that low salary will lead to dishonesty. I for one do not believe it. There is another point, I mean, the argument that Ministers will not be able to maintain their dignity and position with a low salary. Well, Sir, I will cite the instance of Lenin, late head of Soviet Russia. He was satisfied with only three hundred roubles—about Rs. 450 in our coins. The Prime Minister of Japan is getting Rs.750.—the Prime Minister of an independent State and not the Chief Minister of a benighted province of a subject nation. Are they not maintaining their position? Sir, I will cite the instance of late lamented Mr. Gokhale. He was drawing only Rs. 75 from the Servant of India Society—much less than what these official stenographers are drawing. Could he not maintain his dignity and position Sir? All these arguments are childish.

Well, Sir, I have told the House that I will not enter into the intricacies of figures and that I am shy of figures. But I will mention certain things. There has been no reduction of land revenue though raiyats are groaning under the pressure of economic depression. No provision for opening the Medical School at Sylhet has also been made in the Budget, though the stately buildings are there standing as monument of infamous valley jealousy, so shamelessly demonstrated in the last Council. There is no provision for opening a Botany class in the Murari-chand College, though it is long over due. Some few superfluous posts such as the posts of Assistant Director of Public Health, Director of Public Instruction, Deputy Superintendents of Police, and one Superintending Engineer can be done away with without sacrificing efficiency.

Well, Sir, I cannot conclude my speech without reference to a sentence that was recently uttered on the floor of the Bengal Legislative Assembly by the Leader of the Opposition, I mean Mr. Sarat Chandra Bose. It is that the "Bengal budget discloses a bankruptcy of imagination and statesmanship". Well, Sir, this can also be said of our Assam budget.

With these words I take my seat.

**MAULAVI MUHAMMED MAQBUL HUSSAIN CHAUDHURI:**  
I regret, Sir, that I am unable to congratulate the Hon'ble the Finance Minister for the disappointing Budget, he has presented before this House this year. Sir, this Budget represents the mentality of a Council of Ministers who profess to stand for the masses of people but are most unsympathetic towards their welfare. The Hon'ble Finance Minister deserves congratulations, of course, for the jugglery of figures with which he has presented a surplus Budget. Sir, the agriculturists who are the real backbone of the nation, whose welfare has a direct bearing on the welfare of the Government, have been persistently, cleverly and intentionally ignored. Rupees 6,18,300 is proposed to be spent for this Department. This is a most inadequate Budget for a Department which promises to give *dal bhat* to cultivators and to us all. Our poor cultivators expected to get something more from a reformed Government and a popular Minister but alas, all their hopes are shattered. The Hon'ble Minister of Agriculture claims to have some new schemes. I am afraid, Sir, this is not at all enough to touch the fringe of the problem. Out of the expenditure of Rs.12,956 for new schemes on agriculture not a pie goes for the real benefit of the cultivators. Demonstration, there should be, but it need not be the only work of this Department. Since the inception of this Department it is carrying on demonstration year in and year out, but not with much appreciable result. It is said, Sir, that this Department is still in its infancy. I say, Sir

that it will never reach adolescence and youth and if it goes without proper nourishment as is being done now. Many a time, Sir, I drew the pointed attention of Government towards the need of the cultivators, e.g., excavation and putting sluice gates on *khals* and *nalas* but with no effect. I know the Department has not been provided with funds for this purpose, even from the last year's rural Upliftment Grant from India Government, not a pie was allotted for this purpose. Money was spent for wells and ponds but the authority forgot that we first eat and then drink. Attempts should be made to provide first food to eat and then water to drink.

The amount of Rs. 62,633 budgeted for Sylhet and Khanapara farms is a colossal waste of public money. These farms are mere depots of a wasting disease known as Johne's disease. This money can be better utilised for livestock improvement in villages. Being an agriculturist myself I keep in close touch with the activities of this Department. I know that the authorities of the Sylhet cattle farm sold off some animals infected with Johne's disease to the cultivators in utter disregard to the Government order to the contrary. I took the earliest opportunity to draw the attention of the Department to this disastrous fact. In vain I published articles after articles in news papers to retrace the step taken by the Farm Manager but I doubt if any action will be taken by the Department against the conduct of the Farm Manager who is responsible for the spread of this wasting disease among the village cattle. The fact remains Sir, that the Manager still continues to be in charge of that farm. I do not think Government has taken a serious view of the matter.

The Hon'ble Minister for Agriculture makes bold to say that Rs. 20,000 has been granted for Boro irrigation. I say, Sir, that this is a business project of the Government. Cultivators have to pay Re. 1-4-0 each bigha as irrigation charge and it swells up to Rs. 1-8-0 if the amount is not paid before the 31st March. This much-talked of irrigation scheme, Sir, is a taxation on the poor cultivators higher than what they pay to the zamindars. This amounts to selling out help to cultivators at a very exorbitant rate.

The Hon'ble Minister for Agriculture launched his election campaign with a plough symbol but his budget shows that he has not proved true to his pledge.

Sir, I now like to pass on to the primary education. I am an inhabitant of an interior village and I know, Sir, what obstacle illiteracy creates, in doing any beneficial work for the public. I have heard enough that Government has been following the policy of expansion of primary education by giving earmarked money every year for the expansion of primary education. But, Sir, this does not at all go to satisfy the public need and demand. The budget has most heartlessly ignored the case of Lower Primary teachers who are the real nation builders and torch bearers in villages. Government could accept the luxurious scheme of opening Title Course in Sylhet Madrasha, filling up of borrow pits in Palashbari, and excavating the Sibsagar tank, but they could not consider the cases of these ill-paid "Gurus" of the nation. Speaker after Speaker spoke in previous Councils about the woes and weal of these teachers; conferences after conferences were held in order to draw the sympathy of Government in favour of these much neglected builders of national character but Government was a hard nut to crack.

Sir, the Hon'ble Minister for Agriculture fills our heart with joy with the model village scheme but I can tell him Sir, his scheme will remain a

model paper only. This scheme was tried by the Red Cross Society and it failed. Now Government should look into the causes of its failure and must guard against them. You expect to make a model village at a cost of few hundreds whereas a town could not be made a model town at an expenditure of many thousands. This is most ridiculous. This may hypnotise some of the villagers or some favourites of the Ministers but I am sure, this will result, to use an expressive Bengalee word, in "Horse's egg".

So far as the Forest Department is concerned Sir, my remark is that it is an oppressive department. If you go to villages you will hear complaints after complaints from the cultivators about the oppressive operation of the forest laws. You will be surprised, Sir, to hear that an officer of Dalairgaon Forest Office did not spare even a sight seer boy from the clutches of the forest laws.

Sir, I come from a place which is not connected with any town by any road. His Excellency the Viceroy takes less than a day's time to come to Calcutta from Delhi but our journey from Sylhet to home takes full two days' time. At a time when the less important centres are being connected with each other, we the people of Sunamganj are to remain as in the days of "Adam". This certainly will not bring any credit upon the administration.

Sir, a budget that cannot give us hope of connecting every village with the Subdivisional headquarters, establishing schools at such distance that we can send our boys and girls to receive education, establishing dispensaries to enable every patient to get medical relief, is undoubtedly a re-actionary, unsympathetic and hopeless budget.

MAULAVI DEWAN MUHAMMAD AHBAB CHAUDHURY VIDYABINODE: Sir, the new Constitution has opened a new era in the political history of India. I admit that it has got many loop-holes and defects, but it cannot be denied that it has converted the Bureaucratic Government into a Democratic one, it has broadened our outlook, it has inspired in us a new political consciousness and a hope for the future. It has conferred upon us a new responsibility which is generally known as Provincial Autonomy. Now this House has become the master of its own domestic affairs and it will guide the destiny of millions of people of the Province. In the words of our present Viceroy, Lord Linlithgow, "Ministers will be responsible not to the Parliament, but to the Provincial Legislature", I beg, Sir, to add a few words to the renowned speech of His Excellency the Viceroy and it is this. Ministers are no doubt responsible to the Legislature but this Legislature is again responsible to the people, responsible to the peasant electorate who have elected them, and above all, responsible to their conscience. These poor cultivators have no food to eat and no clothes to put on.

Sir, the two most important problems before the House await solution namely, bread and education. I have come here as a representative of the simple village folk who have no concern whether a budget is a surplus or a deficit one. Eloquence of your speech, inflated receipts and expenditure of the budget, have been characterized by some as a mathematical jugglery. We want more food, more clothes, and removal of illiteracy from the land. They elected us in the hope that we would give them at least some relief in their distress and redress their grievances. We are also in honour bound to do so. May I ask a question to the whole House irrespective of caste and creed? During these few months after the inauguration of the new Assembly, what relief we have given to the poor people of our country? They are our masters and we are their servants (*Hear, hear*). We shall have to place our accounts before them when we go back to our constituency.

Sir, Assam is a poor and small agricultural province. I feel proud to say that I am a cultivator and I belong to the agricultural class. Therefore, our first and foremost duty is to give them bread, give them medical aid and relieve them of their huge burden of debt into which they have sunk up to the neck. It is not only a question of Assam alone, it is an All-India problem. It is the primary duty of every Government to save these poor peasants from annihilation. If they go, the country goes with them; if they become extinct this palatial edifice of our Assembly will tumble down, and our poor province will again be filled with jungles and forests and become the habitation of wild ferocious animals. Sir, I now make bold to say that with the extinction of the peasant community, the whole structure of Government will fall to the ground.

Now, Sir, we hear that communism and socialism are gaining ground in India. The capitalists and other interested parties are very much afraid of these bogies. What is the root cause of this revolt? It is the revolt of the poor against the rich. It is hunger and poverty alone that are responsible for these revolutionary ideas. Give them bread and everything will vanish.

Sir, it is time that Agriculture Department should do something for the real good of the people. As things stand at present the Department is a mere luxury doing little good. This Department should be filled by really competent and sympathetic men.

Now, Sir, I come to the question of education. First of all let me congratulate our Minister of Education on his making provision in the budget for opening a Hadis Class in the Sylhet Government Alia Madrassa. For the last few years it was a persistent demand of the Muslims of the Province to open the Hadis Class in the Sylhet Madrassa and I am very glad to say that our demand for high Islamic education has at last been satisfied. Regarding the appointment of professors, Sir, it is also to be noted that the Muslim population predominate in the Surma Valley and are backward in education and that ever since the establishment of the British Raj in this part of the country, no permanent Moslem Inspector has ever been appointed. Therefore I ask the Minister of Education that a Muslim should be appointed to the permanent vacancy of Inspector of Schools for the Surma Valley and Hill Districts.

Sir, it is not unknown to the authorities that the Sylhet High Madrassa Department is awfully understaffed and I would ask the Minister of Education to appoint a Headmaster competent to look after the progress of English and other secular subjects in the Madrassa.

Sir, it is an age of democracy and the primary education, the corner stone of every democratic Government is in urgent need of expansion. The allotment of Rs. 50,000 for this purpose is too inadequate to meet the popular demand. The modern system of education is characterised as "godless education". It has reflected a baneful influence on the life and character of young generation. So I urge upon Government and ask the Hon'ble Minister of Education to find out ways and means for imparting religious and moral instruction to our young students and make it compulsory at least for four lower classes of the High English Schools of the Province.

Sir, now I draw the attention of the Hon'ble Minister of Education to the feasibility of appointing an Islamic teacher in the Silchar Normal School. You will be surprised to hear, that instead of Arabic or Persian, Sanskrit or advanced course of Bengali is enforced upon the Muslim students to learn as a compulsory subject. So I ask the Hon'ble Minister of Education to find out ways and means to make a change in the present curriculum of the Silchar Normal School, and include Arabic as one of the compulsory subjects for imparting Islamic Education to the Muslim students.

Regarding the appointment of the professor of the Hadis Class, I beg to submit one suggestion before the Hon'ble Minister of Education for serious consideration. Perhaps it is not unknown to the Hon'ble Minister of Education that it is the unanimous verdict of the Sylhet moslem public that the Professor of the Hadis Class should be of all-India reputation, whose learning and character will inspire in the hearts of the people the true ideal of our holy prophet. Otherwise it will not satisfy the demand of the Sylhet public.

Sir, I understand that some of the Moslem students who secured indigent junior scholarships have not been favoured with scholarships this year which has rendered their studies for B. A. examination impossible. I hope, Sir, that the Hon'ble Minister of Education will kindly see his way to allow the continuance of those scholarships to enable the unfortunate indigent Moslem students to complete their B. A. course.

With these words, Sir, I resume my seat.

[The House was then adjourned for lunch up to 2 p. m.]

