

Proceedings of the eleventh 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 p.m., on Friday, the 13th November, 1942

PRESENT

The Hon'ble Mr. Basanta Kumar Das, Speaker, in the Chair, six Hon'ble Ministers and thirty-seven members.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(To which oral answers were given)

(STARRED QUESTION No.8 STANDING IN THE NAME OF MAULAVI MUHAMMAD MAQBUL HUSSAIN CHAUDHURY WAS NOT PUT BY HIM)

Amount spent in connection with Mass Literacy Campaign

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY

asked :

*9. Will Government be pleased to state the amount that was spent for running the mass literacy campaign, under different heads during the years 1940-41 and 1941-42 ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

9.—The statement is placed on the Library table.

Defilement of the Holy Quoran inside the Habiganj Jail

Maulavi ABDUR RAHMAN asked :

*10. Will Government be pleased to state—

- (a) Whether any assurance was given by Government in the last December Session of the Assembly that an immediate enquiry would be made regarding defilement of the Holy Quoran inside the Habiganj Jail ?
- (b) Whether an enquiry was at all made ?
- (c) If so, by whom such enquiry was made ?
- (d) What was the result of such enquiry ?
- (e) Whether they are aware that there was a serious public agitation by the Muslims of Habiganj for an enquiry ?
- (f) Whether any report was called for from the Subdivisional Officer, Habiganj, or Superintendent of Jail, Habiganj about the defilement of the Holy Quoran ?
- (g) If so, do Government propose to lay on the table the report received ?
- (h) Whether the culprit who defiled the Holy Quoran was found out ?

- (i) Whether it is a fact that the Holy Quoran was defiled twice—once on the 27th November, 1941 and again on the 1st December, 1941 ?
- (j) If so, what was the nature of defilement on each occasion ?
- (k) The action taken by Government against the culprit ?
- (l) Whether there was any police investigation into the defilement ?
- (m) If so, what was the result ?

The Hon'ble Srijut RUPNATH BRAHMA replied :

10. (a)—Yes.
 (b)—Yes.
 (c)—By the police.
 (d)—As a result of enquiry the Warder Naresh Ch. Dey forfeited his pay for the period of his suspension and was transferred to another jail with a warning.
 (e)—Yes.
 (f)—Yes.
 (g)—A copy of the report is laid on the table.
 (h)—Yes in the occurrence on the 27th November, 1941.
 (i)—Yes.
 (j)—The nature has been stated in the report.
 (k)—The hon. member is referred to the reply given to question 10 (d).
 (l)—Yes.
 (m)—Already stated.

REPORT REFERRED TO IN REPLY TO STARRED QUESTION No.10(g) ASKED BY MAULAVI ABDUR RAHMAN AT THE NOVEMBER SESSION OF THE ASSEMBLY, 1942

Copy of demi official No.25-C., dated 28th November 1941, from the Subdivisional Officer, Habiganj, to the Deputy Commissioner, Sylhet.

There was some commotion among the Muslims in the town. Yesterday one Jail Warder, Naresh Chandra Deb searched the Holy Quoran on suspicion that some offensive articles might be kept concealed therein. Some of the prisoners objected to a Hindu handling the Quoran whereupon the Warder shook the holy book and dropped it on the ground. The Muslim prisoners took serious objection to this and refused to take the evening meal. The incident occurred at about 10 A.M., and the Jailor noted it in his Report Book but did not report the occurrence to the Superintendent of the Jail or to me. Some labourers were working in the Jail and reported this incident to some outside people. One Maulvi of Gunai, Police Station Baniyachang, who is known to be an agitation-monger, circulated in the Town that the Quoran had been torn to pieces and the leaves trampled underfoot and shouted the slogan "Allah Ho Akbar" and went to the Jail gate where big crowd assembled. I went to the Jail on hearing *golmal* and took the Maulvi to task for agitating the public mind. Maulavi Abdur Rahman, M.L.A., and others also went there. I promised a shifting inquiry into the matter and the prisoners were satisfied. At night one Warder asked some of the prisoners to lie down and if necessary to shout "Allah Hu Akbar" on the following morning outside the Jail. On this, some prisoners shouted "Allah Hu Akbar" and again some people assembled at the Jail gate. The Subdivisional Police Officer went and the situation was eased.

This morning, foolishly though, the Warder Naresh Chandra Dey was sent inside the jail for duty. He abused a convict and gave him two slaps. The convict struggled with him. The Jailor and others separated them. The prisoners refused to take meals. I was informed. I went and pacified them and they took their morning meals.

Proceedings have been drawn up against the Warder and he has been placed under suspension. The Jailor failed in his duty by not reporting the incident immediately to me or the Superintendent. If he had not done so the matter should not have gone any further. The prisoners have grievances against the conduct of the Jailor also. He seems to be tactless.

The Muslim students were greatly agitated and they contemplated to observe *hartal*. The situation has however been met.

Last night there was a meeting of the Leaguers and the students under the presidency of Khan Saheb Nurul Hussain Khan in which some irritative speeches were made. They have passed some resolutions urging drastic action against the Warder.

Copy of a report, dated the 30th November 1941, from C. I. D. Inspector, Habiganj regarding communal trouble at Habiganj over the handling of Quoran by a Hindu Jail Warder in Habiganj Jail.

I have the honour to report that on 27th November, 1941 at about 10 A.M., Warder Naresh Chandra Dey of Habiganj Jail got information from a source that a knife was kept concealed inside the Quoran supplied by the Government for convicts and under-trial accused and kept in the convict Ward. It was read particularly by one Reasat Munshi, an under-trial prisoner. According to Warder Naresh Chandra Dey, he got the Quoran searched by another Muslim under-trial accused but as the search was defective, he showed how to search and in course of which accidentally his fingers touched the Quoran to which all the Muslim convicts and under-trial accused took exception. According to the version of the convicts and under-trial accused Warder Naresh himself searched the Quoran in spite of the protest and getting nothing objectionable, inside it he threw it and abused the convicts and under-trial accused in filthy language for raising such a protest. So far could be learnt confidentially, the latter version appears to be correct. They took mid-day meal as usual but the Muslim convicts and the under-trial accused began to discuss about the misconduct of Warder Naresh Chandra Dey and decided not to take the evening meal. At about 3-30 P.M., Warder Abdul Sattar informed the Jailor Jnanendra Ranjan Sen Gupta about the incident. The Jailor called some under-trial and convicts who complained to him about the strange conduct of Warder Naresh. He assured them to look into the matter and the convicts and under-trial accused took their evening meal at about 5-30 P. M.

