

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

The Assembly met in the Assembly Chamber, Shillong, at 2-30 p.m., on Friday, the 9th April 1937, at a joint sitting of the two Chambers.

HIS EXCELLENCY'S ADDRESS TO BOTH THE CHAMBERS

On being requested by the Hon'ble President of the Assam Legislative Council His Excellency addressed the chambers as follows :—
Gentlemen of the Legislatures,

The formal business of your first session is over ; both Houses have elected their presiding officers and you will shortly disperse before assembling again later in the year to discuss the important business which the Ministry will set before you at the next session. My purpose in summoning you here to-day is to welcome the members of the new Legislatures and to place before you certain considerations which, I think, it may be helpful to keep before our minds at this the beginning of a new order of things.

You will all have read His Majesty the King Emperor's gracious message which was published on the 1st of April in which He assures His Indian subjects that His thoughts and good wishes are with them on this occasion when a new chapter is opening in the history of this land, and I am sure we must all feel grateful for the deep interest our Sovereign takes in the welfare of His subjects, and realise too how greatly we need those good wishes.

I will not do more than comment briefly, for it is a subject which has been canvassed in season and out of season now for the best part of 10 years, on the subject of the immense step forward in constitutional development that the circumstances of your and my presence here to-day denote. You are here to-day as representatives, in a House greatly enlarged in numbers, before ; the occupants of the Government benches all elected members of the Legislature, are responsible to the Legislature for policy as regards the whole field of public administration ; and on me as Governor no longer rests as it did before that personal responsibility for every act which Government saw fit to undertake. It is true, to quote the terms of the Act, that the "executive authority of a Province shall be "exercised on behalf of His Majesty by the "Governor", and, again to quote the terms of the Act, "that all executive action of the "Government of a Province shall be expressed —by virtue of the Instrument of Instructions the Governor is bound "in the his "Ministers unless" this "would be inconsistent "with the fulfilment of any of "his" special "responsibilities.....or with the proper discharge "of any of the functions which he is..... "required to exercise in his individual judgment".

This is the culmination of the transitional period of the last 16 years during which the system of dyarchy has been in force. The main features of the system which has just disappeared were a Legislature on the one hand consisting of a single House only half the size of the present Assembly, and containing a substantial official and nominated element ; and an executive

on the other, wherein, under the two categories of Reserved and Transferred, and irremovable Executive Council divided the functions of Government with an elected element in the shape of two Ministers. We now have a Legislature consisting, first, of a Lower House which is twice the size of the old Legislative Council and which contains neither a nominated nor an official element and, secondly, of an Upper House, mainly elected, the nominated element consisting of 3 members only. One of these nominated members, a lady, has been chosen by the Upper House as its Deputy President, a unique occurrence, I believe, in the history of legislatures in India, certainly in Assam. Most important of all, the distinction between Reserved and Transferred is swept away and the elected Ministers are in charge of the whole field of administration. These are all perhaps rather elementary facts, but they are a back-ground of facts which we cannot too clearly keep in mind if we are to see in true perspective the momentous changes which have been brought about and the great responsibility which I as Governor, you as members of the Legislatures, and lastly our Council of Ministers have from now on to shoulder.

The work of the Ministry is not going to be an easy task. First and foremost, they will have to face a far from favourable financial situation. Though by the terms of the Niemeyer Report considerable relief has been given to Assam, the important points being the cancellation of her outstanding debt to the Government of India up to 31st March 1936 which means a saving of 19 lakhs annually in repayment: a recurring grant of Rs.30 lakhs: and an increase of the share of the jute export duty from 50 per cent. to 62½ per cent., yet it is no use shutting our eyes to the fact that her resources, as compared with her needs, are decidedly slender. The year 1936-37 will have closed with a deficit of some 46½ lakhs, which however was less by 11 lakhs than was estimated, and this deficit, at present financed by the Government of India, will have to be repaid within 18 months. For that it will be necessary to raise a loan and this will not be done as of old by means of an overdraft with a benevolent banker in the shape of the Government of India, but will have to depend on what arrangements can be made in the open market. It has, however, been found possible, with the help of the Legislature and by great effort on the part of Government departments to curtail expenditure, to provide the new Government with a balanced budget for 1937-38, a budget which you will find when it is put before you in due course will estimate for a small surplus on revenue account.

I realise that this financial handicap is a great disadvantage to any Ministry that may take office, at a time when funds are so sorely needed for education, for social welfare work, for hospitals, for improvements in rural conditions and a hundred other ways; and I trust that critics, whether in the Legislatures or outside, will, when they feel called upon to ask why this or that project of betterment is not carried out or why in this or that direction funds are not forthcoming for some crying need, pause to make allowances and to assist the Ministry in their task, not by handing out blame for failure to spend, but rather commendation for conserving the public funds of which they are the custodians.

In this connection I feel I should take this opportunity of correcting once more a statement which I understand has been freely published, and that is that 75 per cent. of our expenditure will be charged on the revenues of the province, an expression which means that such expenditure shall not be submitted to vote, though there is nothing to

prevent the discussion of such estimates except in respect of one item. This statement is grossly inaccurate. Twenty-one per cent, not 75 per cent., is the correct figure, and of that 21 per cent. all but a small fraction is open to discussion, discussion which I would remind the Houses has not been ignored in the past and is not likely to be ignored in the future. The real position in fact is this. First, as you know, the Act confers no special responsibility on the Governor in the matter of finance. Secondly, only 21 per cent. of expenditure will be not open to a vote of the Legislature. Thirdly, only a small fraction of that 21 per cent. will not be open to discussion.

I would remind you too that the Opposition has a responsibility of its own, and they will do well before condemning the members of a Ministry as unfit for their positions to consider whether they are sure they can do better themselves and whether they are prepared to implement that belief by themselves shouldering the responsibility of Government.