(After lunch)

KHAN BAHADUR MAULAVI KERAMAT ALI: Sir, I think I shall be failing in my duty if I do not express my thanks to the Hon'ble Finance Minister for the speech he made in presenting the budget. Sir, the financial condition of the province has not been happy for several years. There has been each year some deficit. On the top of this we have been given a Constitution which is no doubt very expensive. Therefore the Ministry cannot be expected to do anything for the country and its people unless they are given sufficient funds to run the administration. Now, Sir, in the budget that has been placed in our hands a small surplus of rupees two and a half lakhs has been shown, but we all know that this surplus is only an eye-wash and that in fact there is no surplus at all. Now, therefore, it will be up to the hon. members to consider as to where the money is to come from to run this administration. I admit, and perhaps all hon. members know, that taxation in these days is impossible, and to raise a loan also will not be feasible because nobody would dare to give a loan to a Government which is in fact bankrupt in itself. The old way of taking loans from the Government of India is also no more in existence now. Therefore the only thing that we can take recourse to is retrenchment. In some provinces, if the newspaper reports are at all correct, appeals have been made to the higher services to submit to a voluntary reduction of their salaries. It is needless to say that Assam is the poorest of all the provinces. Will not a similar appeal made to the high officers of our province bear any fruit? Indian officers I am sure will not grudge a small reduction of their salary in the interests of the poor peasants of this province. The European officers of Assam will, I hope, set an example. They have come to this small province at a very great sacrifice to serve the people, and now if they want they can serve them very well by giving up a small portion of their salary for the relief of these poor people for whose welfare they are naturally so very anxious. I am sure that they will agree to this small cut in their salaries. Sir, the Revenue Tribunal was provisionally appointed under the Government of India Act until other provision in this behalf is made by the Provincial Legislature—I say this from the declaration that was published in the *Assam Gazette*—I do not know whether steps have been taken by the Ministry with regard to this. The officer who has been appointed to form the Revenue Tribunal is paid Rs. 3,500 per mensem. Cannot the members of the Public Service Commission be asked to perform the duties of the Tribunal in addition to their

own duties. The Public Service Commission at present has very little work to do and they can easily do this work in addition to their own duties if there is no objection to this under any Rule or Regulation. If this can be done there will be a saving of Rs.40,000 a year.

I think there is no further necessity for a Weaving Department, and the sooner this Department is abolished the better. I think the Department may be abolished without any harm to anybody. I do not understand why an officer drawing a salary of Rs.1,000 is necessary. This officer has under him several other officers to teach weaving and dyeing. We have now a sufficient number of local men who can very well teach weaving and dyeing to the villagers. Assamese and Sylheti teachers can go to the villages and mix with the villagers and teach them weaving and dyeing. These demonstrators can be very safely placed under the Director of Industries. If the Weaving School and the post of Superintendent and the Supervisors are abolished there will be a good saving.

Next I would suggest that the Agriculture Veterinary and Livestock Departments should be placed under one officer. All these three Departments are connected with each other and if they are placed under one officer there will be better supervision. There are at present several superficial posts in these three Departments ; these may safely be abolished and the money thus saved utilised for more profitable things. If instead of the higher officers the number of Demonstrators is increased much better work will be done. At present there is only one Agricultural Demonstrator for the whole of Sibsagar subdivision. This is ridiculously inadequate for a big subdivision like Sibsagar with innumerable villages to look after. If the number of Demonstrators is increased and their work is supervised by the Subdivisional Officers and the District Officers, I am sure better results will be achieved.

Then, again there are several superfluous officers in the Forest Department. For example there is an officer called the Forest Utilisation Officer. Nobody knows his duties. Does he utilise the forests or does he utilise the money of the poor peasants as remarked some time ago by the "Assamiya" ? Let such posts be abolished—Sir, there are several other posts which may also be abolished without any loss of efficiency.

I am glad to learn from the Hon'ble the Finance Minister that a Retrenchment Committee will be appointed soon. Such a Committee was appointed a few years ago but unfortunately many of the recommendations made by that Committee were not given effect to at all. I hope that if another such Committee is appointed, the report of this Committee will not be treated in the same way as has been done in the case of its predecessor. If retrenchments both in posts and pay are made a very large amount of money will be available for the nation-building departments.

The Co-operative Credit Department is indeed a very important department. It is indeed a very great pity that not a single pie has been allotted for the improvement of these departments. The Hon'ble Minister in charge has admitted that the present staff is not sufficient to give proper time to the co-operative societies. The Government should know that a very large number of middle class people including widows who have some spare money keep it in these co-operative banks



because they think that these banks are controlled by Government and therefore there is no risk. If Government do not keep a sufficient staff for periodic examination and inspection of these societies they should close down these banks. In many places, for want of supervision many banks have failed. I would, therefore, strongly urge on the attention of Government the desirability of strengthening the audit staff and increase the number of Inspectors so that the banks are kept in proper check and supervision. The present state of things is indeed very deplorable.

Sir, I am very happy to find that steps are being taken to train boys in cottage industries. But I would request the Hon'ble Minister in charge that those boys who come out from the institutions they are trained in, should be given sufficient money to start cottage industries. Because many of the poor students who come after proper training do not get sufficient money to utilise their training in the way they should do. And, therefore, what money is spent on them in the way of scholarships is simply wasted.

I find in the budget that an amount of Rs.20,000 has been allotted for Irrigation. Sir, so far not one single pie has been spent on irrigation in the Assam Valley districts. I hope this time the Hon'ble Minister will find some money out of this grant to be spent in the Assam Valley districts.

Now, to the Hon'ble the Judicial Minister, I have a word to say. This is about Jails. Jails are places where people are sent for reformation and correction. But unfortunately the Jails in Assam are full of corruptions. Sir, I know stories too horrible to be mentioned here. The Hon'ble Minister is no doubt taking steps to improve the lot of prisoners. The object of his Good Conduct Prisoners Bill is no doubt very laudable. But who is to issue the certificates of good conduct? Perhaps the Jail Superintendents. They will have to depend upon the report of the Jailors for issuing such certificates. There are jailors, and jailors, and there are jailors from whom such certificates will have to be purchased. I am afraid the Bill, if passed into an Act, will be a source of corruption unless some drastic changes are brought about in jail administration.

Now, Sir, I have also a word to say to the Hon'ble Minister of Education. I must congratulate him for placing some money in the budget for the Girls' High Schools in the province. May I remind him that there is a Girls' High School at Jorhat.....

MAULAVI SYED ABDUL ROUF : On a point of order, Sir, I want to know whether there is any time limit for these discussions.

THE DEPUTY SPEAKER (From the Chair) : Certainly. The hon. member has still three minutes more.

KHAN BAHADUR MAULAVI KERAMAT ALI : Now the Girls' School at Jorhat was started with public subscriptions and after I made repeated appeals to the then Education Minister, he was pleased to make a recurring grant of Rs. 2,400 only. Sir, to run a high school on Rs.2,400 a year is simply impossible. I therefore, would have been very happy if I had found some money in the budget earmarked for the Jorhat Girls' High School. If the Hon'ble Minister will make enquiries of the Director of Public Instruction, he will be convinced that this school has been doing very good work and deserves sympathetic consideration.

Then, Sir, there is the Jorhat College. This College has been showing very good results and if the results of this college are compared with the results of the Cotton College at Gauhati or the Murarichand College at Sylhet, it will be seen that this college is doing as good work as other Government colleges. Therefore, it would be a pity if some money is not available for this college which now wants to add B. A. classes. Therefore I hope the Hon'ble Minister will make sufficient money available for this college to start its B. A. classes.

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

MR. NABA KUMAR DATTA : Sir, this year the presentation of the budget was awaited with a good deal of excitement because it was expected that it would be something different from the matter of fact budgets with which the legislatures of the past in Assam have become acquainted. We were all eager to see the features and implications of the first budget of our responsible Government. But, Sir, though we have budgeted for a surplus, I think we have made a very poor start with the autonomy in this province. With a grant-in-aid of Rs. 30 lakhs and an increase in jute duty, the surplus of a couple of lakhs is no improvement on the budgets of the past. There is nothing distinctive in our present budget and those who hoped that provincial autonomy would bring judicial and educational autonomy in the shape of a High Court and a University must have been disappointed. And this disappointment is deepened, Sir, when it is seen that though the reforms have failed to bring these for us they have not failed to involve heavy additional expenditure. Sir, what strikes me as the most unfortunate feature of this year's budget is the omission to give further reduction with regard to the land revenue. The lost economic condition of the peasants and of the cultivating classes has not improved. And it has been seen that the prices have settled down permanently at a lower level. In the circumstances the present rate of revenues has become too heavy and has almost crushed the economic structure in this province. The cry for the reduction of land revenue is not a party cry but a genuine appeal (*hear, hear*) for help from the peasantry.

Sir, I will not proceed to criticize the policy of the various departments one by one. But it will suffice to say that the "Rolls-Royce" administration of our nation-building departments has totally failed to improve the lot of the inhabitants in this land of ours. We hear, Sir, of Director and Deputy Director of Agriculture, Economic Botanist, Marketing Officer and what not. But anybody who goes to the country-side will find the peasants still struggling on with antiquated methods of cultivation, using implements of the type that were in vogue during the days of King Rudra Singha. The marketing problem is as acute as ever and very little attempt has been made to educate the cultivating classes. On the whole Sir, so much money is being spent for the so-called primary functions of administration that the very utility of some of the departments has been frustrated. The list of new schemes is no doubt a list of isolated acts of favours here and there and I thank Government for including these in the present budget. I congratulate those localities and institutions on which the blessings have been showered. But, Sir, their good fortune makes me remember the cases of those who deserve more considerations but have been totally forgotten. Money has been found for the Girls' High Schools at Habiganj, Karimganj and Sylhet, but no provision has been made for the long deferred construction of a building for Dibrugarh Government Girls' High School, which is the pioneer of the girls' high schools in the province. At present this school is housed in a wretched thatched structure on a piece of land inundated by floods several times in a year. Some years ago anothe

piece of land at a cost of Rs.10,000 was purchased for the construction of a building for this school, but this land has been lying unutilized all these years. Sir, I thank the Government for making a provision of Rs. 50,000 for the expansion of primary education. The work that has to be done for the spread of primary education is colossal and the provision that has been made is just like a drop in the sea. But I thank the Government only because they have after all recognised the importance of primary education. But I must insist, Sir, that more money must be found to push on the policy thus initiated.

Among the new schemes there are provisions for the creation of few new posts. There is, for instance, the provision for the appointment of a third Inspector of Boilers. This seems to me Sir, redundant. There are already two Inspectors of Boilers, over and above the Chief Inspector of Boilers. It is said that there are 1,000 boilers in Assam. But I must say that, in the tea area where the gardens are closed to one another, the inspection of several boilers can be made within one week. The reason put forward in support of this appointment is that during the past two years the help of a temporary Inspector of Boilers was requisitioned for two or three months in the year. If that is so, I must submit that the work can be managed by the existing staff, if the Inspectors be a little more up and doing. I must say Sir, that much time is being wasted by them and that with a little more vigilance on the part of the Chief Inspector of Boilers there should not be much difficulty in getting through the whole work.

Talking of appointments, Sir, I cannot but voice the long-standing grievance of the Assam Valley people that they have been deprived of their due share in all appointments. Sir, there is no dearth of highly educated young Assamese people, but their claims, whenever any appointments occur, are consistently ignored. In no province in India you will find, Sir, such callousness of the Government towards the condition of the youths. Whereas in other provinces the provincial Governments, the industrial organisations and the Universities are making united efforts to tackle the problem of unemployment. Here we find that the Assamese youths are being treated as outsiders in their own home. I strongly submit, Sir, that Government must make a departure from this policy of indifference, which is daily filling the minds of the educated youths with misgivings.

Sir, I should like to say a few words in connection with the revenue from opium. We must know that revenue from this source must disappear sooner or later. The sooner it goes, the better for us. It is better for the consumers, because they will be saved from utter ruin; it is better for the Government, because they will be saved from the charges of administering slow poison to a nation; it is better for the Councillors because they will be saved from harping on the subject. I am reminded, Sir, of the evidence given by a certain doctor before the Opium Enquiry Committee of 1933. He said "the opium habit makes a labourer docile and obedient". I know, Sir, opium is being given to ferocious animals of circus parties. But obedience from a human being through the administration of a drug is certainly a criminal act. I hope these few suggestions will evoke the thought of Government and receive their best consideration.

**SRIJUT BELIRAM DAS :** Sir, as a representative from the Scheduled Castes, I consider it my duty to say something about the budget proposals, as to how far justice has been done towards this community by Government. We have been told that we are in the dawn of a new era. The much-coveted provincial autonomy has been conferred upon us. In

the present Government of India Act we find that there is provision of safeguards for all the scheduled castes and backward communities, but it remains only to be seen how far these safeguards and special interests have been protected by the Government of Assam. I am of opinion that under the garb of protecting the special interests of these minority communities perpetration of foreign domination and a regular exploitation of the Indian peasantry and of the down trodden have been deliberately planned.