On that day, some Muslim labourers were doing repair works inside the Jail who witnessed the incident. In the afternoon when they came out they gave publicity of the same in the Habiganj town. One Maulvi Md. Amir *alias* Sepoy Maulvi *alias* Lathial Maulvi of Gunai, Police Station Baniyachang, who generally stays at Habiganj went to the Jail gate at about 5-45 P.M., shouting Alla ho Akbar from about 200 cubits from Jail gate and that the Holy Quoran had been torn off inside the Jail. He went to the Jail compound and raised *hulla* from outside within the hearing of the convicts and under-trial accused. Some Muslims and Hindus (outsiders) rushed to the Jail gate to see the matter. The Subdivisional Officer, Subdivisional Police Officer of Habiganj, Jail Superintendent and local Police immediately went there and assured that they would look into the matter but as the Maulvi persisted in shouting, he was taken to the local

thana under the orders of the Subdivisional Officer, Habiganj. In the meantime Maulavi Abdur Rahman, M.L.A. and Maulvi Abdul Hye, B.L., Pleader, two prominent members of the local Muslim League appeared there and the Quoran was inspected but it was not found torn or damaged as alleged. They further assured that the Warder would be dealt with. A few minutes after when the trouble subsided, the Maulvi was allowed to go to the house of Maulavi Abdur Rahman, M.L.A.

The convicts and under-trial accused generally sleep at 9 P.M. But on that night they were consulting over the matter when Warder Behari Pal asked them to sleep as it was past 9 P.M. They refused but shouted all together "Alla Ho Akbar", etc. for 2/3 minutes. However, they slept after sometime without making any further *hulla*.

On that night an emergent Muslim League meeting was held privately at Habiganj with a few Muslim members who passed a resolution condemning the action of the Warder Naresh Chandra Dey for mishandling the Quoran whereby the Muslim religion was wounded and also about the conduct of the Jailor for not taking immediate step and on the following day copies were sent to the Government and Jail authorities for taking action into the matter. In this private meeting Maulavi Abdur Rahman, M.L.A., Khan Saheb Nurul Hussain Khan, Pleader and Maulvi Abdul Hye, B.L., Pleader took the lead.

On 28th November 1941 at 6 P.M., Naresh Warder was on duty inside the Jail. According to the version of Naresh, when he was coming out of the Jail, convict Abdul Helim strangled him by putting a *gamcha* (napkin) round his neck and cried out to help him as he had got the culprit who had torn their Holy Quoran when Sukurulla convict, Maksud Ali under-trial, Abdul Hussain *alias* Totarbap C.T. *dagi* (under-trial and a few others) helped Abdul Helim convict but at the intervention of the Jailor and other Warders he was saved. He received no injury. Convict Abdul Helim alleged that Naresh Warder abused him first for making *hulla* on the previous night in course of which he slapped him (Abdul Helim). Thereafter, the convicts and the under-trial accused refused to take their early morning meal but as the Subdivisional Officer assured them to take immediate steps against Naresh Warder, they agreed to take their meal. Warder Naresh was immediately placed under suspension pending enquiry into his misconduct in handling the Quoran.

On that evening (28th November 1941) a private meeting of the Habiganj Muslim Students' Federation was held in the Muslim Club under the presidency of Syed Matabir Ali (4th year B.A. student of the Brindaban College, Habiganj) in which it is learnt that resolutions were passed for taking immediate steps by the Government for removing Warder Naresh Chandra Dey from the service for mishandling the Holy Quoran and to take action against Jailor Jnan Babu, for alleged ill-treatment done by him towards the Muslim convicts and under-trial accused.

Maulvi Md. Amir is found loitering in the town. It may perhaps be noted here that this Maulvi first went to Chhabri under Kowai Police Station in Tripura State to enquire about the alleged unrooting of the beards of a Muslim accused by a Hindu Police Officer of the State and after his return he gave publicity of the same and in pursuance of which a resolution was passed in the Habiganj Thana Muslim League conference held at Gopaya on 20th November 1941—proceedings of which have already been sent. Maulavi Abdur Rahman, M.L.A. and other local Muslim leaders are awaiting the result of the Departmental enquiry and action taken, after which if the action taken does not please them, they are likely to start an agitation. Everything is calm and quiet for the present. Subdivisional Officer and Subdivisional Police Officer, Habiganj have personally looked into the whole affair from the very beginning. Further report will follow in case any further development is noticed in the matter.

District Intelligence Branch, Sylhet.

No. 7312-7313/30-40, dated 2nd December 1941.

Copy to Deputy Commissioner, Sylhet, for information. Further report on the subject will follow.

Sd./ R. CARSE,
Superintendent of Police, Sylhet.

REPORT OF CRIMINAL INVESTIGATION DEPARTMENT INSPECTOR, HABIGANJ,
DATED 3RD DECEMBER 1941 REGARDING THE DEVELOPMENTS OF HABIGANJ
JAIL TROUBLE

In continuation of my report, dated 30th November 1941 about the disturbance in the Habiganj jail, I beg to report that the Holy Quoran in question was found missing from under-trial Ward No. I inside the Jail compound in the early morning of 1st December 1941 and a theft case under section 380, Indian Penal Code, has been registered at Habiganj Police Station, *vide* case No. 1 (12) 41, section 380, Indian Penal Code, of Habiganj Police Station. The said Quoran was however found inside the Jail compound concealed under earth and recovered the same afternoon.

On 1st December 1941 it is learnt that a meeting was held in the Puran Bag Mosque in which the action of the Subdivisional Officer, Habiganj, in insulting Maulvi Md. Amir, was condemned and resolutions were passed against the Jail authorities and the Subdivisional Officer, Habiganj. *Hartal* was also observed on that day in the Barabazar and the Jatrpassa Bazars on 1st December 1941 as a protest against the action of the Subdivisional Officer. I have already started enquiry and a further report will follow within 2/3 days.

For favour of information,

Memo. No. 7386-7387/30-40, dated 4th December 1941.

Copy to Deputy Commissioner, Sylhet, for information in continuation of this office No. 7312-7313/30-40, dated 2nd December 1941.

Sd./ R. CARSE,
Superintendent of Police, Sylhet.