Finally, just one word about myself. We have lately heard much and read much about the use of special powers and questions of bargains and assurances in that connection. But it all comes down to this. We are here, pledged by our very presence here, to carry out the provisions of the Act on which the whole structure of the Constitution rests and it is given neither to you nor to me by our individual action to abrogate any part of the Act. But of one thing you may be certain. Any Government of any political complexion which takes power under the Act now or in the future in Assam can rely on my fullest help and support within the four corners of the Act, and those four corners are placed pretty wide apart. I cannot promise more, and I certainly will not promise less. The present Ministry have accepted office on those terms and I think I may safely say that we fully understand each other. I personally look forward hopefully to a happy period of united work on behalf of the province.

And now, Gentlemen, you will soon be dispersing. I trust that you will agree with me that the considerations which I have attempted to lay before you, and which I firmly believe, are of the highest importance, are considerations which it is worth the while of every member of the two Houses, whether they be supporters of the Ministry or members of the Opposition, carefully to keep in mind. We have a great opportunity before us and it rests with us, each in his different capacity, to use that opportunity to the full.

(His Excellency accompanied by his personal staff then left the Assembly Chamber.)

The Hon'ble the SPEAKER: The Assembly stands adjourned till 5 minutes past 3.

(The Assembly met again at at 3-15 p. m. with the Hon'ble the Speaker in the Chair.)

Adjournment motion re the method of realisation of agricultural loans

Maulavi MUDABBIR HUSSAIN CHAUDHURY: I beg leave to move

Srijut DEBESWAR SARMA: On a point of information, Sir, ...

The Hon'ble the SPEAKER: I think hon. members should know that the rule is that one member should rise at a time. If more than one member rise it is for the Speaker to announce the name of the member who is to speak.

Maulavi MUDABBIR HUSSAIN CHAUDHURY: Sir, I gave notice requesting the adjournment of the business of the House in order to discuss the method of realisation of agricultural loans by the Government in the districts of Sylhet and Cachar, and my friend has requested me to add Nowgong to this. Nowgong may be added to this, Sir. Sir, the method is very crude, antiquated.

The Hon'ble the SPEAKER: Order, order. The hon. member should refrain from speaking about the merits of the motion. He is to speak on the point as to how the motion is in order.

Maulavi MUDABBIR HUSSAIN CHAUDHURY: Sir, I want to know what has become of my motion.

The Hon'ble the SPEAKER: You want leave to move the motion. Please read out your motion.

Maulavi MUDABBIR HUSSAIN CHAUDHURY: My motion is this: That this House do adjourn for the purpose of discussing the method of realisation of agricultural loans by the Government in the districts of Sylhet, Cachar and Nowgong which is a matter of great hardship to the public.

The Hon'ble the SPEAKER: Before deciding whether this motion is in order or not, I must bring to the notice of the House that there is already an adjournment motion fixed for to-day which is to be taken up at 3-30 p.m. As all hon. members know, more than one adjournment motion cannot be moved in one day and it is also known to members that the House is not sitting beyond to-day. In that case, the hon. member will decide what he is to do. Instead of asking for decision whether the motion is in order or not, I place this fact for the consideration of the hon. members of the House.

Maulavi MUDABBIR HUSSAIN CHAUDHURY: The House can sit to-morrow as well.

Maulavi MUNAWWAR ALI: If the matter is of urgent public importance should not the House be prolonged?

The Hon'ble the SPEAKER: That is another matter. If you want my decision on this point, I would like that the hon. member does place certain facts before the House, regarding the method.

Maulavi MUDABBIR HUSSAIN CHAUDHURY: Sir, the method is antiquated and crude.....

The Hon'ble the SPEAKER: Will the hon. member say from what time this method is being pursued?

Maulavi ABDUR RAHMAN: May I speak a few words, Sir?

The Hon'ble the SPEAKER: On the question of merits I am not going to hear anything.....

Maulavi ABDUR RAHMAN: Sir, my submission is that the method of realisation.....

Maulavi MUDABBIR HUSSAIN CHAUDHURY: If it be a continuous wrong, then it is a matter of great public importance. Till now the realisation is being made in that method; it is most harassing and very distressing to the public.

The Hon'ble the SPEAKER: When was it perceived that it is most harassing.

Maulavi MUDABBIR HUSSAIN CHAUDHURY: In the previous year and in this year in too aggravated form.

The Hon'ble the SPEAKER: The predecessor of this House met in September last, and this matter might have been brought up then. I rule that this motion is not in order.

Srijut DEBESWAR SARMA: On a point of information, Sir.....

The Hon'ble the SPEAKER: There should be no discussion on the ruling of the Chair.

Maulavi MUNAWWAR ALI: The matter is continuing for a long time; last year it was severe and this year it appears to be in a much more aggravated form. I think, Sir, this forms a subject of an adjournment motion.

The Hon'ble the SPEAKER: I again ask the hon. member to refrain from discussing the ruling of the Chair. It has already been given. The hon. member who asked for leave was quite at liberty to say all this before.

Strength of the different parties in the House

Srijut DEBESWAR SARMA: Sir, the Congress party and the European block would like to know what are the other parties in this House and what is their respective strength. Is this information available, Sir?

The Hon'ble the SPEAKER: I am not still in a position to supply the information required by the hon. member. Please wait for some time and the hon. member will come to know the exact strength of the different parties.

Adjournment motion re realisation of land revenue from Illam lands

Maulavi DEWAN MUHAMMAD AHBAB CHOWDHURY: Sir, I beg to move the following motion:—

That this House do adjourn for the purpose of discussing a matter of urgent public importance, namely, illegal realisation of land revenue which is still continuing from the tenants in respect of illam lands in Suresh Haor in the subdivision of Sunamganj, Sylhet district.

The Hon'ble the SPEAKER: As I have already told the House that the House is not continuing beyond to day and there is already one adjournment motion to be moved at 3-30 p.m. I think that when notice of this adjournment motion is given, it will sufficiently serve the purpose of the hon. member. Attention of the Government will be drawn to this grievance and the Hon'ble Minister in charge will take note of this.

Maulavi MUNAWWAR ALI: Has the pointed attention of the Hon'ble Minister been drawn to it?