Turning to the present policy of the Government of Assam, we find that the depressed communities and backwards and tribals have been treated as real untouchables by this Government and no amounts have been allotted towards the special interests of these communities. The Government have failed—hopelessly failed—to meet the requirements of these communities, except for some crumbs which have been scattered here and there to be picked up by us and to remain satisfied. Groaning under utter poverty, illiteracy and galling social disabilities, we hoped that with the introduction of provincial autonomy better days are ahead of us. But with utter callousness this Government has failed to do justice to us. The other day the Hon'ble Education Minister was bold enough to say that this was the biggest Education Budget that Assam has ever seen. But I would ask him, Sir, in that biggest budget what provision he has made for the education of the backward communities? On the other hand the Hon'ble Minister has been good enough to make some provision for his madrasahs.

Sir, we have heard from the Hon'ble Minister for Excise that Government will have some surplus revenue from the excise revenue on country liquor. The reason is not far to seek, and how this has come to pass I am just going to discuss. All the hon. members know that the indigent people of Assam like Kacharis and Lalungs have been accustomed to use their home-made rice beer. But they have been prohibited from making more than 3½ seers at a time at their homes. Rice beer, Sir, as compared with country liquor, is less harmful, less injurious to health and less intoxicating. By putting restriction on home-made rice beer, the Government have encouraged country liquor which is more intoxicating and more harmful to health.

Sir, coming to the Forest Department I should like to say that there is no other department under the Government of Assam except Forest Department where half the revenue is being swallowed up by the staff only. Within the course of last 10 years forest revenue has decreased by two-thirds. One thing which I wish to bring to the pointed notice of the House is the existence, even in this 20th century, of the system of forced labour in the forest areas in Assam. I draw the attention of the House to section 12 of the Assam Forest Manual, Vol. I, page 84 which runs as follows:—“*Jumias* may be admitted into the reserves on condition that they sow with their crops the seed of such forest trees in such manner as the Divisional Forest Officer may direct; building material and 10 cart loads of fuel annually will be given to them free of charge but they will be liable to render 20 days' labour, if called upon, at the local rate of wages. *Jumias* who in addition cultivate *rupit* land, will be similarly required to sow tree seeds with their *jum* crops. They shall be liable to pay for building material and fuel required by them, but may commute the payment annually due for these by undertaking to maintain the forest seedling in each *jum*, from being suppressed by weeds for a period of two years from the time cultivation is abandoned. They will still remain liable to render the 20 days' labour at the local rate of wages.”

"The Forest Department and its contractors shall have the first claim to the labour of forest villagers, who shall not accept employment from any other department, company or individual without the previous sanction of the Divisional Forest Officer." Sir, in the 20th century a system like this where people are forced to render labour against their will is a disgrace. I hope this civilised Government will try to abolish this forced labour system from Assam and remove this clause from the Assam Forest Manual. In spite of repeated demands by the public Assamese contractors are being daily ousted and foreigners are given contracts for timber blocks of the Forest Department. Is this policy of Government conducive to the prosperity and growth of the province ?

As regards opium much has already been said by the hon. members who have preceded me. I for myself consider it a great disgrace on the part of the civilised Government to run the administration with the revenue from opium which is considered to be a slow poisoning to these people. Hon. members are quite aware that at page 9 of the Assam Jail Administration Report we find that in the Assam Valley Jails there are more than 30 per cent. convicts who, before they came to jail, used to have some sort of drugs. But in the jail they are not supplied with any drug and they can do without it. If they can be cured of this evil habit in the Jail why cannot Government cure these people of the habit of opium outside the jail? My suggestion to the Government is that let these opium addicts be treated in different hospitals like patients in order to eradicate the vice and let opium be declared as a dangerous drug and its use be penalised.

Coming to the Fishery we find that about 3 lakhs of people earn their livelihood from fishery, but now that all the mahals are being given to foreigners and non-professional men the Assamese fishermen have been left to the mercy of those foreigners and non-professional men for their livelihood. These fisheries yield to Government exchequer about Rs.3,80,000 annually, but Government do not care to have any specialist for the Fishery Department and do not propose to make any improvement on it.

Sir, much has been said about the present budget of the present Government of Assam. This has failed to meet the minimum needs and requirements of the Province. The most crying need of reduction of land revenue has been ignored. In a place like Shillong even the dogs are bathed twice with filtered water whereas in the plains our village people do not get a cup of muddy drinking water. Has Government made sufficient provision for that? From the point of view of the depressed and backward communities I find that Government have hopelessly failed to meet their even very modest demands. So I may say that the backward and depressed people should revolt against this Government and the only way left is to see the destruction of this Government.

✓ MAULAVI ABDUL HAMID KHAN : Sir, সদাশয় বৃটিশ গবর্ণমেন্টে আমোলা তত্ত্বের স্থানে আমাদিগকে যে অভিজাত তত্ত্ব প্রদান করিয়াছেন, সেই অভিজাত তত্ত্বের প্রধান কর্তা, মাননীয় আসামের গবর্ণর বাহাদুরের নব নিযুক্ত প্রধান মন্ত্রী মহোদয় আমাদের সম্মুখে যে বাজেট পেশ করিয়াছেন সেই বাজেটের প্রতি লক্ষ্য করে আমি ইহাই বুঝিতে পারিয়াছি, যে মদের দোকানে দুধ অল্পদান করা .বাকামি মাত্র । দায়িত্ব মূলক গবর্ণমেন্ট হইলে সবার জন্য দায়িত্ব পালন করা চাই, দেশের শতকরা ৮০ জন দরিদ্র নিরক্ষরের মধ্যে হাজার হাজার লোক অনাহারে কালাতিপাত করিতেছে । মাননীয় টাক্ মিনিষ্টার

বাহাদুর তাহার সহকর্মী মন্ত্রীদের জন্ত যথেষ্ট চেষ্টা রাখিয়াছেন; বাহাতে তাহারা পোলাও, কোর্সা, কালিয়া খাইয়া আরামে বাস করিতে পারেন তাহার ব্যবস্থাও করিয়াছেন (laughter), আর আমাদের ১০৮ জন মেম্বারের জন্ত বাহাতে আমরা 1st class মোটরে শিলং পৌঁছিতে এবং রেলগাড়ীর 1st class এ বাতী বাইতে পারি তাহার ব্যবস্থাও করিয়াছেন এবং ভবিষ্যতে দরকার হইলে আমাদের অবস্থা আরও উন্নত করিবেন সেরকম আশাও দিয়াছেন, ভাল House, চেয়ার, যা কিছু দরকার সমস্তই আমাদের জন্ত ঠিক করিয়াছেন। ব্রিটিশ গবর্ণমেন্টের আমোলা তত্ত্ব বাহাতে স্বথ সুবিধায় কাগতিপাত করিতে পারেন তাহার ব্যবস্থা করিয়াছেন। কিন্তু এই বাজেটের ঘাটতি পূরণ করিবে বাহারা এবং বাহাদের আয়ে আজ ডই কোটি টাকার বাজেট হইয়াছে, দুদিন পরে তাহারাই পোনার কোটিতে পরিণত করিবে, তাহাদের অবস্থা পরিবর্তনের জন্ত কোন ব্যবস্থা করা হয় নাই। দেশের কৃষক বৃদ্ধিহারে খাজনা দিতে অনিচ্ছুক নহে, বৃদ্ধিহারে গোকল রেট দিতে অনিচ্ছুক নহে। আমি আশা করি যদি গবর্ণমেন্ট সেরকম ব্যবস্থা করিতেন তাহা হইলে এই দেশের কৃষক একটাকা কেন, প্রতি বিঘায় ৫ টাকা পর্যন্ত খাজনা দিতে রাজী হইত। আজ রাশিয়ার গবর্ণমেন্ট সেখানকার কৃষকের জন্ত, কৃষকের জমির উর্বরা শক্তি বৃদ্ধি করিবার জন্ত এবং কুটির শিল্পের সাহায্যে তাহাদের অবস্থা ভাল করিবার জন্ত যে ভাবে চেষ্টা করিতেছেন, সে ভাবে যদি আমাদের চেষ্টা করা না হয়, তাহা হইলে আমাদের দেশে টাকার আট আনা কম কেন—ক্রমে ক্রমে এমন দিন আসিবে যখন তাহারা বলিবে “আজ্ঞার মাটি চষে খাব খাজনা দিবার ক্ষমতা আমার নাই”। গাভী যতই ভাল হউক না কেন তাহাকে যদি ভাল রকম খাস না দেওয়া যায় তাহা হইলে তাহার দুধের আশা করা বিড়ম্বনা মাত্র। আজ পেটে ভাত নাই, পরনে কাপড় নাই, রোগের ঔষধ নাই, চলাচলের রাস্তা নাই, জীবন ধারণের তাহাদের কোন উপায় নাই। তাহারা বহু আশা করিয়াছিল এই নতুন গবর্ণমেন্ট রাস্তা দিবে, পরনের কাপড়, পেটের ভাত সংগ্রহ করিবার উপায় করিবার দিবে, এবং মনুষ্যত্ব দান করিবে, মানুষ কুলে জন্ম নইলে কি করা : কর্তব্য, সেই কর্তব্য, সেই জ্ঞান টুহু জাগাইয়া দিবে। গবর্ণমেন্টের বাজেটে সবই বক্তৃতা ন হইয়াছে কিন্তু নাই এর কোন ব্যবস্থা। শতকরা আশী জন কৃষকের বাহারা বাজেটের জন্মদাতা, টাকার জন্মদাতা, তাহাদিগকে আজ অকৃত মাছুষ করিতে যদি ৩ কোটি টাকার বাজেট ১৫ কোটি করিতে চান তাহা হইলে অশিক্ষিত দরিদ্র কৃষকদের অবস্থা উন্নত করুন; দরিদ্র কৃষকেরা যদি সম্মিলিত ভাবে শস্য জন্মাইতে অক্ষম হইয়া একাদিক্রমে ২৪ বৎসর শস্য জন্মান ছেড়ে দেয় তাহা হইলে এই গবর্ণমেন্ট অতি সত্ত্বর ধবংশ হইয়া যাইবে। ফাঁকি দিয়া শাসন চালাইবার দিন আর নাই। ফাঁকি যথেষ্ট দেওয়া হইয়াছে, তাহা সকলেই বুঝিতে পারিয়াছে। এসেমব্লিতে আসিবার পূর্বে তাহাদিগকে আশা দিয়াছিলাম যে নুতন মাকাল ফল সদাশয় ব্রিটিশ গবর্ণমেন্ট পালান্টামেন্ট হইতে আমাদের জন্য পাঠাইয়া দিয়াছেন তাহার ফলে তোমাদের স্কুল, রাস্তা, ঘাট যে সমস্ত অভাব আছে সকলই হইয়া যাইবে। এখন দেখিতেছি

৩০ লক্ষ টাকা মিনিটারির জন্য, ১,৪০০ টাকা ডিরেক্টার বাহাদুরের জন্য আই, সি, এস, অফিসারের জন্য, মিনিষ্টারের জন্য, গবর্নরের জন্য এবং আনাদের এই ১০৮ জন মেম্বরের জন্যও ব্যবস্থা রহিয়াছে—কিন্তু গরিবের জন্য কোন ব্যবস্থা নাই। কৃষকের বিষয় আমাদের জানাইতে হইতেছে, আমরা অনেকই ব্যক্তিগত বা সম্প্রদায় হিসাবে জানাইতেছি। এই দেশের কৃষক হিন্দুওনা ও মুসলমানও নয়, তাহারা কৃষক তাহারা জানে কেবল খেত করিতে, তাহারা complain করিতে জানেনা। এমন একদিন আসিবে যখন তাহারা পৃথক পৃথক ভাবে ভাবিবেনা, তাহারা মানুষ—মানুষের দাবী করিবে (laughter).