Copy of unofficial letter, dated 4th December 1941, from the Subdivisional Officer, Habiganj to the Deputy Commissioner, Sylhet.

After I have despatched my letters about the Jail incident I went to the mosque to say my *Zuhar* prayers where one Sahab Uddin, Muktear of Baniyachang announced that next Tuesday will be observed as a *hartal* day for the dishonour of the Quoran by the Hindu Warder. He requested all present and through them others, not to attend the bazar that day. This is being fomented by Khan Saheb Nurul Hussain Khan from behind the screen. He also arranged a meeting at Baniyachang in which resolutions were passed and sent to different quarters urging dismissal of the Warder and immediate transfer of the Jailor and myself. It was falsely alleged that

I assaulted the Maulvi of Gunai (Md. Amir) when he had created a scene at the Jail gate. My timely intervention brought the situation under control.

Some sort of action should be taken against these agitators.

OFFICE OF THE SUBDIVISIONAL OFFICER, HABIGANJ

No.1900, dated 5th December 1941.

To
The Deputy Commissioner, Sylhet.

SUBJECT:—Habiganj Jail Affairs

With reference to Government telegram No.5895-G. J., dated the 3rd December 1941 (copy enclosed) I beg to report that on the 27th November last, at about 10 A.M. the Jail Warder Naresh Chandra Dey wanted to search the Holy Quoran on suspicion that some offensive articles might be kept concealed therein. He asked a Muslim prisoner to bring it down from the place where it was kept. The prisoner refused to handle the Quoran on the ground that he had no ablution and pointed out another Muslim prisoner for the purpose. The Warder thereupon called that prisoner who came and opened the Quoran. The Warder asked him to turn over the leaves. Nothing objectionable was found. The Warder himself took the Quoran from the hand of the Muslim prisoner and shook it and then dropped it on the ground. The Muslim prisoners took serious objection to a Hindu touching the Quoran and throwing it on the ground whereupon the Warder remarked that he did not come from the prostitute's house and he was not unclean. The Muslim prisoners were greatly agitated over this but they were pacified on our giving assurance that suitable action would be taken against the Warder Naresh Chandra Dey.

Next day proceedings were drawn up against the Warder and he was placed under suspension. The Superintendent of Jail recorded the evidence of the Muslim prisoners and the Jail staff on the 29th and submitted the proceedings to the Circle Superintendent, Sylhet, with the recommendation that exemplary punishment should be awarded to the Warder.

In the morning of the 30th November the Holy Quoran was found missing. I was informed. I went to the Jail with the Superintendent and made vigorous search in and outside the Jail but no trace could be found. No body could say how it was missing. Some of the Muslim prisoners said that they had seen the Quoran in its place at dawn. The Police was informed. At about 3-30 P.M., I was informed that the Quoran had been found, by a convict overseer, buried in the radish garden just behind the barrack. One Naga under-trial prisoner pointed out one convict Jamini by name who had brought it down from its place early in the morning. Police investigation is however going on. It is suspected that Warder Naresh Chandra Dey wanted to remove the Quoran through the help of the convict, though it did not improve his case in any way.

There was some commotion in the Town over this incident on the 27th evening. Some Public Works Department labourers were working inside the Jail when the Quoran was handled and dropped by the Warder. They heard the Muslim prisoners talking about the dishonour of the Quoran and reported this to some outside people. One Maulvi of village Gunai, Police Station Baniyachang, who is known to be an agitation-monger falsely circulated in the Town that a Hindu Warder had torn the Quoran to pieces and that its leaves had been trampled under foot. So saying he passed along the road at about 6 P.M. shouting

“Alla-ho-Akbar”, etc. and went to the Jail gate where a big crowd assembled. I hastened there on hearing *golmal*, dispersed the crowd from the Jail compound and took the Maulvi to task for agitating the Muslim minds, without reporting the matter to the local authorities for redress. The Maulvi was taken to custody for inciting the Muslim prisoners from outside but Maulavi Abdur Rahman, M. L. A., and others requested his release with the assurance that he would not agitate over the matter, adding that the Maulvi was misinformed that the Quoran was torn. We examined the Quoran and found it was neither torn nor damaged.

The Muslim Leaguers and the students held a meeting on the night of the 27th in the house of Maulavi Abdur Rahman, M.L.A., under the presidency of Khan Saheb Nurul Hussain Khan, in which irritative speeches were made by the president and others and resolutions passed, a copy of which was sent to you along with my demi-official No.25-C., dated 28th November 1941.

There is no further agitation over this incident in the Town.

Sd.

Subdivisional Officer, Habiganj.

Copy of telegram No.5895-G.J., dated Shillong, the 3rd December 1941, from the Government of Assam, to the Subdivisional Officer, Habiganj.

Warder Naresh Deb alleged to have dishonoured Quoran on twenty-seventh November in Habiganj Jail please enquire and report through Deputy Commissioner. Principal petitioners Nurul Hussain Khan, Abdur Rahman, Abdul Hye.

Copy of letter No.733, dated the 12th December 1941, from the Superintendent of District Jail, Habiganj, to the Inspector-General of Prisons, Assam.

With reference to your Express letter No.8153, dated the 9th December 1941, regarding the missing of the Holy Quoran, I have the honour to state that on the 1st December 1941 at about 8 A.M. when I came to the office, the Assistant Jailor Maulvi Abdul Wahed informed me that the Holy Quoran which was kept for the use of Muslim prisoners in the under-trial barrack was found missing since that morning. We at once made a vigorous search both in and around the Jail including the Guard House and the quarters but it was not found and nobody could give any clue of it. The Subdivisional Officer was informed and he was also present during the search. Every prisoner was asked by me and the Subdivisional Officer, but nobody could give any information. Taking all possible steps, I, in consultation with the Subdivisional Officer informed the Police for investigation. At about 4-40 P.M., while the Jailor and the investigating Police Officer were discussing about the missing of the Holy Quoran in the Jail office one Muslim convict overseer came with the missing Quoran and said to them that he had found it under the loose earth on the backside of the U. T. barrack in a small vegetable garden inside the Jail enclosure. Both of them went to the place where the Holy Quoran was found. The Jailor then informed me and the Subdivisional Officer and we came to the Jail and saw the place. The Police is investigating into the matter and the result will be communicated to you in due course.

Copy of letter, dated the 8th January 1942, from the Officer-in-charge, Habiganj Police Station, to the Jailor, Habiganj Jail.