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

Maulavi MUNAWWAR ALI: Does the Hon'ble Minister propose to initiate inquiries at once?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: I have already gone through the files.

Maulavi MUDABBIR HUSSAIN CHAUDHURY: Will the illegal realisation be stopped pending inquiry?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: I am not in a position to say that there is any illegal realisation.

Enquiry whether the Council of Ministry advised His Excellency in the preparation of his address

Babu KSHIRODE CHANDRA DEB: I want to get this information, Sir. May I know from the Hon'ble Chief Minister in this House whether the Council of Ministry advised His Excellency to-day in preparing his address?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The Council of Ministry did not advise.

Babu KSHIRODE CHANDRA DEB: Are you going to forego that right?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: There is no such right under the Act.

Babu KSHIRODE CHANDRA DEB: You might as well create a convention by advising His Excellency.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Will my hon. friend be pleased to be a little more patient?

Babu KSHIRODE CHANDRA DEB: Till the Ministry is stable? (Laughter).

Salary of Ministers

Srijut SARVESWAR BARUA: Sir, yesterday my hon. friend Babu Kshirode Chandra Deb asked "What is the amount of salary to be paid to the Ministers"? The answer was given to the effect that they were not in a position to say as they did not know it till then. Now, Sir, may we know if any amount has been fixed for them?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I have nothing to add to what I said yesterday.

Srijut SARVESWAR BARUA: Are they going to act as Ministers without knowing what their emoluments would be? (Laughter).

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: We have already started work.

Salary of the Speaker

The Hon'ble the SPEAKER: As the question of salaries to be paid to the Ministers has been brought in I take this opportunity to state before this House that so far as I am concerned as I have come to occupy this Chair as a member from the Congress party, with regard to the question of salary, I shall always be bound by the Congress principles. And so far as I am aware the Congress decision is that a congress man, taking office under the new Constitution, should not ask for a salary of more than Rs. 500 a month (Cheers).

Maulavi ABDUL MATIN CHAUDHURY: On a point of information, Sir. May I know if a congress man is elected to the Chair, he is bound by their decision even if he occupies that Chair?

The Hon'ble the SPEAKER: The present, occupant of the Chair belongs to the Congress party in this House and he agreed to occupy the Chair on the strength of the Congress decision. The fact that he was a member of the Congress Party in the Assembly and that he was set up as a candidate for the Speakership by that Party cannot be forgotten. And in deciding what salary he is to accept, which is his personal affair, the Congress principles should prevail with him, although he has ceased to be a member of the Congress Party in the Assembly.

Maulavi MUNAWWAR ALI: Is that in respect of salary alone?

The Hon'ble the SPEAKER: Yes. In respect of salary alone.

Motion re. issuing of distress warrants for realising arrear revenues

The Hon'ble the SPEAKER: I have received notice of a motion from Maulavi Munawwar Ali and it runs thus:—

"This House disapproves the action of Government in issuing distress warrants taking the rayats by surprise, for realisation (which still continues) of accumulated arrear revenues from rayats owing lands in "Suresh

Haor" in Sunamganj Subdivision in the district of Sylhet at this critical time of the year when the raiyats are incapable of making any payments."

The Hon'ble the SPEAKER: Now, I would like to ask the hon. member whether this is a matter of general public importance.

Maulavi MUNNAWWAR ALI: Yes, Sir. It is a matter of general public importance inasmuch as it involves a big principle which, if once applied to a certain part of a country, may be applied elsewhere. Therefore it is a matter of general public importance. Government must not be allowed to apply a principle which is wrong and which they can take advantage of by citing precedence in other places. Therefore everyone is interested in the matter.

The Hon'ble the SPEAKER: I also hold that this is a matter of general public importance, more specially on the facts which have been stated by the hon. member. He says that it is of general public importance because the policy of the Government is wrong. But under Rule 77 (1), I disallow this motion on the ground that the Minister in charge did not give his consent.

Khan Sahib Maulavi SAYIDUR RAHMAN: From the statement last made by the Chair, may I know what principles have been laid down by the Congress regarding.....

Babu KSHIRODE GHANDRA DEB: I see it is already 3-30 p. m. and the adjournment motion must be moved.

The Hon'ble the SPEAKER: Yes. Srijut Krishna Nath Sarma can move his motion now.

Adjournment motion re. inadequacy of relief by Government to the sufferers of Simaluguri and Jokaichuk and Teok mauzas

Srijut KRISHNA NATH SARMA: I beg, Sir, to move—"That this House do adjourn for purpose of discussing a matter of urgent public importance *viz.*, inadequacy of relief by the Government to the sufferers of Simaluguri and Jokaichuk, and Teok mauzas in Sibsagar district from a terrible cyclone causing immense distress which still continues."

Sir, in this connection I beg to submit that I was an eye-witness during the occurrence and I saw the damage that had been done; I visited every family and I can testify as to the extent of damage. Within a few minutes seven villages and 125 families lost their houses—everything has been destroyed and yet there was no attention, no relief paid by the Government. I have been given to understand that an enquiry is being made but the result is not yet out. When it will be out nobody knows. A non-official enquiry was held and finished and I have received a report in which they stated that the total damage estimated is about Rs.52,384. Sir, this terrible havoc has caused immense loss, but this Government has not taken notice of it. It is regrettable that in spite of this fact being published in the newspapers from day to day, the Government at Shillong has taken no notice of it.

Sir, we have been told that from the 1st of April a new era has been opened and that peace and prosperity will prevail among the mass people. But whether this Constitution which has been highly advertised is at all a blessing to the people, or whether this Constitution is really for a few or not for many or whether a favoured few be well provided and the people in general be faced with starvation, etc., are yet to be seen. Whether damage is done by cyclone or flood or by any other accident, the people are left to themselves. It is no concern of the Government, it appears. So I submit

therefore that immediate steps should be taken and sufficient grant should be paid. Therefore, I appeal to my hon. colleagues and to all of you here, in the name of humanity, to consider this motion in the right spirit.