আমি গোয়াল পাড়া জেলার লোক, আমাদের গোয়াল পাড়া জেলার south bank এর অবস্থা আমি আপনাদের কাছে নিবেদন করিতে চাই। লক্ষীপুর, দক্ষিণ শালমারা, মানিকপুর, ফুলবাড়ী এবং মহেন্দ্র গঞ্জ এলাকায় প্রায় ২৩০,০০৪ জন গরীব প্রজা বাস করে। সেখানে ১টা মাত্র গবর্নমেন্ট এইড প্রাইমারি স্কুল আছে—এত কালের মধ্যে সদাশয় গবর্নমেন্ট সেই ১টা স্কুলের সর্বমোট ৩০ টাকা সাহায্য দিয়াছেন। ভূত-পূর্ব গবর্নর বাহাদুর স্যার মাইকেল কীন দুই বৎসর পূর্ব শাউথ শালমারার হাইস্কুলের জন্য প্রতিশ্রুতি দিয়াছিলেন—“আমি এই স্কুলে যথেষ্ট পরিমাণে সাহায্য দিবার জন্য চেষ্টা করিব”। এতবড় এলাকার ভিতর এত লোকের মধ্যে সেখানে একটি হাইস্কুলও নাই। যেসব অন্যান্য প্রতিশ্রুতি ব্রিটিশ গবর্নমেন্ট দিয়া থাকেন—তাহা কার্যে কখনও পরিণত হয় না। স্কুলের সাহায্য তাহা হইয়াছে; বহু কৃষক ঠে আবেদন নিবেদন করে কৃষি বিভাগ হইতে গত বৎসর দুইটা জল সেচনের পাম্প পাইয়াছিলেন। আপনারা শুনিয়াছেন গোয়ালপাড়া South bank এর অবস্থা; গত ভূমিকম্পে মাটি কাটিয়া বালি উঠায় সমস্ত জমি প্রায় আশানে পরিণত হইয়াছে। তার ফলে প্রায় ১০ হাজার লোক সেখান হইতে এবং বিভিন্ন জেলায় চলিয়া গিয়েছে।

সেখানে গবর্নমেন্ট হইতে যেকোরা ধানের বীজ দেওয়া হইয়াছিল সেই বীজ বপন করে ৫০০/ মন বীজের মধ্যে ২০০/ মনেরও চারা হইলনা। সদাশয় গবর্নমেন্টের বীজের এমনই বাহাদুরী যে ৫০০/ মন বীজ বপন করিলে ২০০/ মন বীজেরও চারা হয়না। সেই বীজের টাকা দিতে হইয়াছিল প্রতিমন ৩ টাকা আর irrigation এর charge প্রতি বিঘায় ১০। বাহাদুরীক তবুও তাহার কিছু ফল পাইয়াছি; সেখানে যে জমি গত ৭ বৎসর পতিত অবস্থায় ছিল, এক বিঘাও আবাদ করিতে পারে নাই, ফসল করে নাই—সেখানকার জমির প্রতি বিঘাতে এবার গড়ে ১৭ই মন ধান হইয়াছে। (hear, hear) আমি আশা করি গভর্নমেন্ট যদি এই কৃষক দিগকে মানুষ করে গড়ে তুলেন তাহা হইলে তাহারা গভর্নমেন্টের টাকার অভাব সত্যরই দূর করে দিবে। গভর্নমেন্টের যদি প্রকৃত মানুষ সেবার ইচ্ছা থাকে তাহা হইলে কৃষকের প্রতি লক্ষ করুন—বেকার সমস্যা দূর করিবার জন্য চেষ্টা করুন। শিক্ষিত বেকারেরা চাকরী না পাইয়া চাকরীর জন্য ঘরে ঘরে ঘুরিয়া ব্যর্থ

মনোরথ হইয়া শেষে আত্মহত্যা পর্য্যন্ত করিতেছে। এই যে গবর্ণমেন্ট বিপ্লব বাদের নাম করে লক্ষ লক্ষ টাকা পুলিশ বিভাগে প্রতি বৎসর খরচ করিয়াছেন তাহার জন্য দায়ী গবর্ণমেন্ট। ছাত্রেরা B.A., M.A., পাশ করে ১০ বৎসর, ১৫ বৎসর চাকরির অবশেষে ঘূরে, মিনিষ্টারের বাড়ীতে, মেম্বারের বাড়ীতে ধরা দিয়ে ৫ টাকার চাকরিও না পাইলে তাহাদের মন যখন হিংসায় পূর্ণ হয়ে যায় তখন যাহাতে এই গবর্ণমেন্ট না থাকে তাহার জন্য ব্যবস্থা করিয়া থাকে। গবর্ণমেন্টের যদি সত্যই শান্তি ও শৃঙ্খলা স্থাপন করিবার ইচ্ছা থাকে এবং দেশের প্রতি প্রেম, প্রীতি, প্রজ্ঞা বাৎসল্যের ধারণা থাকে তাহা হইলে বেকারদের জন্য সড়ক কোনও ব্যবস্থা করুন। না হইলে, বেকার ও নিরক্ষর কৃষকের দিবা রাত্র অনাহারে থাকিয়া বিকার গ্রস্ত হইয়া যাইছে তাই করিতে পারে। দীর্ঘকাল অনাহারে থাকিয়া মানুষ কতদিন আর সহ্য করিবে? জগতের কৃষকের সঙ্গে আসামের কৃষকের একেবারেই তুলনা হয়না। আসামের কৃষকের দৈনিক আয় মাত্র এক আনা তিন পাই; এবং বার তাহাদের দুই আনা, তাহাদের ৪০ কোটি টাকা ঋণ—দিবা রাত্র ক্ষণ পরিশোধ করিবে কি করিয়া তাহাই চিন্তা করিতে ছ। ঋণের চিন্তা “থাইশিশ্” রোগের চেয়েও কঠিন। ‘থাইশিশ্’ হাসপাতাল নির্মান করিবার পূর্বে ঋণে জর্জরিত কৃষক দিগকে ঋণের কবল হইতে মুক্ত করিবার জন্য চেষ্টা করুন। এখন বিধা প্রতি ৪ মন ফসল জন্মায়; যদি তাহারা এ বিষয় ১৫ মন ফসল জন্মাইতে পারে তাহা হইলে তাহারা উপযুক্ত পরিমাণে খাজানা দিতে পারিবে। এখন কৃষকেরা দিবা রাত্র চিন্তা করিয়া থাকে— তাহারা ভাল ভাবে কৃষি করিতে পারেনা; কেননা তাহারা জানে যে ঋণের দায়, খাজানার দায় তাহাদের বাট, বাটি, গরু, মহিষ, জমি সবই চলিয়া যাবে—কৃষিক্ষেত্রে দিবা রাত্র পড়ে থাকিয়া লাভ কি? সবইত নিয়ে যাব মহাজনেরা। কম বৎসরে হালের গরু, চাষের জমি প্রায়ই মহাজনের হাতে গিয়াছে, ধীর হাতে গিয়াছে। দিবা রাত্র পরিশ্রম করে যারা ফসল জন্মায় সেই গরীবের প্রতি যেন গবর্ণমেন্ট নজর রাখেন। পাটের দাম গত কম মাস পূর্বে ছিল মন প্রতি ৫ টাকা, ৭ টাকা; এখন হইয়াছে মাত্র ৭। ধনী মহাজন, ব্যবসায়ীগণ নিজেদের জিনিষ বিক্রয় করে আশি তোলাব ওজনে কিন্তু কৃষকের ক'ছ থেকে কৃষিজাত ফসল ১৫১৬ ওজনে খরিদ করে; তার উপর কালীপুহার গোশালার খরচ চলতা বৃত্তি খরচ আছে; নানা রকম ভাবে নিরীহ কৃষককে মারোয়ারী ব্যবসায়ী ফাঁকি দিতেছে। গবর্ণমেন্টের যদি মনুষ্যত্ব থাকে তাহা হইলে এই ফাঁকি হইতে রক্ষা করিবার জন্ত অগ্রসর হউন। শত শত আশিজন দরিদ্রকে রক্ষা করিলে তাহারা খাজানা দিতে কোন রকম আপত্তি করিবে না। লোকল রেট দিতেও তাহারা প্রস্তুত আছে আর যদি প্রয়োজন হয় এক টাকার স্থলে ৫ টাকা দিতেও অগ্রসর হইবে। কিন্তু ফাঁকি দিয়ে অর্থ লুণ্ঠন করিলে চলিবে না। কি আশ্চর্যের বিষয়। হাজার হাজার টাকা কৃষি বিভাগের জন্ত বাজেট করা হইয়াছে—কৃষি বিভাগের বাজেটের ৬,২০,১০০ টাকার মধ্যে কর্মচারীদের বেতনেই চলে যাচ্ছে ৬,৬২,৬০০ টাকা।



THE DEPUTY SPEAKER: (From the chair)—Only 4 minutes more.

MAULANA ABDUL HAMID KHAN: ছয় লক্ষের উপর টাকা কর্মচারীদের বেতনেই চলে যাচ্ছে। আমি challenge দিচ্ছি—একজন ডিপুটি ডিরেক্টর ও একজন ডাইরেক্টর মিলিয়া একটি farm করুক এবং দুই জন নিরক্ষর কৃষক প্রজা farm করুক, compare করা হউক কে বেশী ফসল করিতে পারে (laughter)। কৃষকেরা ঋণ হইতে মুক্ত হইলে অনেক ভাল কৃষি করিবে। ঋণের জন্ত তাহারা মরে গিয়াছে—তাহাদের শরীরে শক্তি নাই। গত ১০ বৎসরের পূর্বে একজন কৃষক এক বিঘা জমির পাট কাটিতে পারিত—এখন দশ কাঠা জমির পাট কাটিতে পারে না। তাহাদের শক্তি নাই, দিবারাত্র চিন্তা করিতেছে কোন সময় ক্রোক আসে। এখন আর ঐ রকম ফাঁকি কৃষি ডিপার্টমেন্ট রাখিলে চলিবে না।

গোয়ালপাড়ায় চিকিৎসার জন্ত যাহা ব্যবস্থা করা হইয়াছে তাহাও উল্লেখ করা প্রয়োজন। চিকিৎসার জন্ত সেখানে ৪ পাই করে খরচ হয়। মাহুঘের চিকিৎসার জন্ত যদি সেখানে ৪ পাই করে খরচ করার ব্যবস্থা হয়, তাহার দ্বারা ভক্তার নিষুক্ত হইবে না ঔষধ কেনা হইবে, না পথ্য সংগ্রহ করা হইবে? এই হল চিকিৎসার ব্যবস্থা। আমাদের সেখানের গ্রেজুয়েট এবং অন্ত্য ডিগ্রীপ্রাপ্ত ১০১২ জন শিক্ষিত লোক চাকরি না পেয়ে বেকার অবস্থায় আছে, বোধ হয় এখন তাহারা চাকরির আশা করে শিলঙেই আছেন। আশা করি আপনারা তাহাদের প্রতি দৃষ্টি রাখিবেন।

MR. JOBANG D. MARAK:\* Sir, my speech is not meant for the dilatation of this House but only to give information of some important and vital affairs that are now happening in my district which area I and my colleague Mr. Benjamin Ch. Momin represent. Sir, I therefore, pray to the House to kindly listen and be patient to my bad English wordings and phrases I am to use in this speech and excuse me for the same. Sir, as some hon. members of this House have already said that the New Constitution is the dawn of the era of Government of the people for the people and by the people and for this we owe an everlasting debt of gratitude to the noble British people.

The Deputy Commissioner tried his level best to stand in the way of the impending invasion of the Reforms into the Garo Hills district and I am glad he failed in his attempt. He said that the only two representatives of the Garo Hills will be only a small voice in a vast wilderness. He should have remembered the true fact that the whole mankind is similarly situated. Progress throughout the world is through a few individuals who are the leaven which leavens the whole lump.

Now, I see, Sir, the benefits to the Garos will be many in this New Government. (1) The stamp of inferiority will be gradually removed. (2) Association with the people in the plains and in the governance of the country, will be an education and a voice, which, among other things, in the administration of our district, will be of inestimable value.

\*Speech not corrected by the hon. member.

Here, Sir, now I find that one must plunge into the water if he is to learn swimming, a mere lecture on swimming on river-side will serve no useful purpose.

Sir, I do not possess the ability to go into the budget in detail. And I have a confidence in full in the hon. members of this cabinet. And I think and believe they have done their level best, in every respect, while preparing the budget.

Money alone cannot accomplish the stupendous task of nationbuilding. Good roads, schools and colleges cannot give peace and happiness to the masses, the general public, the peasantry and the industrial labourer where good administration and justice are neglected.

And the constitution of the new Government is, Sir, to achieve good Government, to bestow justice, peace and happiness upon the masses. As regards the financial matter, it is to do maximum good to the masses with the minimum cost of money. The first and the foremost consideration is the financial position of the masses and not that of the high officials, Ministers, etc. But, Sir, as I said, money alone will serve no useful purpose in the absence of good administration and justice and we need good and wise men to hold the reins of the Government to bring these about.

I therefore, Sir, begin with "Administration". Sir, here at the very outset I am very sorry to say that the administration of the Garo Hills is very very bad indeed.

Sir, in the interior it is worse, where justice is neglected. The interior is still unexploited and uncultivated for better Government and the people are suffering most from bad administration. For one person's offence many innocent ones, who are not in any way liable for the crime or crimes, suffer severe punishment and that to the extreme in many cases. Now, Sir, I could have cited many cases but time will not permit me. But I put this question before you. Is it just that the innocent clansmen should be held liable for the theft and other crimes committed by a convicted member of the clan over whom they have no control, and that all their property, including even small house-hold utensils should be seized regardless of their poor conditions, in lieu of fine or fines which the accused is unable to pay.