Reference :—Case No.1, dated the 1st December 1941 under section 380, Indian Penal Code, Habiganj Police Station.
(Quoran theft case).

I beg to inform you that the Holy Quoran theft case you reported at this Police Station on 1st December 1941 has since been submitted in final report as true under section 380, Indian Penal Code but evidence insufficient against the accused persons.

Mr. BAIDYANATH MOOKERJEE: May we know the names of the persons responsible for the trouble ?

The Hon'ble Srijut RUPNATH BRAHMA: It has already been stated in the reply that the culprit was rightly punished.

Mr. BAIDYANATH MOOKERJEE: We want to know the names, Sir.

The Hon'ble Srijut RUPNATH BRAHMA: The name of the person is Naresh Chandra Dey.

Maulavi ABDUR RAHMAN: May we know from the Hon'ble Minister the manner in which the inquiry was held—whether that was an open inquiry in presence of the public or a private one ?

The Hon'ble Srijut RUPNATH BRAHMA: It has already been said in the reply that the inquiry was made by the Police.

Maulavi ABDUR RAHMAN: Is it not a fact that the Police did not make inquiry for the first incident that occurred on the 27th November, 1941 ?

The Hon'ble Srijut RUPNATH BRAHMA: Everything is there in the report that has been submitted.

Maulavi ABDUR RAHMAN: We want to know, Sir, whether the Hon'ble Minister can be definite in his answer that there was an inquiry by the Police for the incident of the 27th November, 1941.

Maulavi ABDUL BARI CHAUDHRI: The answer is too vague, Sir. Was the inquiry made by the Superintendent of Police or somebody else ?

The Hon'ble Srijut RUPNATH BRAHMA: As far as my information goes, the inquiry was made by the C.I.D. Inspector of Police.

Maulavi ABDUR RAHMAN: May we know how the Warder Naresh Chandra Dey was reinstated in the service ?

The Hon'ble Srijut RUPNATH BRAHMA: The reply is that he forfeited his pay for the period of suspension and was transferred to another jail with a warning.

Maulavi ABDUR RAHMAN: May I know from the Hon'ble Minister whether the Government is aware that for the second incident the Police report was that departmental action should be taken against the culprit ? There was also mention of the culprit for defiling the Holy Quoran.

The Hon'ble Srijut RUPNATH BRAHMA: It is already stated in reply to question No.10 (d).

Srijut ROHINI KUMAR CHAUDHURI: May I know, Sir, if the story of the introduction of knife was true ?

The Hon'ble Srijut RUPNATH BRAHMA: I have nothing more to add, Sir. If the hon. member goes through the report he will find everything.

Srijut ROHINI KUMAR CHAUDHURI: I want to know whether the story of the introduction of knife is true. It was stated that the allegation was made ; I want to know if that was true.

The Hon'ble Srijut RUPNATH BRAHMA: As a result of the inquiry made, the man was rightly punished and whether if the story is true or not it will appear from the report.

Srijut ROHINI KUMAR CHAUDHURI: On the previous occasion also, was the defilement due for the same reason ?

The Hon'ble the SPEAKER: On two occasions defilement took place.

The Hon'ble Srijut RUPNATH BRAHMA: I think, Sir, it will appear from the report itself.

Maulavi ABDUR RAHMAN: Is the Hon'ble Minister definite in his reply ?

The Hon'ble the SPEAKER : The allegation is that defilement took place on two occasions.

The Hon'ble Srijut RUPNATH BRAHMA : I think, the inquiry was made for both the occurrences and the report is there. I have nothing more to add.

Srijut ROHINI KUMAR CHAUDHURI : I do not find, Sir, in the report, the reason for defilement on the previous occasion.

The Hon'ble Srijut RUPNATH BRAHMA : The report is there and I have nothing more to add.

Srijut ROHINI KUMAR CHAUDHURI : Do I understand that the Hon'ble Minister has no information on this matter ?

The Hon'ble the SPEAKER : Order, order.

Maulavi ABDUR RAHMAN : May I request the Hon'ble Premier to reply to this question ? We want to have some more information from the Government, viz., whether any enquiry was at all made, whether any responsible person of either community was examined and whether any responsible officer investigated into the whole affair ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : As I have been especially requested I can just inform the hon. member that it was an enquiry held by the District Intelligence Branch of Sylhet. I do not know the name of the special officer or whether he examined any and which responsible person.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY : Is the Jail under the charge of the District Intelligence Branch ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : This incident was enquired not by the Jail people but by the District Intelligence Department.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY : May I know why the Subdivisional Officer did not enquire ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : It was said that the Subdivisional Officer took side of the Jail Department.

Maulavi ABDUR RAHMAN : In the report I find one expression : 'One monger'. Is the expression happy, Sir ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I am not responsible for the words used.

Maulavi ABDUR RAHMAN : That is the report of the Subdivisional Officer of Habiganj.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : That word is not used by Government.

Srijut ROHINI KUMAR CHAUDHURI : Was the culprit, responsible for the introduction of the knife into the Jail, found out ?

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

Srijut ROHINI KUMAR CHAUDHURI : Has any action been taken against the Jail authority for their negligence in allowing the knife to go inside the Jail ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I have only the report before me.

Maulavi ABDUR RAHMAN : Does it not go to the discredit of the Government that they could not find out the culprit of the second incident, the incident having taken place within the four walls of the Jail ? There was an allegation like that.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : That is the allegation.

Maulavi ABDUR RAHMAN: May I know who enquired into the second day's incident? Was it the police officer of the local thana, or any other responsible officer?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The Sylhet Intelligence Branch.

Maulavi ABDUR RAHMAN: As far as I can remember, one Monoranjan De, Officer-in-charge of the Habiganj Thana investigated into the matter and submitted final report.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I have got this report of the 2nd December, 1941, from the Superintendent of Police.

Maulavi ABDUR RAHMAN: Will the Hon'ble Premier take note of the negligence of the higher authority of the subdivision? Why they themselves did not enquire into the matter—I mean the Subdivisional Officer or the Subdivisional Police Officer?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Because it was reported, Sir, that in the meeting which was held on the 1st December, 1941 by the Muslims of Habiganj subdivision they condemned the action of the Subdivisional Officer, Habiganj. Therefore when the partiality of the Subdivisional Officer was impugned, it was thought better that outside agency should enquire into this matter. That is why this matter was not investigated into by the Subdivisional Officer himself but by the Civil Intelligence Department.