Khan Bahadur Maulavi KERAMAT ALI : Sir, I rise to support this motion. This cyclone came all on a sudden when the people of the locality were not prepared for it. Their houses were blown away. I heard that it was so strong that even the birds and animals were blown off in the sky and they dropped down. Unfortunately, the Deputy Commissioner was not at the station at the time, and when he came to the station, he went to the place and he himself was convinced that a thing like this never happened before and that it was a great calamity for the people of those villages in which the cyclone took place. He could not give any relief to them but issued a subscription list and perhaps a small amount of money was collected and it was distributed among the villagers, but I must say at once that this relief was most inadequate. The Deputy Commissioner himself told me that 60 houses were affected by this incident and that many families were ruined and that granaries were also affected. I did not really understand why the Deputy Commissioner did not ask Government for giving relief to these people. Perhaps I may say without any fear of contradiction that if an occurrence like this had taken place in a tea garden and if the houses of the coolies were blown off in this way, tea garden managers or proprietors would have come forward to give relief to their own coolies (*laughter*); but Government did not give any sort of relief to these poor villagers. Sir, it is stated that those people whose houses were blown away have not yet been able to build up their houses again. They are poor people and any small relief that could have been given by Government would have been welcome. I therefore strongly urge that the present Government would come forward to give a substantial grant for the relief of these poor people. I do not surely blame the present Government for not giving any relief, because at that time the present Ministry was not in existence. If anybody is to be blamed it is their predecessors, but as the present Government is a popular Government and as the Ministers are the representatives of the people, I hope they will have some kindness for the people and give immediate relief. (*Hear, hear*).

Dr. MAHENDRA NATH SAIKIA : On a point of information, Sir. May I know from the hon. mover what is the present condition of the affected people—whether they are living now under the trees or starving ?

The Hon'ble the SPEAKER : Order, order. When the matter is going to be discussed now, the hon. member should not interrupt. Every hon. member has got the right to speak and he can deliver a speech and raise all these points and the Hon'ble Minister in charge would certainly reply to all the points that will be raised.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI : These are not certainly points of order. What the hon. member wants to know is that whether the people are living under the trees or starving. I hope the hon. member will enlighten us on that point.

The Hon'ble the SPEAKER : That can be done by means of a speech instead of raising points for information.

Khan Sahib Maulavi SAYIDUR RAHMAN : May I know, Sir, what action, if any, was taken by the Deputy Commissioner of the district ?

The Hon'ble the SPEAKER : If any hon. member wants to know all these he may deliver a speech instead of asking all these questions.

Maulavi ASHRAFUDDIN MD. CHAUDHURY: Sir, I should say, that the Hon'ble Minister in charge should make it a point to give relief to the poor people, as we are now in a new era. Sir, so far as the giving of relief is concerned, we find that district officers are very slow. This is not a particular case in the district of Sibsagar, but I should say, from my personal experience, that whenever there is a question of relief, district officers are always slow.

Maulavi MUNAWWAR ALI: I ask for your special permission, Sir, to know one little point from the Hon'ble Minister in charge and it is this. When did this matter first come to his notice? That date I want.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: On the 7th of April, 1937.

Maulavi MUNAWWAR ALI: Since when the Hon'ble Minister took steps in the matter.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: I think on the morning of the 8th April 1937 at 8 a.m.

Babu KSHIRODE CHANDRA DEB:—On a point of order, Sir. If any motion like this is before the House, I think, we must, first of all, ask the Hon'ble Minister in charge of the Department to answer the question. If any other question arises it may be answered afterwards.

The Hon'ble the SPEAKER: If a motion like this is moved, every member can take his chance, including the Hon'ble Minister, to make a speech. There is no hard and fast rule that a question should be answered as soon as the mover moves his motion. The hon. mover may speak and the Hon'ble Minister may wait till he knows all the facts, and then he may reply to the hon. member's point.

Babu KSHIRODE CHANDRA DEB: You may prescribe an order under rule 35.

The Hon'ble the SPEAKER: I am not going to prescribe it just now.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: I thank the hon. mover of the motion for the adjournment of the House for the spirit of co-operation which he has displayed. Indeed, Sir, the matter would not have come to the pointed attention of this House but for the step which he took on the 7th of April and if he had heard what action Government has taken, I feel confident that he would not press his motion for the adjournment of the House. Sir, even if I were in his place to-day, I would not have felt disposed to move a motion of this kind. I take it that the hon. mover does not hold Government responsible for the cyclone and the consequent damages.

Sir, the Deputy Commissioner of Sibsagar visited the locality two days after the occurrence and on the 18th February he sent a report to the Government, from which, Sir, it was clear that the matter was taken in hand by him. After that, Sir, the Government was waiting to see what actually the Deputy Commissioner needed and the tour diary of the Deputy Commissioner shows that a local relief committee was already started and people were being helped and medical assistance was given. Now, Sir, in an occurrence of this sort, what the Deputy Commissioner generally does is to ask the Circle Officer to enquire about the extent of the damage and to take steps accordingly. In the meantime, while the Sub-Deputy Collector's enquiry was proceeding a non-official enquiry was held and they completed their labour sometime before the 2nd April 1937. On the 2nd April 1937, the report of the non-official Enquiry Committee was forwarded to His Excellency the Governor of Assam. A letter was addressed, Sir,

to the Private Secretary to His Excellency the Governor of Assam and it was dated 2nd April 1937. Well, Sir, that letter, with its enclosures, was forwarded to the Government and it was actually received in the Assam Secretariat only on the 7th April 1937. So it will appear that between 18th February 1937 and 7th April 1937 no prayer for any relief, either from official or non-official quarters, was received by the Government. Now, Sir, on receipt of that application together with the report of the non-official Enquiry Committee, the Government sent a telegram to the Deputy Commissioner for information as to what was being done and what was needed. I will just read, Sir, the text of the telegram, which was sent. Immediately after receipt of that letter this telegram was sent to the Deputy Commissioner of Sibsagar :—

“ Please refer to your tour diary entry dated 18th February 1937 and wire what steps taken to ascertain actual estimate of damage and whether any relief asked for was provided ”.