Orders from the Court imposing such punishments upon innocent clansmen fall like bomb-shells. Many houses and villages of innocent and happy-go-lucky simple families are thunderstruck and dismayed by such wrongful punishment. Sir, the Garos are naturally happy and law-abiding people, but by this ill-treatment they are becoming wicked and shrewd. Sir, I beg to refer to my question No. 148, unstarred, which runs thus:—

"Will Government be pleased to state whether there is any law forbidding complaints in written form, to be submitted in Court, in any "Partially Excluded Areas" under the Reforms? The answer was "No". But it is sure that this law is existing in the Garo Hills. Complaints in written form are disallowed, and only one Garo petition writer is allowed for the whole District, which is very disadvantageous in many respects. On the 10th March 1935 the Garo public approached the Deputy Commissioner to ventilate their grievances on this subject. He replied:—

"According to the Administration Rules of the Garo Hills complaints are to be oral". And again, Sir, on the 26th June 1937, very recently, we moved him for only one more Garo petition writer, but he replied:—

"No complaints have been made to me against the one petition writer being disadvantageous at least to any litigant in cases".

Sir, the Garos are most illiterate and defenceless in legal matters. The Garo masses say what is this new Government? They are asking me as a representative and I am responsible to them, to the people of my constituency whom I represent—they are asking me what is this new Government not giving us even one more Garo petition writer!

**MAULAVI MUNAWWAR ALI:** On a point of information, Sir. May we know who is the Deputy Commissioner in the Garo Hills?

**MR. JOBANG D. MARAK:** Mr. W. Shaw. Sir, the hon. members of this House will please consider whether it is disadvantageous or not—firstly with only one solitary petition writer for the whole District and secondly to appear before Court unprepared and to submit orally the point or points of complaints without knowing beforehand the charges or allegations made against the accused. I say this, Sir, because copies are disallowed pending final disposal of the case, in some cases. In the Garo Hills it is rather difficult to know which is the lower court and which one is the appellate court. Sir, here at this point I beg to refer to my question Nos. 234 and 235, unstarred. I asked, Sir, whether a district court can have both an original and appellate jurisdiction. The reply was "Yes", but this would be "No" either on both original and appellate side, and if so, I asked, can the same court set aside its own previous orders. The reply was "No". But I say "Yes" here. I will give an instance, Sir. In Miscellaneous Case No. 253 of 1936, one Rangwal Laskar reported that one Sengram Sangma abused Khimram Nokma, and he (Laskar) imposed a fine of Rs. 5 on the accused Sengram and submitted his report to Government on the result of his bichar. Thereupon the Deputy Commissioner passed his own independent orders thus.

**MR. DEPUTY SPEAKER:** The hon. member's time is up.

**MR. JOBANG D. MARAK:** Sir, as I represent a backward constituency may I not have the privilege of having five minutes more?

**MR. DEPUTY SPEAKER:** How can I do that?

**MR. FAKHRUDDIN ALI AHMED:** On a point of order, Sir. May we hear the story till the end.

**MR. DEPUTY SPEAKER:** He is dealing with very important matters, the like of which we cannot find in the Province. He can be given 5 minutes more.

**MR. JOBANG D. MARAK:** The Deputy Commissioner passed judgment as follows:—

"Laskar reports. Laskar must enforce dai of Rs. 10 on Sengram to Khimrang, in addition to Rs. 5 fine to Government, as I cannot have villagers abusing nokmas for nothing as reported by Laskar. Both present and informed. Laskar to enforce by 23rd January 1937."

Accused Sengram then appealed to the Extra Assistant Commissioner against the order of the Deputy Commissioner. The Extra Assistant Commissioner admitted the appeal, heard it on 24th February 1937, and quashed the Deputy Commissioner's order, and upheld the appeal. Sir, in this case the Deputy Commissioner's court is the Lower Court and the Extra Assistant Commissioner's Court is the appellate Court. Another point, Sir, in the Garo Hills, is that the Lower Courts can set aside the orders passed by the Appellate Court. Here in this case, Sir, both parties were present before the Deputy Commissioner on the day, viz., 16th January

1937. But the Deputy Commissioner did not examine them for the verification of the Laskar's report. Hence this unnecessary troubles, harassments and cost took place.

Again, Sir, in the Garo Hills, the Extra Assistant Commissioner can quash the Commissioner's order. Sir, this was about a civil suit—a money suit for Rs. 2,103-12-0. Now the original principal amount was Rs. 400 and the decretal sum Rs. 990. The balance was Rs. 712-10-6. The Deputy Commissioner ordered to put up the whole *akhing* for sale to the satisfaction of the plaintiff, regardless of any bond or mortgage made. The defendant appealed to the Commissioner against the order of the Deputy Commissioner objecting to the sale of the whole *akhing*. The Commissioner passed orders as follows:—

“The appellants object to an order of the Deputy Commissioner of the Garo Hills ordering the sale of an *akhing* in satisfaction of a debt.

In the bond only a portion of the *akhing* was pledged. The whole of the *akhing* should not have been put up for sale in execution of the decree. The sale is set aside, and if the decree-holder applies for execution an attempt should be made to satisfy the decree by selling the portion mortgaged in the bond.” The Extra Assistant Commissioner on 29th April 1937 passed orders thus, “D. H. Mingjan present. J. D. Inding absent. Mauzadar reports only one bid of Rs. 100 for the pledged portion. The whole *akhing* will accordingly be now put up for sale. Inform Mauzadar to effect it and report bids on 30th May 1937. D. H. informed.” Again the Extra Assistant Commissioner passed orders thus on the 31st May 1937. “D. H. present. J. D. absent. Mauzadar reports that the time allowed was inadequate. Refix 2nd July 1937, and inform Mauzadar. D. H. files a petition to be allowed to bid for the *akhing*. This is allowed.” Whereupon on the 2nd July the Extra Assistant Commissioner passed an order thus:—“D. H. present with J. D. D. H. admits that the pledged portion was shown him, the boundaries being pointed out by the mauzadar. He is informed that he can either take possession of this portion or it will be sold for him by the Court. The rest of the *akhing* cannot be proceeded against. D. H. declines possession and desires sale.

The mauzadar put up the pledged portion on 29th April 1937 and reported a bid of Rs. 100. He will again put it up for sale after wide publication and will send any bidders with report on 2nd August 1937. Here, Sir, the Extra Assistant Commissioner set aside his own order of 19th March 1937, 29th April 1937 and 31st May 1937. And in reply to my Question No. 235, unstarred, the answer was “No”.

Sir, just one more instance. Criminal Case No. 5/1937-Theft case. *Minga—Badi versus Songnok—Bibadi*. In this case, Sir, two persons were accused—husband and wife, and they were convicted thus:—The husband was sentenced to rigorous imprisonment and the wife to a fine of Rs. 100. The Deputy Commissioner with the J. P. No. 950, dated the 31st March 1937 ordered the Lashkar to realise fine of Rs. 100 from Songnok, who had nothing to pay—(Rule 17). The Lashkar tried to realise from the clansmen who refused to pay the fine. He then submitted a list of the clansmen suggesting that they may be made liable for the fine of Rs. 100. On this Lashkar's report the Extra Assistant Commissioner passed the order thus:—“Dated the 30th April 1937. Lashkar will realise forcibly reporting by 31st May 1937”. Thereupon the clansmen appealed to the Deputy Commissioner on 10th May 1937. The appeal was admitted by the Extra Assistant Commissioner who ordered the Lashkar to produce the accused Songnok and the appellants on 15th June 1937. The Lashkar in the meantime submitted another report saying that the accused Songnok had

committed subsequent offence by stealing eggs from Raising and Simrang and that he used force to realise Rs. 100 from the clansmen but failed. Thereupon the Extra Assistant Commissioner passed an order to produce the accused Songnok under arrest and to undergo the sentence in default. "Meanwhile Lashkar must realise ; fix 1st July 1937." Here, Sir, the learned Court did not consider the subsequent offence committed by the accused Songnok while the proceedings were going on against her. Up to this point the Lower Court was both the Lower Court and also the Appellate Court. Then the Deputy Commissioner took up the case on 1st July 1937 and passed orders—"I have read the records, and am convinced that the husband was the culprit and not the woman who merely acted under his influence and so I exercise my power under Rule 22 of the Administration Rules and set aside the order of the Lower Court against Songnok Michik". The Deputy Commissioner neglected altogether the subsequent offence committed by the accused while the proceedings were going on against her as reported by the Lashkar. And the Deputy Commissioner said "I have read records etc." Did he really read the records well or did he pass his order acquitting the accused Songnok summarily? Sir, can a thief be encouraged in this way? The accused Songnok must have been habitually stealing as the Lashkar reported on 28th May 1937. She stole eggs from her clansmen, Raising and Simrang, and absconded and is not yet traceable.

Sir, is Government to tolerate this sort of bad administration? Is this the way in which the Administrative and Executive Officers of an important district like the Garo Hills are to represent in person or persons His Majesty the King and Emperor of India and to act for him?

BABU AKSHOY KUMAR DAS: Sir, my other hon. friends have already spoken much about the facts and figures of the budget and characterised it in so many words as the "old master's voice". In fact the budget discloses a bankruptcy of ideas and schemes. Sir, I would like to say a few words about the attitude of the Hon'ble Minister for Education towards the depressed classes, and the tribal people, though the Hon'ble Minister for Education's estimate is the highest ever seen in the Education Department. With a view to have representative Legislatures in the Provinces His Gracious Majesty the King-Emperor sent the Communal Award. Then comes the memorable Poona Pact aiming at the special consideration for educational and political uplift of the depressed classes. To give effect to paragraphs 8 and 9 of the said Poona Pact His Excellency the Governor of Assam summoned the Depressed Class Conference at Shillong in the year 1934, with the then Hon'ble Minister for Education as President. Sir, the Hon'ble Finance Minister also played an important part in convening the Conference, but he cared much more to present a surplus budget than to make some provision out of the surplus for the scheduled castes. The proceedings of the Conference were sent to Government. Sir, the Hon'ble Minister for Education has totally disregarded the claims of the depressed classes as regards the distribution of educational estimates. Paragraph 8 of the Poona Pact runs as follows:—"in every province out of the Educational Grant an adequate sum should be earmarked for providing educational facilities for the members of the depressed classes". Sir, the Hon'ble Minister has neither taken any consideration for the established policy of the Government nor the resolutions passed at that Conference. I see there is special provision for education for some communities who have already attained their political emancipation and practically rule the province. Sir, the depressed classes and the tribal people are perhaps the last born infants looking for paternal care of the British Government in

India. Is there any provision in the budget for the growth and nourishment of these newborn infant communities? Sir, strictly speaking these depressed classes and the tribal people are steeped in ignorance and are entire strangers to any education whatsoever, not to speak of English which is a precious boon and one of the choicest gifts granted to the whole of India over more than a century and a half. Sir, our needs and demands are numerous and disadvantages and disabilities manifold. These communities had been suffering for centuries together; they have been trying their level best to raise themselves up in education, politics and societies, but where is the means? They are poverty stricken-people and entirely at the mercy of the high classes. Moreover in the permanently-settled districts their condition is more helpless owing to the presence of the zamindar classes who never encourage any relaxation in treatment of the lower order of the society. They are not given any facility to read and write lest their exalted position should be affected to some extent. For the reasons given above the support of the state is indispensable. Thus the Government of different provinces took the initiative of their own accord and came forward as a saviour of the multimillion dumb masses and held Conferences to give effect to the Communal Award and the Poona Pact. Sir, if education is not spread indiscriminately amongst these dumb masses of the depressed classes, the pious wish of Government is surely to be frustrated. Therefore it is necessary to provide special grants for education in the budget and ask the Local Bodies to start primary schools in populous scheduled caste areas and to recruit teachers from amongst them. There should also be adequate provision for female education. To secure this there ought to be a provision for free-studentships and scholarships, both technical and academic, for the depressed classes.

Sir, having learnt the benevolent attitude of the Government the depressed class people started many primary schools, but the Local Bodies as yet have not given any consideration to giving aid to these venture schools. Further, Sir, I would like to state before this House about a middle English School at Paharpur in the subdivision of Habiganj, which is the only depressed class institution in the whole of the Surma Valley; but as yet no aid whatsoever has been given either by Government or by the Local Board. Again, Sir, in every town, hostels ought to be started at the expense of the Government for the accommodation of the scheduled caste students. At Sylhet there is a Harijan Mess but it is not running well due to want of funds. Sir, I appeal to the Hon'ble Ministers for Education and Finance who have presented a surplus budget, to extend their liberal hands to promote the cause of education amongst the depressed classes out of the money shown as surplus in the budget.