Maulavi ABDUR RAHMAN: The meeting was held at Baniyachong. The Jamiat-ul-Ulema condemned the action of the Subdivisional Officer.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: On the 1st December the meeting was held in the Puran Bug mosque.

Maulavi ABDUR RAHMAN: May I know whether for this reason the Subdivisional Officer stood in the way of the real culprit being punished?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I do not admit that allegation.

Srijut ROHINI KUMAR CHAUDHURI: It is not clear to me whether the prisoner in whose possession the knife was alleged to have been found was punished.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I have no further material than this report.

Maulavi ABDUR RAHMAN: May I know if instead of any punishment being awarded to the real culprit two Moslem warders were transferred to distant Jails—one to Aijal and the other to Silchar?

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

Maulavi ABDUR RAHMAN: May I know whether the Hon'ble Premier can assure the House that he would take up the matter very earnestly and have a further enquiry into the matter?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: This incident took place in November, 1941. I do not know if there will be any benefit by a belated enquiry by me.

General discussion of the Budget and discussion on charged expenditure.

The Hon'ble the Speaker: The House will now proceed to the next item of business, *viz.*, general discussion of the Budget and discussion, if any, of estimates of expenditure charged upon the revenues of the Province other than estimates relating to expenditure referred to in paragraph (a) of sub-section (3) of section 78 of the Government of India Act.

Before the discussion begins, I should inform hon. members that for each speech I fix 15 minutes as the time limit, and Hon'ble Minister in his reply will get half an hour's time.

Mr. BAIDYANATH MOOKERJEE: Before the general discussion of the Budget commences, may I enquire whether the Hon'ble Premier will make any statement about the present political situation in the province ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: If the House wants, I will make a statement towards the end of the session. As I said yesterday, I will take the matter up along with the statement about foodstuffs.

Mr. BAIDYANATH MOOKERJEE: If the statement is made earlier, we can discuss the matter on the basis of the statement.

Mr. A. WHITTAKER: Will it not be better for hon. members to table a cut motion under the head "General Administration" to raise this question ?

The Hon'ble the SPEAKER: I think it will be better to have a separate statement made as has been done in other Legislatures. Will it not be better to fix a date for that statement, so that hon. members may be ready to have a discussion on the statement ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: 26th November will be better. We see that 24th and 26th are both fixed for Government business. 27th is fixed for private members' business and 28th for Government business. If the hon. members want, I will make a statement on the 26th November.

The Hon'ble the SPEAKER: I hope this date will suit hon. members.

Mr. BAIDYANATH MOOKERJEE: 26th is practically the end of the session.

The Hon'ble the SPEAKER: There will be two days—27th and 28th—on which there may be a discussion on the statement.

Mr. A. WHITTAKER: Mr. Speaker, Sir, I should like to start the general discussion of the Budget, because I think it is more important that the Hon'ble the Finance Minister, or some one on his behalf, should give a considered reply to some of the points which I hope to establish.

Mark Twain once described Thomas Carlyle's attitude to the Americans as "at bottom he was probably very fond of them but he was always able to conceal it." That is very nearly my view of the Finance Minister. At bottom I am fond of him and grateful for a very lucid statement, but because his speech breaks off at the places where he touches the big problems, he has forced me into raising these problems. I shall therefore have no difficulty in concealing my affection for the Finance Minister and shall continue to criticise his Government.

Orthodox standards are not applicable to this Budget. Although there will always be the need, and very urgent need, for strict economy in a province as poor as Assam, wise spending is more important than cheese-paring. It is possible that a much greater deficit than 7½ lakhs would be the best proof that the Government of Assam were meeting present-day needs. This is a war Budget of a front-line province, and history will give no credit to a Government which failed to discharge its war responsibilities to its citizens merely because that Government desired to show the smallest possible deficit. It is a paradox that in these hard times the tax-payers demand of Government the judgment and courage to spend money on schemes never before contemplated. The real test, in my opinion, for the Government of Assam is that which Mr. Nelson, the Director of United States production said—"What can we do today which, in a year's time, we should be sorry to have done". It is not very profitable, therefore, to scrutinise these volumes—two big volumes—to find out where a few rupees have been spent or saved here and there. The main point is whether the Budget shows that the Government are going to discharge new and difficult—extremely difficult—responsibilities.

The present session allows the critic, and I am going to be a critic, a double opportunity.

(i) In the first place he can hold a post-mortem examination on Section 93 Administration.

(ii) In the second place he can picture the shape of things to come from the provisions made by the present Ministry in these estimates.

(iii) Four tests, I think, should be applied to any Government in these days:—

The first test is the maintenance of food supplies to the civil population.

The second test is the maintenance of reasonable prices for articles which enter into the cost of living of the poorer sections of the population.

The third test is the maintenance of a high standard of administration, particularly in the sphere of law and order.

And the fourth test is that at all costs public morale and confidence must be maintained.

Regarding the first test—maintenance of food supplies—Section 93 Administration shares with the Government of India a failure to appreciate early enough the importance of this question. More probable is it that the Government of India and the Provincial Government appreciated the problem but failed to translate that appreciation into effective action. In the spring of this year it was obvious that transport was being greatly overtaxed and that the share of transport available for feeding the civilian population was diminishing rapidly. *The Assam Government was convicted beyond any possibility of appeal of a lack of foresight and preparation for dealing with such an emergency. Attempts at improvisation lacked both the knowledge of the problem and its urgency. It is true that arrangements were made to import foodstuffs from Calcutta, but these arrangements carried the stigma of war efforts elsewhere, *viz.* too late and too little. Having made the arrangements to import these foodstuffs, no proper arrangements were made for their allocation or distribution. Each district was left to its own devices. Matters are better now and are improving, but the improvement is due more to the costly process of trial and error than an intelligently planned scheme carried out by an office with up-to-date information and efficiency.

Maintenance of reasonable prices and price control. In this sphere I wish to borrow a phrase from John Buchan's last book when he was discussing the political outlook of the 1930's and this is what he says:—

“The bleak futility of our public men..... The general effect is that of a flock of sheep playing blindman's buff in the distance on a foggy day.”

Mr. Speaker, Sir, I regret to say that that fits admirably the Price Control Department of the Government of Assam. There is nothing to touch its record of “bleak futility” or the thickness of the fog surrounding its commercial operations and its mental processes.