That was, Sir, the telegram sent on the 8th April and to-day we have received a reply to it. It is stated that the enquiry is still proceeding and that the local non-official relief fund has helped the needy people.

Now, Sir, what we propose to do in this matter is this : we shall ask the Deputy Commissioner to expedite the enquiry and to let us know the actual extent of the damage caused by the cyclone. We shall, Sir, also ask the Deputy Commissioner to suspend the realisation of the land revenue in the affected area. Furthermore, Sir, we are going to ask the Forest Authorities, through the Deputy Commissioner, to supply to actually needy people bamboos and other forest produce, which are necessary for building the houses, free of any royalty. Then, Sir, we propose to ask the Deputy Commissioner to let us know if any gratuitous relief is needed immediately and if we find that some gratuitous relief is immediately needed we shall certainly do our best to help the people in that respect. More than that, Sir, we are unable to do.

Srijut MAHI CHANDRA BORA : On a point of information, Sir. We have heard that granaries had been broken, seeds were destroyed and crops were damaged. Will the Hon'ble Minister in charge of Agriculture break his significant silence in the Session and say whether he would be in a position to supply seeds to the cyclone affected people of that locality ?

The Hon'ble Maulavi MUHAMMAD ALI HAIDAR KHAN : We have heard from the Hon'ble Minister in charge of Revenue Department that as soon as we get the report from the Deputy Commissioner, we will take over the matter in hand. I don't see why we should not give any relief in this matter.

Babu KSHIRODE CHANDRA DEB : We could not follow the Hon'ble Minister in charge of Agriculture.

The Hon'ble Maulavi MUHAMMAD ALI HAIDAR KHAN : I say, Sir, that as soon as we get the report from the Deputy Commissioner we shall see what we can do in this matter. I don't see why we should not help the people.

Srijut RAJENDRA NATH BARUA : Sir, I only want to add a few words to what my hon. friend has already said. I hail from the same district and, so, I am in a position to say something of the facts relating to the cyclone affairs. I beg to submit, Sir, that it is the way of Government always to minimise the distress of the people ; that is our experience. But as my hon. friend the Hon'ble Minister in charge has given the assurance that suspension of the realisation of land revenue would be given effect to, I shall

not very much press the motion. But, Sir, I would submit that it was the duty of the Deputy Commissioner to have sent an earlier report and he should also have visited the locality earlier. The occurrence took place on the 14th of February, but the Deputy Commissioner, we understand, visited the place on the 18th February. As a matter of fact, the delay of 4 days, Sir, in a matter of this disastrous nature goes to show what interest or sympathy the Deputy Commissioner may have.....

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: On a point of order, Sir. I do not understand what the hon. member means by 4 days' delay. The occurrence took place on the 14th February and the Deputy Commissioner visited the locality on the 16th. So, there was a delay of two days only.

Srijut RAJENDRA NATH BARUA: All right, Sir, still then, the delay of two days cannot be condoned (*laughter*), because the disaster is not only local but it has spread throughout the whole of the district. Our friends the Congress party visited the locality on the same day. Had the Deputy Commissioner visited the locality on the same day, he would have seen more havoc because in two days the people had some relief and built some of their houses. In some places the big *Namghars* have not yet been constructed. I think the cost of construction of those *Namghars* would amount to some thousands. So, I submit that the relief, if at all given, should be very adequate and not a paltry sum like what has been realised, i.e., Rs.150 only, which is ludicrous. With these words, I beg to support the motion and request the Hon'ble Minister in charge to give a handsome amount for the relief of the poor people.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Sir certain statements made by the hon. member compel me to take my stand. I must contradict the statement of my hon. friend from Golaghat that Government always minimise the distress in these circumstances. I have the report of the Deputy Commissioner dated the 18th February which I am going to read to the House to show that the statement of my hon. friend is unfounded. His report is this:—"I have the honour to report that a violent whirlwind covering about one-fourth of a mile in width passed over parts of the villages Bareghoriapathar, Dulia Bharali and Robigaon in Simoluguri Mauza, Jorhat Sadar and Majnoraogaon (Bam Charangia) in Jakaichuk Mauza in Sibsagar Subdivision, at about 8 a.m. on the 14th February 1937. Almost all the houses and fruit-trees of 81 families were blown down converting some *bastis* to *Faringati* and *Takalabari*, and some 19 persons (both women and children) were injured. Necessary medical help is being rendered". I do not think that this report in any way minimises the extent of damage, or the prey of the cyclone.

Next, my hon. friend took objection to the fact that the Deputy Commissioner visited these villages two days after the occurrence. I think if he had been listening to the speech of my hon. friend Khan Bahadur Maulavi Keramat Ali, who comes from Jorhat Subdivision of the district in which the villages affected are situated, he would have heard that the Deputy Commissioner at that time was out on tour. Everybody in this House knows that Sibsagar is the biggest district in the Assam Valley consisting of three subdivisions which no other district in the Valley has. It may be that the Deputy Commissioner was in a distant corner of the district and he was thus prevented to come to the place of distress earlier.

I think, Sir, I have placed sufficient materials before the House to show that the District authorities in no way minimised the distress or are guilty of negligence.

Srijut DEVESWAR SARMA: Sir, certain of my friends wanted to know what was the extent of the damage caused by the cyclone. Before they understand the situation they must understand that in our district of Sibsagar a cyclone in its real sense is practically unknown and unheard of. So when on the morning of the 14th of February last all of a sudden a cyclone came the poor inhabitants did not know what it was and what was to be done; they became panic-stricken. The havoc was done in a couple of minutes—it came and it swept off everything in its way. I cannot give a better description of it than the Deputy Commissioner has done—(hear! hear!)—good prosperous villages were converted into *faringati*—(*faringati* is land where only grass and shrubs and small trees grow)—and prosperous *bastis* were converted into *takalabari*, which means a barren place. So within a couple of minutes villages were rendered into *faringati* and *takalabari*. In my opinion the area affected was 3 or 4 miles in length—(of course I shall stand corrected because I have never measured the area)—but I cannot believe that the Deputy Commissioner could not have visited the place earlier. Now, as for the extent of the damage, there were—

In Jokaichuk, Charingiagaon—18 families affected.