Sir, with these few words I beg leave to resume my seat.  
**MR. KEDARMAL BRAHMIN:** Sir, I congratulate the Hon'ble Minister for his time-being surplus budget. We were expecting a deficit but thanks we are saved at least in this year. Sir, I do not want to deal with the subjects which my hon. friends have amply discussed. I want to touch on only those points which are not discussed by them.

Sir, I am surprised to find that our responsible Government have not taken care to look to the affairs of the Commercial Carrying Company. Sir, if I am correct, it checks the free development of our trade and commerce. The freight charges are arbitrary and despotic. Our Shillong potatoes cannot compete with Burmese potatoes in the Calcutta market due to this unusual freight. Sir, Calcutta from Gauhati is 475 miles off and the freight is Rs.1-3 per maund and steamer freight as 0-13-0 annas if I am correct. But this freight from Shillong to Gauhati is 0-12-0 annas for 64 miles

only and it can be raised up to Re.1-8. I suggest that our Government should take such steps as to fix the reasonable freight after due enquiry so that trade may prosper.

Coming to our present budget, I find that nothing has been done for the development of trade and commerce. Our Hon'ble Minister in charge of commerce has not thought it advisable to include these items in the budget. I think he must have considered it as an untouchable item but I hope our Hon'ble Minister will provide for its improvement in the next budget.

Sir, under the head Industries I find that the major portion of expenditure goes in the form of huge pay to the officers and nothing practical has been done for development of the department. The post of Marketing Officer was created some years ago but we do not know what better markets for our products he has since then found out. He simply gets his figure from the local merchants and thus carries on his portfolio. He cannot supply us any information required which he always says is confidential. I cannot see how the reports are confidential and I suppose these statistics are made for the benefit of the people. Sir, I suggest that this officer should be removed and an advisory board should be appointed instead.

Sir, I cannot but thank the immigrants who by dint of their labour have produced in Assam all sorts of daily needed spices. Before their coming we had to depend for spices on other provinces. But I am sorry to say that no steps have been taken by our Government to improve the quality of the spices produced in Assam. It would have been better, if along with the dawn of the new era in our constitutional history our Hon'ble Agricultural Minister takes the initiative in this department and allows large scale production on a commercial basis.

Sir, as regards jute the Government has practically taken no steps for its improvement. In the budget, our Hon'ble Minister has allotted nothing for improved cultivation of jute except that which has been given by the Indian Central Jute Committee. Jute is a source of income to Government and steps should be taken for its development.

So though there is a great demand for fine Assam rice from other provinces our Agricultural department has taken no steps for its cultivation. The old by gone method of rice cultivation is still going on at the present time. The old coarse rice is grown in abundance and the same labour and the same capital are required for growing 'bordhan' and 'Lahidhan' but the latter will give better price to the growers but our Government has done nothing for its cultivation. Sir, the high salaried officers feel shame and consider it below their dignity to approach the cultivators to explain to them the new methods and new requirements of the public.

Sir, all sorts of fruits can be produced in Assam and it is a very lucrative concern. But the Government has done nothing and is doing nothing for its culture and nothing absolutely has been provided for its improvement in the budget to take preliminary steps. Similarly honey can be produced on a commercial scale but our Government does not care for this trade and nothing has been done for the improvement of the cottage industries.

We want to introduce stiffer laws for money lending but we do not provide for adequate co-operative credit societies. Before making such laws we should establish such societies in every village to lend money on easy terms and at low interest. Otherwise these legislations will rather do more harm than any good to the debtors.

As regards excise, I want to say that instead of paying to the foreign concern at Calcutta for country spirit we can allow local private concerns to establish a distillery here in Assam and that will give impetus to

various side industries too and it will bring more revenue to the Government if revenue is the only consideration of the Government. Otherwise this department should be totally closed. As regards smuggling in opium I suggest that responsible Criminal Investigation Department Officers should be appointed to watch the shops.

Some of my hon. friends have dealt with public health in detail. But they could not touch on some vital points in this connection. The good health of the public generally depends on what they eat. Here we find that in spite of our Pure Food Act many eatables are sold in adulterated form in the market. The price of wheat here is Rs.6 per maund and the wheat atta imported from outside is below that price. It cannot but be adulterated. Similarly mustard oil coming from outside Assam is cheaper than oil manufactured in Assam oil mills. I suggest that a Vigilance Board consisting of four men to be established in every town and village to see that no adulterated articles are sold. A sort of ghee called Vegetable Product has found its place in Assam and it is injurious to human system and steps should be taken against the import of that. Many cheap adulterated medicines have also found a place in our markets and Government should see that these do not spread.

Now, Sir, coming to my own Marwari community in general to which I belong, I say, Sir, that we have settled in Assam some 60 years ago and since then we are living here. We have made Assam our home. We have not pressed the Government for any service nor for any special favours though all of us are not rich men as most of my hon. friends may think. There are some capitalists amongst us as there are in other communities too. We must have some source by which we too can live. I am very sorry to say we are not allowed the simple right of citizenship. In many cases we cannot get Government contracts simply because we could not press the Government and we did not take any interest in the day politics. Sir, domicile certificates are not granted to us. I know that the late Government issued circulars to the Deputy Commissioners not to allow domiciled certificates to the Marwaries. I do not understand why the Marwaries should have been treated in this way. I thank the Hon'ble Ministry for assuring me that these circulars will be withdrawn now. I can inform the Hon'ble House that many of us settled in Assam more than 90 years ago and since then we have not seen the face of Rajputana. Sir, in some districts of Assam we are not allowed to purchase lands and I do not know why such restrictions are imposed on us. If this is due to protecting the cultivators, in that case no other persons than the cultivators should be allowed to purchase the same and the restrictions should be imposed on all without any distinction whatsoever. The allegations made against the Marwari community in particular is not justified. I do not want to take any more valuable time of the House and I resume my seat.

MR. A. K. CHANDA : Sir, what has greatly impressed me during these discussions which have been initiated on the budget is the epidemic of condemnation of the very first budget under the auspices of provincial autonomy in this province. The reason is not far to seek. An alert, well-educated and intelligent House like this could not have of course missed the hall-mark of the last regime sticking to it in such a glaring manner. As they say, Sir, "The language is the language of Esau but the voice is the voice of Jacob". The bubble of the so-called surplus budget has been pricked. The colossal hoax of a surplus budget which the present Ministry wanted to impose upon this House has been mercilessly exposed. Sir, I realise that, as a member of the Congress Party, it is perhaps not open to me to take a narrow parochial view of the budget. But I also realise that,



subject to the general interests of the province as a whole, I must represent the special interests of my constituency.

Sir, I come from the district of Cachar. The word 'district' sounds a pretty big word in relation to a province. But if we analyse that expression, Sir, what do we find? First of all there is the North Cachar Hills, which forms an integral part of the district, but which unfortunately, to all intents and purposes, is a forbidden zone for us. Since it is an excluded area and has not been placed under the autonomous Ministers, I can therefore assume that the administration of that area is not national. Therefore it is British. To what extent the administration of the North Cachar Hills conforms to British standards of administration, of which my British friends present in this House are justly proud, is for them to say. Sir, after this forbidden zone come the castles of our planting lords. The entry into their domain is dangerous. I call it, therefore, the danger-zone, Sir. Next come the reserves of the Forest Department, the entrance to which is entangled by barbed wire. I call it, therefore, the barbarous zone. A curious providence has placed the Ministry of Education and the Ministry of Forests in the same hands. I had fondly hoped, Sir, that with books in his hands and the Hon'ble the Chief Minister by his side, to quote Omar Khayam, 'wilderness will be paradise enow'. But alas! The old order of things remains. Land is locked up in those forest areas which is not made available to the children of the soil. Why so? Because greater store is set by Government by the plantation of Sals and Nageswars rather than the needs of human society. That is why they have to give up their hearths and homes and go away far from their native district in search of lands. Imitating the Ancient Mariner, I might say "there is land and land, on every hand but not an inch to till". After this perfect partition of various interests the residual slice of earth is real Cachar. How is Cachar administered and by whom? In the past, Sir, my town Silchar used to provoke a lot of jealousy in the neighbouring towns, because it happens to be the capital of the satrapy of the Commissioner of the Division. But alas! the Commissioner is an absentee lord. He prefers the cool heights of Shillong to the plains and the nearness of the higher gods of official hierarchy, and the administration of the Commissioner goes on merrily through the post-office and his subordinates!

Sir, from General Administration I will now go on to Justice. How is justice administered in that district of mine? Cachar has for years now been the dumping ground of promoted officers and raw, callow officers and Extra Assistant Commissioner's in their nascent condition are invested with the powers of Munsif and dispense according to their own notions what they call justice. Sir, I will only narrate two instances before this House to show what the administration of justice in that district is like. In one case, Sir, where a poor labourer, vulgarly called a coolie, had the audacity to bring a case of assault against a planter. The Deputy Commissioner of the district, undoubtedly learned in law, adopted a procedure which was so un-British and grotesque that when the matter went up before His Lordship—I think it was Mr. Justice Lort Williams, he was simply overcome with surprise. In another case, Sir, a British Lieutenant gave an exhibition of his bravery and courage by making a cowardly brutal assault on a poor village lad for no other offence than this, that he had the audacity to keep his umbrella open in the presence of that mighty man. In that case he was permitted to be represented by the Public Prosecutor—the learned Public Prosecutor of Silchar. And we saw the edifying spectacle of the Public Prosecutor defending a great public cause for the prestige of the British arms was at stake!

I now come to the question of labour in the Forest Department. One of the speakers who preceded me drew the attention of this House to the system of forced labour which still obtains in the Forest villages. We have always been filled with great admiration for those British men and women who have worked for the emancipation of slaves and for ending the system of forced labour in various lands. But it is heart breaking to find that not one English heart has melted at the sight of conditions of forced labour in the forest villages within the Jewel of this British Empire.

Sir, turning to the question of titles, it has been discussed many times before this House that the distribution of titles is a form of patronage which Government resort to in certain circumstances. Sir, in my little town there are more than half a dozen titled people ; They are all esteemable persons and they are available for all sorts of laudable objects, including organisation of tea parties in honour of officials ! But may I ask who has taken note of the gracious great lady who gave away all the savings of her life for the cause of higher education—who brought a college to the door of backward Cachar ? Has any one taken note of her ? Perhaps because she is not available for purposes Government would consider titled persons to be available for. If she had named the college after some British officer, perhaps her case also would have been considered for a Kaiser-i-hind medal ! But, Sir, this is the state of affairs in my home town.

Sir, my district has, since the last devastating floods of 1929, been in the grip of acute distress. If it is not the flood, it is the drought from time to time, Sir, which has played havoc with the crops of the poor agriculturists. The Hon'ble Revenue Minister has seen the signs of returning prosperity, because there has been a slight rise in the collections of revenue. But I submit, Sir, that, if the Hon'ble Revenue Minister had witnessed the harsh methods which were employed by the collecting officers, the way they flogged a dead horse, such an expression of opinion would not have been made by him. Sir, I do not suppose that the "Bargis" of Bengal created greater panic in the districts of Bengal than the panic which has been created in my district by the loan-collecting and revenue-collecting officers. It is difficult, Sir, to speak on this subject with restraint. I therefore turn from this subject with an indignation which tortures me into briefness.

Sir, I have not dabbled in figures. I just wanted to present a true picture of the administration of the district of Cachar, which cannot be very different from the administration of the other districts of the province. Sir, I do not propose to impose a greater call upon the attention of the House.

From what we have sampled of this Constitution in this brief period of time, our resolve either to mend it or to end it has only been strengthened. That is also our pledge. Our tactics may change, our strategy may change, but our aim, never. Much has been talked in this House about the dawn of a new era in this country. To my mind, it is a new error and a very sad and bad one and the sooner it is mended or ended, the better for all concerned.

**BABU BIPIN BEHARI DAS :** I beg to say, Sir, a few words in connection with the Budget for 1937-38. It is an admitted fact that Primary Education is the crying need of the Province and the expansion of Primary Education will go a great way to help the mass to attain the desired object of the Indian people. The expansion and need of primary education are also desired by the Hon'ble Chief Minister as well as the Hon'ble Education Minister. But to our utter disappointment and misfortune a very insufficient provision of Rs.50,000 has been allotted for the purpose which seems to be only a drop of water in the vast ocean. There are many primary schools which are struggling for many years past and many are in contemplation.

Unless and until a reasonable sum be set apart for the primary education of the masses who are steeped in deep ignorance upon whom depends the future of India and who are the back-bone of the nation, the efforts of the nation-building activities will stand no where.