There are certain elementary factors in this matter of price control, which I think I should detail:—

The first factor is that the controlling authority cannot divorce price control from the supply. If the controlling authority can control a proportion of the available supply he can control prices. In fact if he controls a sufficient proportion of the supply there will be no need of control prices.

*Deleted in compliance with the resolution of the hon. dated 26th November 1942.

The second factor is that the Controller must control the traders by some system of licenses to enable him to make a fair allotment of whatever commodities are available.

The third factor is when an article goes through a manufacturing process, such as for example mustard oil, the authority must control the raw product as well as the finished article. To attempt to control the finished article without control of the raw product is to drive the raw product underground and to make a black market.

The fourth factor is, if rationing is not possible, and I think in India it is impossible, except in towns and industrial communities, a special staff is necessary to check attempts at profiteering and to bring to light stocks held for a black market. He must be in a position to advise District Officers of the wisdom of certain courses of action, and equally important, he must be in a position to ensure that those directions are carried out. An alternative device would be for the authorities to open fair price shops in the more populous centres.

The failure to take into account these factors was either due to ignorance or indifference. Once more we had the dismaying spectacle of district officers in adjoining districts setting up barriers against the movement of commodities between two different districts: we have the anomaly of one Deputy Commissioner controlling prices and the other allowing prices to find their own level. I quite agree, and the Hon'ble Premier also agrees, that there is a perfectly good case to be argued for both courses, but there is no case whatever to be argued for a Controller of Prices and Supplies who neither attempts to control prices and supplies on a provincial basis nor attempts to see that prices and supplies are controlled on a district basis. I am aware, Sir, that it is unusual in this House or in any other Legislative Assembly to criticise officers who have no opportunity for replying. At the same time any Government which advertises the appointment of a Controller of Prices must expect public criticism when that control breaks down as lamentably as the control in Assam has broken down. Too long public opinion on this subject has considered itself muzzled. I do not think either the present Ministry or the 93 Administration is aware of the public resentment at this bungling in the matter of control of prices and supplies. The prevailing impression in the districts is that the Controller of Prices and Supplies was content to leave the whole question to the wideness of God's mercy. The tax-payer has the right to demand, in familiar and unfamiliar spheres of administration, a standard of ability and performance and a penalty for failure.

The third point is the maintenance of the standard of administration and here I am glad to associate all the members of my group with the District Officers and the Police have been overwhelmed with work, most of it extremely trying and involving great hardships. In the district, the staff from the Deputy Commissioner to the Chaprassi, from the Superintendent of Police to the Chaukidar, are grossly overworked and have done all that could be expected of them. During the last three months they have dealt with the consequences of the Congress policy of organised blackmail. In our opinion they have done that job with zeal and complete disregard of their own safety and comfort, and have been ably directed by their superiors.

But, Sir, it is in the unfamiliar spheres of administration—A. R. P., Civic Guards, Civil Defence, Publicity, Price control—where our main doubts are felt. The Secretariat authorities are trying in vain to run the Province with peace time staffs and with men trained in peace time ways, and more important, Sir, in the ways of bureaucracy. In no country engaged in this War as closely as Assam has this been possible. New men and new women in all countries have had to be appointed. Men have been borrowed from all walks of life in England and America. It was considered no qualification for new duties to have worked in Whitehall or Washington; in fact, for many of the

new jobs it was a disqualification to have worked in Government service. In Assam the district and the Secretariat staffs are urgently in need of reinforcement. There is work, particularly outdoor work, to be done which overworked Deputy Commissioners cannot possibly tackle. For work of this kind no experience of the ways of the Government of Assam is necessary. What is necessary is maturity of judgment, an original mind, a capacity for work and a sympathy for the people with whom the officer will have to work. No consideration of race or domicile and of vested interests of existing services should stand in the way of getting on with the job of recruitment of men to do these urgent jobs. Here we are, Sir, in very real danger not only from hostile acts without our borders but from economic mishaps within our borders and very little progress to show. The Finance Minister agrees that it is now apparent that many new officers will be necessary. But this has been apparent to lesser minds that came to that conclusion more than 12 months ago.

I cannot leave this subject without a tribute to Finance Minister's own department. The Finance Department shows enterprise quite unusual, and proposals however unorthodox which look as though they will get on with the job of winning the war are assured of prompt and sympathetic consideration. Compilers of Treasury Manuals and Audit Codes would look askance at such an attitude, but I hope that the present practice of Finance Department will become a tradition for longer than the duration of this War.

My last test is the maintenance of morale. This is a new and very important sphere in which I doubt whether any Government in Assam has yet met with conspicuous success. There have been flashes such as the decision of the Hon'ble Prime Minister to take on himself the leadership of the National Front and the appointment of the Hon'ble Mr. Hirendra Chakrabarty to the National Defence Council. For such evidence of the new spirit which actuates the Ministry we are indeed grateful, but there are large depressed areas in the province of Assam which remain untouched by any propaganda or publicity or any evidence of Government's genuine concern for the people's welfare. The amount of office work now allotted to District Officers and Subdivisional Officers has deprived them of any contact with the rural people.

The Budget provides a beggarly Rs. 44,000 for publicity in Assam. The attempts made hitherto to supply the rural areas with reliable news have failed. There is in most villages an eager demand for news, particularly war news, and the supply of accurate information could be a most important factor in building up and maintaining the morale of the civil people, and stopping any panic evacuation. Money is being spent on publicity vans in towns, but neither money nor personnel is available for the rural areas. The people of Assam need to be convinced that this war is not a purely military exercise but it is a struggle in which the right to live with dignity and freedom is at stake.

Similarly in the matter of supplies, I have referred to the public resentment at the working of the Price Control and Supply Department. It is possible however, that had Government taken steps to acquaint the public with their difficulties, and I do not deny the difficulties for one moment, some of the criticism might have been softened. If personnel for publicity is a difficulty, I suggest that Government should themselves sponsor the issue of a news sheet containing war news to send to village headmen, primary School teachers, *gaonburas* and any other persons who would agree to pass on this news to their neighbours.