In Lakdingia	...	...	13	„	„
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Total	...	31 families.
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Number of houses damaged—62.

Value of houses damaged—3,472 rupees.

In Jorhat—Simoluguri mauza—Lutharakhon—3 families.

Dulia Bharali	...	...	28	„
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Robi	...	...	30	„
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Barghoriapathar	...	...	14	„
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Total	75	„
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Value of houses damaged—Rs.12,992.

Total number of houses damaged was 113.

In Teok—Jagduar—2 families affected.

Sonari—2	„	„
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Total families affected	—	110.
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„ houses damaged	—	300.
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„ value of houses damaged	—	Rs. 16,800.
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Namghars damaged	...	3.
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Schools	„	2.
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This Rs. 16,800 is estimated as damage to house property alone by the non-official Congress Enquiry Committee. It does not show the extent of the damage to crops.

Another hon. member wanted to know whether the people were still starving or were still living under trees. I am pained to hear such a question, it savours of inhumanity. We who are placed in better circumstances to day may enquire whether these poor people were really living under trees or bamboo clumps. If anyone expected to hear that they were living under trees or bamboo clumps even now he will be disappointed (hear! hear!) for there is such a thing as the Congress Organization in that district, but even if there was not, the people would certainly have done something out of their instinct.

Now, the next point at issue is, when the enquiry will be completed. I am thankful to the Hon'ble Minister that he is holding an enquiry, but I want to know when that enquiry will be completed. I confess a feeling of grave doubt that if the Ministry has a reasonable chance of certainty that enquiry may never be heard of. (*Laughter.*)

Now, Sir, I am sorry if I am providing material for laughter, but this is a motion which requires sympathetic consideration. When we are dealing with such a serious question like this it ill behoves us to laugh. Sir, the occurrence took place on the 14th of February 1937, and this fact appeared in the newspapers, and I think I have the support of the Deputy Commissioner in this. The report of a Deputy Commissioner under the British regime is to be believed even if it supports a motion brought by the Congress. The fact appeared in the newspapers — that there was distress. The question is, did the Government stretch a helping hand to the staggering humanity of the place? What are we told by the Hon'ble Minister? He mentions the extent of damage, but he has not told us that any help has been rendered. We have only been told that a private subscription was started by the Deputy Commissioner who headed the list with a donation of Rs. 10 (*laughter*) and that some Rs. 150 was realised. Sir, we have to be grateful for small mercies, but the question is whether any adequate assistance was rendered by the Government.

That brings us again to two questions — the past Ministry and the present Ministry. Surely, if the past Ministry rendered any help we would have been told to-day "well, we have rendered this help, shut up." But nothing has been done by the past Ministry. Next comes the question whether the present Ministry has been doing anything. Undoubtedly we will be told that this Ministry has not had enough time. The Hon'ble Minister has told us that he heard of it only on the 7th of April. We have to believe the Hon'ble Minister if he says that he heard of the occurrence only on the 7th of April, but I cannot refrain from thinking that he must have heard of it before that date.....

Rai Bahadur PROMODE CHANDRA DUTT : Officially !

Srijut DEVESWAR SARMA : Well, Sir, then I have to divide the Hon'ble Minister into two different water-tight compartments : one the Hon'ble Minister as Minister and the other the Hon'ble Minister as a certain person with flesh and blood. If he says that he heard of it on the 7th April, then how can he account for the oblivion during the period from the 1st to 7th of April? Again the question is that this occurrence was published in all papers. There is one paper called *Pratiba* which is the organ of the same Hon'ble Minister and which has been started with certain ideas and is going on even now. The Hon'ble Minister is the Editor of that *Pratiba*. It was reported in that paper what disaster took place, houses were broken and corns were damaged. Certain hon. members who are now having portfolios moved up and down our Valley, spent sleepless nights and restless days in moving about in their anxiety to do good to the people after their elections. Some one moved down from hill top to Jorhat more than once. All this surely was for the good of the people, because otherwise this does not admit of any other interpretation. But what about their not hearing anything of this disaster which was reported in all papers. Sir, we have advanced far in civilisation and we cannot call a spade a spade. We have to take every one at his face value and say they are gentlemen and we should believe them.

Now, Sir, the hon. member Khan Bahadur Keramat Ali supported the motion but his statement that the Deputy Commissioner has done all that he could do, cuts at the root of this censure motion.

Khan Bahadur Maulavi KERAMAT ALI : On a point of personal explanation, Sir, I did not say that. I said that the Deputy Commissioner did not do what he should have done.

Srijut DEBESWAR SARMA : Thanks, then I am at one with him (*laughter*). Sir, during the disaster some makeshift *bandobust* for housing the victims of the cyclone, was done and it is carried on like that now. Even the trees have been uprooted and we have read in the newspapers that all the crops have been destroyed, the granaries were ruined, houses blown and all that remained is a miserable spectacle.

The Hon'ble the SPEAKER : The hon. member has got only two minutes to finish his speech.

Srijut DEBESWAR SARMA : I shall sit down in one minute. I appeal to the hon. members through you Sir, in the name of humanity to support this motion and not to feel shy of doing so because the Government may not be pleased for that. In the name of humanity if the House supports this motion that would serve as a caution to the Government to give the people the dire help they need. Sir, the Hon'ble the Chief Minister has been pleased to say that the Government did not minimise the disaster and loss and he quotes the telegram or the report of the Deputy Commissioner. But he does not state what the Government did to alleviate the distress of the sufferers. I know how tons of tears can be shed but that does not feed the hungry nor provide house to the houseless. It is said that the Deputy Commissioner sent doctors. But, Sir, the first doctor that was requisitioned was by hon. Mr. Krishna Nath Sarma. The Deputy Commissioner himself has taken three full days to go there. The place was at a distance of 18 miles from the headquarters and the road was motorable and still it has taken three days for him to come there. But when there is the slightest trouble in a tea estate he at once runs up with the paraphernalia of power, prestige, and imperialism—the Gurkha police. In the case of the woman that stood in immediate need of medical relief the doctor was sent for from the Jhanzi local dispensary. After sometime, he stopped coming and a Jorhat Doctor was deputed by the Deputy Commissioner. After a few days he was also stopped and the Jhanzi Doctor wanted fees to come, which of course the poor woman could not pay and she died without any medical aid towards the end.