In this connection, Sir, I beg to draw the special attention of the Hon'ble House to the fact that our Hon'ble Education Minister felt for the Scheduled castes and expressed his good wish that they should be assisted to approach the general level of educational advance in order to participate in the uniform progress of the country. I wish to add that it is also agreed in the Poona Pact that "in every province, out of an educational grant, an adequate sum shall be earmarked for providing educational facilities to the members of the Depressed Classes".

But to our great misfortune the budgetted amount is not only quite inadequate but the spirit of the Poona Pact has been totally ignored also.

The only Middle School in the Habiganj subdivision at Ajmiriganj thana at Paharpur did not draw the attention of the Government though it was struggling for the last 15 years managed by the Depressed classes alone.

There was a Mission Hostel at Sylhet where scheduled caste students could reside but this year the Mission authority demanded inter-dining which compelled the students to live outside. Will Government look to them and make immediate provision for a hostel for them at Sylhet?

Sir, I am glad to find that Government has been pleased to make grants to the private colleges at Jorhat and at Silchar but it is a matter of great regret that no grant has been proposed for the college at Habiganj although it has been in existence for the last 5 years and turning out a large number of students every year. This year 50 students have passed of whom 12 have been placed in the first division. The authorities are also contemplating to add Degree classes but their difficulties are purely financial. There is no justification for helping two private colleges with Government grants while the third has been left without aid. I hope the Hon'ble Finance Minister will find some money to help the Habiganj College even from the present budget.

Next I like to say, Sir, something about water-supply. No one can deny the fact that water-supply in rural areas is of utmost necessity. But for water we can not live. Water is life. The money budgetted for this purpose will hardly meet the demand of the people. Is Government aware that in dry season many people die of cholera for want of pure drinking water? Is it not the duty of Government to allot more money for the safety of the people by excavation of tank and sinking of tube wells and not ring wells which have been found to be unsuccessful. So horrible was the condition that the people had to bring water from three miles off and cattedled for want of water in some parts of the Habiganj Subdivision.

It is strange indeed how it escaped the attention of the Government to allot money for the opening of the Sylhet Medical School which could turn out many qualified doctors who could save many lives and at the same time maintain themselves.

Now, Sir, I draw the attention of the Hon'ble House to clause 8 of the Poona Pact that "Every endeavour shall be made to secure fair representation of the Depressed Classes in regard to any election to local bodies or appointment to Public Services subject to such educational qualifications as may be laid down for appointment to Public Services".

I think this principle has not been given effect to in the matter of nomination of the unrepresented communities after the last Municipal election of the Sylhet Municipality in support of which the Hon'ble Minister of Local Self-Government spoke so much the other day in this Hon'ble House.

It is a matter of great regret, Sir, that just on the eve of the introduction of Provincial Autonomy the Habiganj Municipal Board was superseded on the ground of financial mismanagement though the financial situation was rapidly getting better as it was evident from the audit report made just after supersession that the assets were a little more than the liabilities.

Under the circumstances am I to understand, Sir, that the Board was superseded with a view to overtax the ratepayers by the introduction of holding tax at 14 per cent. in the teeth of vehement opposition from all quarters? Local enquiry is being made by the Deputy Commissioner, Sylhet, about the objections from the rate-payers on the basis of recommendations by the officer-in-charge of the Municipal Board. So far as my information goes I can say that the rate-payers are not satisfied. Further in the village section the assessment has been made in the same standard although people of that section enjoy very little advantage. Even the ordinary lamps are denied to them.

It is true that the Government stand for the people, and it is the moral duty of the Government to give relief to the agriculturists by granting remission of the agricultural loans who are already groaning under a load of debt.

The lives of poor villagers will be saved to great extent if the doctors in charge of the Local Board and the Public Health Department dispensaries are given instructions to attend to the cholera cases before the doctors of epidemic units make their appearance in the affected areas.

The Barak river in the Habiganj Subdivision having silted up has disconnected the North Habiganj from that of the South. It has become a source of trouble to all people as during the rainy season boats cannot ply from this side to that. The commercial importance of Habiganj will suffer altogether. So the immediate attention of the Government is invited to do the needful.

Last of all I draw the attention of the popular Government if they will consider the question of abolishing the existing Excise Department which may be rightly called a nation-destructive department following the lead of Madras Premier.

I would also like to repeat the words used by Pandit Gobind Ballav Pant, Premier of the United Provinces, that "People are masters", but in this budget no reasonable provision has been made for them though money is not wanting in other directions. So I find no reason to welcome the budget which has totally neglected the interests of the people. With these few words I resume my seat.

**KHAN SAHIB MAULAVI SAYIDUR RAHMAN:** Sir, this budget has been criticised from different quarters in most disparaging terms. I want to approach the budget from a different angle of vision. I would ask the hon. members of this House to place themselves in the position of the Hon'ble Finance Minister. It is common knowledge that when he was called on to office, this budget which we are discussing was already in a state of preparation by the Secretariat. He had little time to prepare any well defined and comprehensive scheme to incorporate the same in the budget and there was the further fact that the funds at his disposal were also limited. So in criticising the budget we have to remember the limitations of time and funds under which he had to work.

I should ask hon. members if such destructive criticism of the budget will serve any useful purpose. Will it do any ultimate good to the constituencies which they are representing here? On the other hand it will be proper for us, it will be beneficial for us, to attempt at making a constructive criticism of the budget. I find that the Ministry in their introductory speeches referred to all the burning problems of the day, that have been

referred to by all the members here. You will find in their speeches that they have touched on primary education, rural indebtedness, rural reconstruction, medical relief, rural sanitation and water supply. They have also allotted small amount, howsoever small it may be, towards the solution of these problems. It clearly indicates what is in their mind, and what they intend to do. They are not callous and indifferent to the good of the people. I therefore, in my speech propose to throw some constructive suggestion for what they are worth.

I do not mean to suggest for a moment that I consider the budget to be a prosperous one. I find that in the past, allotments were made, but the money could not be spent for want of schemes. Either it was ill spent, or was haphazardly spent. I think it was my friend Maulavi Abdul Matin Chaudhury who said that such allotments were infructuous as they did not advance the cause of the country by an inch. For instance, the unemployment problem cannot be solved without a definite plan by only providing some money for an agricultural colony. Then again, rejuvenation of small cottage industries cannot be brought about by merely granting a few stipends for industrial training or making inadequate provision for industrial loans. What is required is this. Let each of the Hon'ble Ministers take up one problem each, study it in all its aspects and prepare a five or ten year plan like that well known road development scheme and carry it through with a definite programme year after year. If this be done I think they shall have at the end of their career the satisfaction of taking the people a few steps at least towards the goal. For instance, take the case of compulsory primary education. It has been admitted on all hands that the compulsory Primary Education Act is inoperative. The Hon'ble Minister for education tells us that the initiative lies with the Local Boards, and unless Local Boards take any initiative the Government has nothing to do. I would ask the Hon'ble Minister for education to repeal that Act at once and to have the provisions replaced by a provision by which the initiative may lie with the Government. Let him take immediate steps for amending the provisions. Then we have been told that the cost is prohibitive. It requires, if I am correct, three crores. What I would suggest to him is to make a ten-year programme or a twenty-year programme if you like by gradually introducing compulsion all over the Province. Let him do it bit by bit. In that case we may not be able to stamp out illiteracy within the course of five years or ten years but we shall certainly be able to do it within the quarter of a century. Or, as Mr. Mullan remarked in the census report at the present rate of progress it would take another twenty decades or two hundred years to make them literate. Education millennium appears to be far but it lies with our popular Ministers to make up their minds to bring it on step nearer. While on primary education, I would refer to the miserable lot of teachers in all primary schools. You have all received copies of resolutions of the recent conference presided over by Mr. Laskar. I think it is high time that our popular Ministers should take up the question of the improvement of their pay and prospect to increase their efficiency. Well now coming to the budget itself, I am in entire agreement with some of the members who have said that improvement in revenue collection is not due to a corresponding betterment of the economic condition of the people. The bait that was given to the mauzadars for increased commission to ensure early collection had a very disastrous effect on the poor raiyots (*hear hear*). In Lakhimpur district I am told, collection of revenue had been carried on with a very strong hand by a strong Deputy Commissioner, Mr. Gunning, causing endless sufferings to thousands of raiyots who are on the verge of starvation. This fact is too well known to the Hon'ble the Revenue Minister to need any

mention. So, there is not only a case for continuance of 3 annas reduction but for a permanent reduction of revenue at least by 33 per cent. (*hear, hear*).

Now a question may pertinently be put to us, the advocates of revenue reduction, as to how the normal administration of the province will be carried on. My answer will be to effect economy—the economy suggested by my hon. friend sitting by my side Khan Bahadur Maulavi Keramat Ali. I think, Sir, if this revenue reduction be made, the hands of the Government will be forced to bring pressure on the Government of India to let us have our legitimate share of excise duty on petrol and kerosene from the Central Government. We can also have our legitimate share of contribution from the Central Government for the maintenance of the Assam Rifles. I am told, Sir, that land revenue on the Assam Oil Company at Digboi is much less than the land revenue obtained in other parts of the district. If the rate of assessment be brought on a par with that obtaining in other parts of Dibrugarh subdivision, the contribution to the provincial exchequer will not be negligible. I request the Hon'ble Revenue Minister to look into this matter carefully.

It is said that the collection of fees from fisheries is gradually rising but I shall be failing in my duty if I do not bring to the notice of the Hon'ble Minister the inequity of the rule by which lessees have to furnish cash securities in advance. This operates very harshly against the lessees. There is a resolution by my hon. friend Srijut Ramnath Das for giving preference to the fishing class. The above rule, I must say, is a standing bar to the poor people of the fishing class in getting and retaining leases for fisheries.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: On a point of information Sir. Does the hon. member mean to say that every lessee furnishes cash security?

KHAN SAHIB MAULAVI SAYIDUR RAHMAN: I cannot quote the rule but my information is that there is a rule by which one or two fisheries have cash securities payable in advance.

Excise revenue is dwindling. The figures given by the Hon'ble Minister for Excise are, no doubt, very imposing, but do these figures represent the true state of things. It is admitted that smuggling is going on, on a large scale. Has any bold step been taken to tackle this knotty problem? Opium leases are still being given to foreigners with the result that smuggling is going on. I do not know whether it will be a news to the Hon'ble Minister for Excise to hear that some of the opium lessees are the biggest smugglers (*hear, hear*). People from Ghazipur, the home of treasury opium, are holding licenses of several big shops in Lakhimpur district and if an enquiry be made, Government will be able to know whether they are not making extra illegitimate gain by smuggling. To prevent short weight sale of opium, the scheme for introduction of opium in tablet form should have been introduced by this time. After all, what is the cost involved—a recurring sum of Rs.60,000 and a non-recurring sum of Rs.20,000. By spending less than a lakh you can save many lakhs which are going out of your hands by surreptitious sale of opium to smugglers and consumers. Use of passes to new addicts should be stopped forthwith if the Hon'ble Minister is going to redeem the promise of wiping out the opium habit from Assam within a reasonable period of time. Corruption among the Excise staff is a matter of common talk. Very bold and decisive step should be taken to put down this evil with a strong hand. The officers of the Special Branch instead of aiming at authors and organisers of smuggling waste their energy in pursuing the small fries with the consequence that carriers are sometimes detected but the actual smugglers remain untouched. The Hon'ble

Minister should direct them to spend their energies after actual smugglers. In short, hitherto no earnest attempt had been made to carry out the opium policy in its proper spirit. That is why the millennium is receding back further and further.

**SRIJUT MAHI CHANDRA BORA:** Sir, I must confess at the outset that I have been greatly confused over the clever manipulation of the figures presented in the budget. My confusion has also been worst confounded by the contention on the one side that the budget presented is a surplus one, and on the other that it is nothing but a deficit budget. Nevertheless it is good finance and a good finance is one that shows deficit as surplus and surplus as deficit.

Sir, we are told that the budget of a Government indicates their policy. Sir, if any one asks me to-day why the Congress has been trying to combat the constitution which has been thrust upon us even against our will I must forthwith recommend him to go through the pages of the bulky volumes of the budget presented by our financial juggler—the Hon'ble the Finance Minister of Assam. My hon. friend Maulavi Abdul Matin Chaudhuri stated the other day that the mountain of Ministry in labour had produced the proverbial mouse. I may add that the mouse—an emaciated one—has been brought into existence with a terrific sound to silence the groanings of the poor.