And finally the Hon'ble Finance Minister has referred to Supplies as Government's toughest problem. I agree whole-heartedly and consider that for the duration of the war this will remain problem No. 1. A failure in supplies, with the consequential increase in prices, will do more than any other event to break

public confidence. The guarantee of supplies and reasonable prices for home-grown products will confer a benefit on the revenue-payer and cultivator which far outweighs any possible remission of land revenue. Our opposition towards land revenue remission remains unchanged. Therefore we fully welcome the promise that 1943 will see the end of land revenue remission and a beginning of more effective measures to help the cultivator.

We are also glad to see the departure of Parliamentary Secretaries—those figures so aptly described in a previous Session as “shadows under the wall”. They go unwept, unhonoured and unsung.

The Hon'ble Finance Minister in his speech did not take credit for one very creditable piece of work—the co-operation with the military authorities which has been close and as far as I know effective. I hope that this co-operation will continue in full measure. No one who has seen the efforts to keep open the communications of this Province will deny the very great value of patrols supplied by the Army. These unwelcome duties have been cheerfully done in very trying conditions. We hope the emergencies which made this call on Army resources necessary will not be repeated but if they are, we trust that help will be forthcoming and that when in turn the Defence Authorities require Government's co-operation, it will never be denied.

The Hon'ble the SPEAKER: Any other hon. member speaking ?

Babu KAMINI KUMAR SEN: Mr. Speaker, Sir, though I welcome this opportunity of ventilating our grievances before this Legislature, I do not intend to go much into the details of the Budget. But I take this opportunity of bringing to the notice of this House one aspect of this Budget which, I am sorry, I have not been able to reconcile. Sir, to me it seems that the Budget for 1942-43 had already been passed by the Governor before 1st of April 1942 under the authority conferred on him by section 93. That was a Budget for the whole of the Financial year 1942-43 and still remain valid according to law. So I don't understand, Sir, how a second Budget now comes. Sir, it is stated in the Budget estimate that the estimate of receipts and expenditure up to 24th of August has been authorised by the Governor. But I don't think the portion of the year up to the 24th of August. He passed the Budget only for the year because under section 93 he assumed to himself all the powers of the Legislature and as such he passed the Budget as substitute of the Legislature and authenticated the same in his own prerogative. So, we have it, Sir, that the Budget for the whole of 1942-43 was actually passed by the Governor. Now, it is said that only that portion of the Budget which contains the estimate of receipts and expenditure up to 24th of August is valid while the other portion is not. I don't find, Sir, any provision in the Government of India Act or in any other law which justifies a position like this. There is also no such provision in the notification revoking the proclamation whereby a portion of the Budget which was passed by the Governor is nullified.

So, Sir, the position is this that there is a Budget, a valid Budget, for the year 1942-43, which was legally passed by the Governor and in face of it I do not see how there can be a second Budget. Of course, the present Budget is called a revised Budget but I do not find any provision for a revised Budget being introduced into the Legislature and the word 'revised' indicates a second Budget.

The Hon'ble the SPEAKER: Was not that Budget for section 93 administration ?

Babu KAMINI KUMAR SEN: No, Sir, I will read out the notification. “With reference to notification No. BB.58/42/22 dated the 25th March 1942, the undersigned is directed to publish the Budget statements of the Government of Assam for the year 1942-43, together with a memorandum explaining important variations in revenue, receipts, expenditure and disbursements.”

In fact, Sir, the Governor could not anticipate that the Ministry would come on the 24th or 25th August and so it was not possible for him to frame a Budget for a portion of the year. Moreover, Sir, the provision with regard to the Budget which is called the Annual Financial Statement is contained in the Government of India Act. I think it is section 78 which reads :

“The Governor shall in respect of every financial year cause to be laid before the Chamber or Chambers of the Legislature a statement of the estimated receipts and expenditure of the Province for that year in this Part of this Act referred to as the ‘annual financial statement’.”

So, Sir, a Budget for a portion of the year is never contemplated by the Government of India Act, and it was in fact not possible for the Governor to anticipate that the 93 administration would cease in the middle of the year and so it was not possible for him to frame a Budget for a portion of the year against the provisions of the Government of India Act. He exercised the authority under the proclamation issued under section 93 and passed the whole year's Budget. So it cannot be now said that the Budget was not for the whole year, *i.e.*, for 1942-43 and but for a portion of the year. Now, Sir, it is admitted that the Budget for that portion of the year that is for the 93 administration is valid while the other portion is not. But I have already said that no such provision can be found out anywhere in the Government of India Act.

Then Sir, I have already stated that the Budget must be for the whole year and for that reason it is called the annual financial statement. Besides that Sir, according to rules, I think it is the Governor's Rule, 13, the Budget is to be placed before the 31st March of the preceding year. The rule runs thus :—

“The annual financial statement or the statement of the estimated receipts and expenditure of the Province in respect of every financial year (hereinafter referred to as ‘the Budget’) shall be presented to the Assembly on such day in the preceding financial year as the Governor exercising his individual judgment may appoint.”

So the position is this that the Budget must be for the whole year and it must be presented before 31st March of the preceding year. Now, Sir, we have one Budget which is practically a Budget for a portion of the year and is placed before the House in the middle of the year. I submit, Sir, there is no provision by which this procedure can be justified.

Maulavi ABDUR RAHMAN : The hon. member has brought in legal points. Am I to understand that he objects to the very presentation of the Budget or he is criticising the Budget on its merits ?

Babu KAMINI KUMAR SEN : I have not gone into the details of the Budget but am pointing out the legal defects.

Mr. A. WHITTAKER : Is it a point of order addressed to the Chair or to the hon. member ?

The Hon'ble the SPEAKER : I don't think it is either and it is not a point of order.

Babu KAMINI KUMAR SEN : Sir, to me it seems, the procedure followed is wrong. I shall explain later on what seems to me to be the correct procedure. At the present moment what I submit is that the Budget is not justified under the provisions of the Act or under the Rules.

Maulavi ABDUR RAHMAN : If I understand from the hon. member that the procedure followed by the Ministry is not correct or illegal then are we not to refrain from participating in the budget discussion ?

Babu KAMINI KUMAR SEN : I am only pointing out the defect of the procedure but I do not say that it is proper on the part of the members of this House to refrain from entering into a discussion.

The Hon'ble the SPEAKER : He has raised a point and that will be answered by the Ministry.

Maulavi ABDUR RAHMAN : If it is illegal, Sir, then why should we participate in it ?

The Hon'ble the SPEAKER: As I have ruled before, the Chair is not to give any decision on a purely legal question arising before the House on any matter. It is only when a point of order is raised, that the Chair is called upon to give its decision.