Dr. MAHENDRA NATH SAIKIA : Sir, this was an occurrence of the past and it took place before the new constitution came into existence. I think that the Hon'ble Minister under the new constitution is not and should not be held responsible for that action done in the old constitution.

In view of the statement placed by the Hon'ble the Chief Minister before the House, I think the hon. mover ought to withdraw the motion.

Maulavi ABDUL MATIN CHAUDHURY : Mr. Speaker, the hon. mover of the motion and the hon. member Srijut Debeswar Sarma have appealed to the House in the name of humanity to support this motion. We, Sir, have got every sympathy for the unfortunate sufferers of this cyclone and whatever support it is in our power to give we will give it readily. But I think, it is rather not fair to the Government Benches to say that they are not sympathetic towards the objects of this motion. At one time, I thought of rising to congratulate the Hon'ble Minister Srijut Rohini Kumar Chaudhuri on the sympathetic attitude he has shown in this matter. The Government recognise that there has been

acute distress and they are also alive to the necessity of help to the people. Even before the enquiry was finished, the Hon'ble Minister has promised certain concessions and he has also promised further concessions if the circumstances required it. Under these circumstances, I do not think that this House will be justified in censuring the Government through this motion. I would appeal to the hon. mover of the motion to withdraw it on the assurance given by the Government.

Babu KSHIRODE CHANDRA DEB : By way of information, Sir, will the Hon'ble Minister for Agriculture let us know the extent of loss to crops in the area affected by this cyclone ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI : Sir, I have no official information, excepting what has been said in the report of the Non-official Enquiry Committee. The Non-official Enquiry Committee has submitted a report and there it is stated that the extent of the damage will go as much as to Rs. 52,000 in all.

Babu KSHIRODE CHANDRA DEB : Sir, I want to know only the extent of the agricultural loss.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI : I have no information at all, Sir. That has not been stated in the non-official report.

Babu KSHIRODE CHANDRA DEB : Did the Hon'ble Minister in charge of Agriculture enquire about it ?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI : The whole matter is under enquiry and the Deputy Commissioner will submit a report. I shall see that this report reaches the Government as early as possible.

Babu KSHIRODE CHANDRA DEB : I think, Sir, Agriculture is not in the portfolio of the Hon'ble Mr. Chaudhuri.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : The matter is being dealt with in the Revenue Department, Sir.

Srijut PURNA CHANDRA SARMA : On a point of information, Sir. I want to know when the enquiry was first started and how many more months it will take.

Srijut BHUBAN CHANDRA GOGOI : I would suggest, Sir, that the motion can be withdrawn if the Government would agree to the appointment of a mixed committee of both officials and non-officials to enquire into the matter.

Maulavi ABDUR RAHMAN : Sir, after the elaborate exposition of the situation in the cyclone-affected area by my hon. friend from Jorhat, we find that the Government has not given any definite assurance in the matter. From what we have heard from the official side as well as from the hon. mover of the motion there cannot be any reason to say that no help should be extended to these poor people in the affected area. In our part of the country also, Sir, namely, the Surma Valley, these cyclones are almost of constant occurrence. I mean to say we meet with it almost every year. What I want to submit in this connection is that the Hon'ble Minister should, whenever there is a similar occurrence in any area, be prepared to urge upon the Government the necessity of taking proper measures to meet the distress in the affected area. With these words, Sir, I would request the new Government, or rather the popular Government as has been styled by my hon. friend Khan Bahadur Keramat Ali, to properly handle the situation and help the distressed people.

Babu HIRENDRA CHANDRA CHAKRAVARTI : Sir, when we heard the mover of the motion, we all felt very sorry for the suffering people of these unfortunate villages. We are glad to find that the Government is also sympathetic in this matter and are trying to help these people.

But the question is when this help is going to be given. The Government have said that an enquiry is being made and as soon as the report reaches them they would try to give the necessary help. Nobody knows when this enquiry is going to be completed. Now, Sir, as we are finishing our Assembly business to-day, I think it would be a good idea if the Hon'ble Minister in charge of Revenue would undertake a tour to that unfortunate locality without any further loss of time to ascertain the extent of damage by his personal observation, and then pass orders to give the necessary help to the people, without waiting for the official report. If they can do that, Sir, I think it will satisfy all.

The Hon'ble Rev. J. J. M. NICHOLS-ROY: Sir, I shall speak a few words, since the hon. member, Srijut Debeswar Sarma referred to a Medical Officer who was alleged to have taken fees at the time. I should very much like to know whether this is really a fact. This is what I find, Sir, in the report of the Deputy Commissioner which was received in the month of February. "Medical aid has been provided by the Civil Surgeon for the injured and a local committee is functioning to provide relief temporarily to the destitute. Local people have been very prompt to help their neighbours. An accurate estimate of the damage will be ascertained in due course". Now, Sir, it appears that medical aid has been rendered and in my mind I cannot think of any medical officer taking fees under these circumstances.

Maulavi MUNAWWARALI: But what we hear, Sir, is that it is a fact.

The Hon'ble Rev. J. J. M. NICHOLS-ROY: Sir, we will make an enquiry if any such thing has been done. And if the hon. member will give us the name of the Medical Officer who has taken fees, we shall be very glad to make enquiries.

Srijut DEBESWAR SARMA: On a point of explanation, Sir. What I said is that the Jhanzie Medical Officer demanded fees later on. If further stated that a Jorhat doctor was sent to start with, but after a few days, about the time that the woman who was injured and almost dying, no relief was given. So the poor woman could not avail of any medical assistance. I repeat my statement, Sir, and I stand by it.