Sir, I am not oblivious of the fact that we as well as our much vaunted popular Government have been moving in a very vicious circle. I may sympathise with the Hon'ble Finance Minister in his difficulty in stabilising the finance of the province. He could bring no message of hope to the half starved, half-clad masses which make for the most part the population of this unhappy land which has been rightly called the Cinderella of all the Indian provinces. Sir, our position has been bordering on absolute despair. In spite of the loud proclamation of the Government that everything has been changing in this new dispensation of things the scrutiny of the proposals in the budget will at once convince even a casual reader that everything is the same very thing. The most obedient servants of the people are still their masters and masters of our Ministers too. They still guide the destiny of the people. Their hand is still visible in the proposals contained in the budget. They with their high emoluments have made us starve even in the midst of plenty. But shrewd and diplomat as the Hon'ble Finance Minister is he will at once detect that our sympathy is not genuine. He realises in his heart of hearts that little sympathy will be felt for the Government of a Province that spends two-thirds of its revenue in paying salaries and pensions of the officials. He realises that with more than four-fifths of the revenue of the Province devoted to unremunerative and unproductive objects there will be hardly any money left for building up of the economic prosperity of the Province—for its continuous progress and any substantial appreciable advance.

But the caravan must be pushed on with the zeal of a new convert. It is politics. Sir, the zeal of a convert is however proverbial and the Hon'ble Sir Saadulla afraid of being original has been zealously following in the steps of his predecessors, with the inevitable result that the homeopathic schemes he has proposed have only emphasized the gravity of the economic problem of the Province.

Sir, the voice of the peasants—the pangs of the poor have been sought to be silenced by high sounding technical terms, such as detailed estimates, capital grants, demands, actuals, so forth and so on. The Government may be elated with their triumphs of to-day and successes of to-morrow, but time is changing and changing fast. If the Government fails to respect the pent-up

popular feelings of the people which found an adequate and eloquent expression in the polling booths, they are sure to be swept away by the surging wave of Indian humanity sooner than they have imagined.

Sir, all sorts of financial operations are being performed without any let or hindrance on the famished limbs of the poor peasantry and its antequated ploughs. Their operations have been successful—though their patients, the peasants, have been dying in numbers in abject poverty.

Sir, high hopes were entertained in some quarters when the portfolios of land revenue and excise were entrusted with two of our popular Ministers. People expected that the policies specially as regards the above mentioned subjects would undergo some change for the better in their hands. They were loud in their protest against the inequitous and unjust assessment of land revenue and ruinous excise policies of the Government when they were toiling members like ourselves. But alas, they have now become mauling Ministers to the surprise and astonishment of all concerned.

Yes, we are much interested to notice the fall in the opium revenue but we are equally concerned to notice the increase in revenues from spirits, hemp and other drugs. We have been told that the economic condition of the people is chiefly responsible for the increase both in the revised and the budget. But the Hon'ble the Minister conveniently forgets that the excise deities under him have been constantly and continuously whispering into the ears of the people about the virtues of drinking intoxicating drugs and liquors with a view to save them from eternal perdition. If I am not mistaken, new licenses have been issued for opening up of excise shops, lessees have been encouraged to increase the consumption with hope for settlement of shops in future. Glimpses of heaven have also been promised to our brethren, the lowly pleasure-seekers, the ganja smokers. This invidious weed—the hemp—slowly destroys man's reasons and ultimately brings him to a state of living death. It is one of the primary causes of insanity. The increase in the consumption of this commodity is sure to increase the number of inmates of a lunatic asylum. I find the Government has provided some amount for pure water supply in the mental hospital at Tezpur. Would it not be better to spend the amount for construction of some houses for accommodation of more insane persons? Sir, the evils of the alcoholic and anti-temperance policy of the Government deserve our emphatic denunciation. We expect that our Hon'ble the Excise Minister—the erstwhile champion of prohibition and temperance movement in Assam will exercise his influence and not allow his Government to thrive on the vices of the people.

Sir, people in the rural areas have been dying without any medical treatment, without a drop of medicine. The number of charitable dispensaries in the Province is hopelessly out of all proportion to the number of people. We have been told that Government have decided to introduce a scheme by which private qualified medical practitioners settled in particular localities selected by Government will receive a monthly subsidy of Rs. 20 to Rs. 25 per mensem each according to density of population served and that Government will provide an initial outlay of about Rs. 150 in medicine and appliances for each subsidised doctor. A sum of Rs. 12,000 has been provided for that purpose. I do not know whether to cry or laugh over this magnificent project. People will dance to death when they will learn about the amount going to be spent for their medical aid. Sir, an apology of such medical aid like a little knowledge is always dangerous. May we not expect our Minister to utilise the amount provided for the scheme in recruiting an expert to invent a theory of early and speedy annihilation of the wretched, ailing and dying humanity of the Province?



Sir, so far as the public health is concerned, the Hon'ble Minister in charge of the Department wished he had more money. He says—"if we had money we would give a good well or wells in every village in Assam". What a commendable desire! But sweet words butter no parsnips. If he is sure in the profession—if his Cabinet is really desirous of helping the rural population in this matter he can solve the problem in a twinkling of an eye. He would do well to listen to the advice of Mahatma Gandhi—labour and not metal is real money.

As regards communications—people do not desire to communicate the suggestions for fear of receiving serious and often furious consideration of the Government. It seems, Sir, that in the vocabulary of the Government receipt of serious consideration means utter rejection. Many roads formerly in charge of the Public Works Department have been abandoned and left to the slender resources of the Local Boards in Assam for their maintenance. Government forget and forget conveniently that traffic facilities afforded by the roads abandoned were taken into account at the time of assessment of land revenue.

Sir, the past professions of the Hon'ble the Revenue Minister as regards reduction of Land Revenue are hopelessly inconsistent with his present policy, which is nothing but a conglomeration of all possible contradictions. The Hon'ble the Revenue Minister has stated in his budget speech that the month of March 1937 constituted a record in revenue collection and not only made up the previous deficiency but resulted in an excess of over 4 lakhs over the revised estimates. In the Memorandum on the Budget Estimates of the Government of Assam for the year 1937-38 under ordinary land revenue we find that the increase in the revised is based on the progress of actuals and is due almost entirely to the gradual improvement in economic condition. The increase in the budget is based on the actuals of the year 1936-37 which amounted to Trs. 1,11,17 and allows for an improvement owing to the expansion of cultivation and to the fact that the progressive enhancement of land revenue in certain districts as a result of last resettlement falls due in the budget year. This progressive enhancement is expected to bring in additional revenue to the extent of Trs. 1,00.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: On a point of information, Sir. Did the hon. member say one lakh?

SRIJUT MAHI CHANDRA BORA: Yes, one lakh. Sir, I had no desire to disturb the placid contentment of the Hon'ble Minister over the actual and anticipated income from land revenue had he not stated that the question of reduction of land revenue commensurate with the economic condition of the raiyats was engaging the most anxious consideration of Government. He further asserts, Sir, that collection of land revenue to a great extent gives us an idea of economic condition of the people. A more dangerous, a more fallacious proposition can never be enunciated. Collection has increased this year and so the economic condition of the people must have improved! Thus the hope of the people has been shattered to pieces. Sir, may I ask with all humility whether the Hon'ble Revenue Minister has cared to enquire into the monetary obligations of the struggling raiyats and the Mauzadars incurred this year for payment of land revenue? Has he enquired whether the inducements and threats recently held out to the Mauzadars for realization of land revenue have been a source of untold harassment on the people? Perhaps he would say that the number of reported distress warrants issued against the defaulters would not justify an assumption that coercive measures have been adopted in realisation of land revenue. It pains me to aver that instances can be multiplied to show that warrants or no warrants, moveables of

the defaulters have been sold off without let or hindrance to the utter ruination of the illiterate, ignorant, simple and unsophisticated peasants. Is the Hon'ble Minister prepared to form a Committee to enquire into the grievances of the people in the matter of realisation of land revenue? If he does, he will find to his utter astonishment that number of orders of attachment is not an index of application of coercive and reprehensible measures in the matter of realisation of land revenue? The Hon'ble Minister wants also to increase his capital by realisation of land revenue in enhanced rates. I do not know if he is aware of realisation on enhanced rates without an enquiry into the slump in values and capacity of the people to pay as promised by Government.

THE HON'BLE SRIJUT ROHINI KUMAR CHAUDHURI: I am sorry to interrupt the hon. member, but can he give me the number of distress warrants issued by the mauzadars during the month of March?

SRIJUT MAHI CHANDRA BORA: I cannot give the number but warrants are supposed to be numerous. Besides, the properties of the defaulters were very often sold off even without warrants or attachment orders.

Sir, we have been told that Assam has been most shabbily treated by Sir Otto Niemeyer. I can legitimately complain that the district of Nowgong has also not got a fair deal at the hand of the Hon'ble Sir Saadulla. The people of Nowgong are victims of recurring floods. Some amounts of the agricultural loans in the Kopili Valley are outstanding, but the campaign for the realisation of the agricultural loans in the Valley can only be compared with the fury of the flood. In fairness the loans ought to have been remitted long ago.

Sir, of all the districts of Assam Nowgong has been used to be most shabbily treated specially in the matter of grants-in-aid to her educational institutions. There are two well deserved High English Schools—one at Raha and the other at Silghat which are still without any grants-in-aid either capital or recurring. I hope Government would provide them with some grants this time and increase the amounts of grants-in-aid to the other institutions.

Sir, the Settlement Buildings with their sites at Nowgong were recommended to be handed over to the Dawson High English School Committee by no less a person than His Excellency Sir Laurie Hammond. But in spite of that no effect has yet been given to the recommendation to the great inconvenience of the pupils.

In pursuance of the desire of His Excellency Sir Michael Keane to see a high school in every district of the province—a High English School for girls has been started by the public of Nowgong and Mr. Marar, the Deputy Commissioner, has been taking a good deal of interest in the matter. But up till now no assurance of any grant whatever has been coming from Government in spite of strong representations.

Sir, I am entitled to draw the conclusion that our Finance Minister could not succeed in his recent hunt for the treasure trove in Bombay. I hope he will not intend beginning his hunt right into the pockets of the masses.

SRIJUT RAM NATH DAS: Sir, I feel tempted to congratulate the Hon'ble Finance Minister for his placing before us a surplus budget, but when going through it I find that the budget is only a disappointing one as it falls short of the expectations not only of those who have sacrificed everything for others but also of those of mediæval mentality, imbibed with imperialistic ideas, and as such it will not be unbecoming of me if I hesitate to congratulate him.

Sir, I quite agree with the hon. member Maulavi Abdul Matin Chaudhury when he says that the budget discloses a bankruptcy of imagination and statesmanship, although I do not agree with him when he describes the tank of Sibsagar, the thing of beauty, the glory of Assam and a remnant of the Ahom Kings, as a pond, and considers the estimated amount for its maintenance which is long due, to be too much and unnecessary, and also for his grudge for the grant given to the Pan Bazar Girls' High School—a school which is meant for the fair sex.

Again, Sir, I have no hesitation in agreeing with the hon. member Srijut Mahadev Sarma when he says that if any Government have violated the Act of 1935 it is only the Assam Government, and I shall justify the remark shortly after.

Sir, much has been said about the budget which is also nothing but simply a reflection of an old tune with a slight change through a new machine in many ways and by many hon. members of the House, and as such I should not repeat them as it will not be proper for me to waste the time of the House by repetitions.

Sir, I beg to crave the indulgence of the House to dilate upon one point which I am morally bound to deal with as it has been touched by only a few hon. members. Sir, in all provinces, except Assam, special measures have been adopted, particularly in recent years to develop and expand the education of the scheduled and backward classes and to improve their economic and political conditions.

Sir, I regret that for all these done in other provinces now I have to draw the attention of the Government to the book known as "What is being done for the depressed classes" the authorship of which I cannot claim, nor have I received it from any Government except that of Assam which issued it probably in the year 1933, while our Hon'ble Finance Minister was the Finance Member of the day.

Sir, I fail to understand why it has not been possible for Assam to follow the example of other provinces, nor do I see any sin committed exclusively by the scheduled castes of the province for this indifference.

Sir, I will be failing in my duty if I do not recognise the interest taken by the Government for their political advancement, providing for their representation by way of nomination to the Municipal and Local Boards, although representation to important committees such as of schools, etc., are not yet thrown open.

Sir, we the members from the scheduled castes have been waiting to see in the budget an adequate sum earmarked out of the educational grant of the province as provided by a proviso of the Poona Pact which is nothing but an amendment of the Communal Award which has been confirmed by the British Government in the Act of 1935; but to our disappointment we find that no amount has been earmarked. Sir, the pact was concluded in the year 1932. The most important provisions of it are that there shall be no disability attaching to anyone on the ground of his being a member of the depressed classes in regard to any elections to local bodies or appointments to public service. Every endeavour shall be made to secure a fair representation of the depressed classes in these respects subject to such educational qualifications as may be laid down for appointment to public services. Again in every province out of the educational grant an adequate sum shall be earmarked for providing educational facilities to the members of the depressed classes. As such, Sir, there is no reason to believe that these provisions have escaped from the minds of the Hon'ble Ministers in charge of Finance and Education at the time of preparing the budget.