Babu KAMINI KUMAR SEN: Sir, as I was saying the position seems to me to be unjustified and that my contention is correct.....

The Hon'ble the SPEAKER: Is it the point of the hon. member that there should not have a Budget presented before the House and that the Ministry ought to carry on with the Budget framed by the Governor?

Babu KAMINI KUMAR SEN: No Sir, I submit that they should have followed the procedure, I would suggest later on. That my contention is correct will also be evident if we refer to the precedent of 1937. In 1937, we had a half year's Budget. There was a Budget Session sometime in August but that was done by a separate Order in Council. If there was any provision in the Government of India Act by which the Budget could have been presented for a portion of the year or after the financial year began, there was absolutely no necessity for an Order in Council. If there was any such intention that a Budget for a portion of the year should be presented in the House, that ought to have been done by an Order in Council. Now, in the position that has been created by the revocation of the suspension of the Constitution it seems to me that the only remedy for the Ministry is to come forward with supplementary demands where they intend to incur new or additional expenditure and with separate motions where they did not intend to incur an expenditure included in the Budget. I do not know Sir, how the Budget already passed legally by the Governor becomes illegal overnight. There is absolutely no provision to the effect that a portion of the Budget is null and void. The Ministry ought to have come forward with a supplementary demand in case of additional demand or with a motion in case where they did not intend to incur any expenditure provided in the Budget, to get the opinion of the House. That is my contention and I think the procedure that has been followed is wrong. Of course, it seems from the budget speech of the Hon'ble Finance Minister that the Secretary of State has decided that the Budget for the whole year should be presented. I do not know, whether all these points were laid before the Secretary of State and if so, what were his decisions on these questions but the opinion even of the Secretary of State is not sufficient to cure the defect if there is no such provision in the Government of India Act. Had that been possible there would have been no necessity for a separate Order in Council in 1937. Secondly, Sir, the House is so depleted, that no real debate is possible. We shall have only the consolation of having an opportunity of discussing and formally passing the Budget; but we cannot really say that there can be a real debate on the Budget, that has been presented. In these circumstances, I do not think on legal and other considerations that the Budget can be laid before the House in the present form and at the present stage. I have already stated that the Ministry ought to have followed the other course and in that case this depleted House would have got an opportunity of ventilating their grievances.

With regards to the merits of the Budget, Sir, I endorse every word of what my hon. friend Mr. Whittaker said about the supply and price control and in fact I cannot improve upon what has been said by him on the point. The price control has miserably failed. I therefore appeal to the Government to treat that as problem No.1 as Mr. Whittaker has suggested. Now Sir, I would finish only with one observation about the figures in the Budget. Sir, it is very difficult to place much reliance on these figures because from our past experience, we can say that these estimates vary and vary sometimes very considerably with every fresh calculation. I would cite one instance; with regard to 1941-42 figures it will be seen that the original estimate showed that there would be a deficit of something like 11 lakhs 89 thousand of rupees but there was a revised calculation on 22nd November, 1941 in which it was apprehended that the revenue deficit of 11 lakhs 89 thousand of rupees as estimated in the original Budget would be increased to

about 21 lakhs of rupees. But, Sir, when the year was out *i.e.*, in the month of April 1942, it was found that the deficit has not risen but has gone down to 2 lakhs 52 thousand of rupees. Then with regard to present year's figures, it appears that when His Excellency the Governor passed the Budget, it was anticipated that there would be a revenue surplus of Trs. 1,99 at the end of the year. It is true that the Budget did not provide for the salaries and allowances of the Ministers and members of the Legislatures which normally amount to Trs. 4,50. Had the Ministry and the Legislatures been functioning, the result would have been a revenue deficit of about two and a half lakhs. But Sir, that revenue deficit of 2½ lakhs has now been increased more than thirteen times—the deficit in the present Budget is calculated to be Trs. 33,45. So I am afraid, Sir, it is very difficult to place much reliance on these figures, moreover this Budget is practically a Budget only for the purpose of carrying on the administration somehow. I don't therefore think that I should waste the time of the House any further by going more into the details of this Budget.

The Hon'ble the SPEAKER: I think, I should adjourn the House. As I find, members are not willing to continue their discussion on the Budget, it is useless for me to sit and wait for speeches.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: In that case what happens to-morrow?

The Hon'ble the SPEAKER: The budget discussion will continue.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Will the Government member be allowed to reply in the afternoon? The Hon'ble Finance Minister will be busy in the Upper House and I have to reply here.

The Hon'ble the SPEAKER: If there be speeches to take us up to 1 p.m. the Hon'ble Premier will certainly begin at 2 p.m. Otherwise, I am afraid, I shall have to ask the Hon'ble Premier to begin his reply before 1 p.m.

Form of Tabling Cut Motions

From the speech of the Hon'ble Finance Minister yesterday, the hon. members have got an idea as to the form in which the demands will be presented before the House. Every demand will be for a sum which would be necessary to meet the expenditure from the 25th of August 1942 to 31st March 1943. So it is necessary for me to give certain directions to the House as to how the cut motions should be tabled. The old form that is used for the purpose of tabling a cut motion will stand good and any hon. member who wants to refuse a demand it will be quite sufficient for him to say that the demand be refused; but if an hon. member wants to omit an item of expenditure or to reduce an item of expenditure, he will have to select his figure from the estimated expenditure that has been shown in the Budget under the column "Estimated expenditure from the 25th of August, 1942 to the 31st of March, 1943" and the amount that will have to be put down as the amount of the Grant under which a cut motion is to be moved will be the total of the revised estimates for the whole year. So, the amount that will have to be put down in the last line of the form will be the amount that is shown in the grant as the total demand. This would therefore be like other years.

I hope, the hon. members will follow these instructions. If there be any inaccuracies in the motions that will be tabled, they will be corrected in the office before cut motions are placed before the House.

Adjournment

The Assembly was then adjourned till 11 A.M., on Saturday, the 14th November, 1942.

SHILLONG,
The 5th December 1942.

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

ASSAM LEGISLATIVE ASSEMBLY

GOVERNMENT OF ASSAM

GOVERNOR OF ASSAM

His Excellency Sir ANDREW GOURLAY CLOW, K.C.S.I., C.I.E., I.C.S.

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3. The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURY, B.L., in charge of Civil Defence and of the Legislative Departments.
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