The Hon'ble the SPEAKER: The Hon'ble Minister said he wanted to know the name of the Medical Officer concerned.

The Hon'ble Rev. J. J. M. NICHOLS-ROY: Yes, Sir, if his name is given we shall make the necessary enquiry.

Babu BIPIN BEHARI DAS: It seems, Sir, that the cyclone took place on the 14th February and it is two months now. May we know when this enquiry is going to be finished and when this relief is going to reach the destitute? I want to know the maximum time required for this purpose.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Sir, all that I can say is that I expect a very early report and I shall do what best can be done.

Srijut PURNA CHANDRA SARMA: May I know, Sir, when this enquiry was started?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: The enquiry was started on the 15th February. The Deputy Commissioner states in his report that the enquiry is being made.

Babu BIPIN BEHARI DAS: Is it not strange, Sir, that this enquiry has taken two months and it is not yet finished? If things go on like this, it is impossible to expect anything before it is too late.

The Hon'ble the SPEAKER: I think the motion has been sufficiently discussed. It is better for the hon. member to decide his course of action.

Srijut PURNA CHANDRA SARMA: On a point of information, Sir. Will the relief be started only after the enquiry is finished?

Srijut KRISHNA NATH SARMA: While I am thankful to the Hon'ble Minister for the statement he has made, I would suggest my own terms *viz.*, that Government should do away with the official enquiry and depend upon the non-official enquiry report that has been submitted and on the basis of that report give some gratuitous relief immediately. That is my first point. The second point is that the people of the affected area should be granted remission of land revenue and allowed to have free supply of forest materials for the construction of their houses. These are my terms.

The Hon'ble the SPEAKER: Does the hon. member mean to say that he will withdraw his motion if the Hon'ble Minister undertakes to fulfil these conditions?

Srijut KRISHNA NATH SARMA: On these conditions I am prepared to withdraw my motion.

The Hon'ble the SPEAKER: If the Hon'ble Minister does not agree then you will press the motion?

Srijut KRISHNA NATH SARMA: Yes, Sir.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Sir, I find that I have very little to add to what I have already said. We are going to wire to the Deputy Commissioner to expedite the matter and, as I have already said, I will do my best to get his report as early as possible. Now I can only inform the House that if the extent of remission, which is to be granted to the affected areas, do not exceed Rs. 10,000, the Commissioner will be competent to deal with the matter himself and he need not send any recommendation to Government. But should the remission exceed that amount, the papers will be sent to Government and Government will certainly consider the question as sympathetically as possible.

As regards the gratuitous relief we are also making enquiry as to what amount is really necessary and unless we receive a report from the Deputy Commissioner, it is not possible for us to do anything in the matter. When we get the report from the Deputy Commissioner, (I hope we shall get it soon), we shall give our careful consideration to it.

The Hon'ble the SPEAKER: I am afraid the Hon'ble Minister has not answered the question put forward by the hon. mover. What he wanted to know is whether Government is ready to accept the report of the non-official enquiry committee.

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: I cannot accept the non-official committee's report in its entirety. Certainly it will be taken into consideration alongside that of the Deputy Commissioner's report. And I can add this that if any distress has been accentuated by reason of delay in sending the report, certainly we are very sorry for it.

Srijut KRISHNA NATH SARMA: In view of the statement made by the Hon'ble Minister-in-charge and by the Hon'ble the Chief Minister before the House I beg leave of the House to withdraw the motion.

The Hon'ble the SPEAKER: Then has the hon. member leave to withdraw the motion?

The Hon'ble Srijut ROHINI KUMAR CHAUDHURI: Yes.

The Hon'ble the SPEAKER: The motion stands withdrawn.

Election of members to the Assam Communications Board

The Hon'ble the SPEAKER: As a result of voting for the election of eight members to the Assam Communications Board the following members have been elected :—

1. Srijut Mahi Chandra Bora,
2. Mr. Arun Kumar Chanda,
3. Srijut Santosh Kumar Barua,
4. Srijut Siddhi Nath Sarma,
5. Srijut Lakshesvar Barooah,
6. Babu Dakshina Ranjan Gupta Chaudhuri,
7. Maulvi Muhammad Amjad Ali, and
8. Mr. Fakhruddin Ali Ahmed.

Election of a member to the Eastern Bengal Railway Local Advisory Committee

As a result of voting for the election of one member to the Eastern Bengal Railway Advisory Committee, Srijut Purandar Sarma has been elected.

Election of members to the Assam-Bengal Railway Local Advisory Committee

As a result of voting for the election of two members to the Assam-Bengal Railway Advisory Committee, Srijut Haladhar Bhuyan and Babu Kshirode Chandra Deb have been elected.

Public Accounts Committee

Mr. F. W. HOCKENHULL: May we know the result of voting on the Public Accounts Committee?

The Hon'ble the SPEAKER: The counting is proceeding and when the result is out it will be announced in the Gazette.

Prorogation of the Assembly

The Hon'ble the SPEAKER: In exercise of the powers conferred on him by section 62(2)(b) of the Government of India Act, 1935, His Excellency the Governor is pleased to declare that, at the conclusion of the meeting of the 9th April 1937, the Assam Legislative Assembly do stand prorogued.

The Assembly was then prorogued.

Shillong,

A. K. BARUA,

The 15th April, 1937.

Secretary, Assam Legislative Assembly.

CORRECTION SLIP NO.1 TO THE ASSAM LEGISLATIVE ASSEMBLY DEBATES, VOLUME I, NO. ~~2~~⁵³ (APRIL SESSION, 1937)
PUBLISHED IN THE ASSAM GAZETTE, DATED THE
5TH MAY 1937, PART VI

At page ~~75~~⁵³, read "Babu Kamini Kumar Sen", for "Babu Bipin Behari Das" in the two places where the latter name occurs.

Shillong,
The 15th May 1937. }

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