

## THE BIHAR LEGISLATIVE ASSEMBLY DEBATES.

*The 29th March, 1938.*

Proceedings of the Bihar Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

The Assembly met in the Assembly Chamber at Patna, on Tuesday, the 29th March, 1938, at 11-30 A. M., the Hon'ble the Speaker, Mr. Ram Dayalu Sinha in the Chair.

### REPLIES TO QUESTIONS REMAINING UNANSWERED DURING THE LAST SESSION OF THE LEGISLATIVE ASSEMBLY.

**Mr. KRISHNA BALLABH SAHAY:** Sir, I beg to lay on the table answers to nine questions which remained unanswered during the last session of the Assembly, in addition to those that were laid on the table the other day.

#### LEASE OF MINOR PRODUCE OF DHALBHAM RESERVED FORESTS.

**211. Mr. PRAMATHA BHATTASALI:** Will Government be pleased to state—

(a) whether monopoly of minor produce of Dhalbhum Reserved Forest has been given to a Marwari-businessman;

(b) whether the said Marwari gentleman or his men catch hold of all bullock carts carrying myrobelan not of the reserved forest coming to Chakulia bazar in Dhalbhum subdivision?

**Mr. KRISHNA BALLABH SAHAY:** (a) and (b)—Reference is invited to the answer given to serial no. 108 of the unstarred questions of the 21st March, 1938.

#### BONEPUR FAIR IN THE DISTRICT OF SARAN.

**212. Mr. BIRESH DUTTA SINHA:** Will Government be pleased to state—

(a) whether it is a fact that formerly the Sonepur fair in the district of Saran used to last for about a month but now it lasts scarcely for about a fortnight;

(b) whether traders, merchants and other dealers in goods are discouraged to go to the *mela* by the local land owners who levy high rents for the use of their lands and also harass them in many other ways;

occasion of the Golden Jubilee celebrations of the Indian National Congress, was seized on the 28th December, 1935, before it was duly published ;

(b) whether it is a fact that the book was seized without knowing its contents ;

(c) whether it is a fact that the book was proscribed by Government after it was seized ; if so, why ;

(d) whether they propose to cancel the orders proscribing the book and to release it for publication ; if not, why not ?

**Mr. KRISHNA BALLABH SAHAY :** (a) The answer is in the affirmative.

(b) A copy of the book was already in the possession of the police and was under examination at the time.

(c) The answer is in the affirmative.

(d) The ban has been removed.

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**APPOINTMENT OF A SWITCH BOARD ASSISTANT IN THE TATA IRON AND STEEL COMPANY, LIMITED, JAMSHEDPUR.**

**216. Mr. GORAKH PRASHAD :** Will Government be pleased to state—

(a) whether they were requested by the Tata Iron and Steel Company, Limited, Jamshedpur, to recommend condition for appointment as Switch Board assistant ;

(b) whether they made such recommendation ;

(c) whether it is a fact that the post was filled by the appointment of a non-Bihari without even interviewing the nominee of Government by the authorities of the said company and that when one of the persons recommended by Government went to interview them, he was told by them that it was no use putting persons on trial when the vacancy was already filled up ;

(d) whether Government propose to take any step in the matter ?

**Mr. JAGJIVAN RAM :** (a) The Tata Iron and Steel Company, Limited, sent a requisition to the Government Information Bureau for three experienced technically qualified Switch Board attendants.

(b) 5 candidates were recommended.

(c) Only two of the candidates presented themselves while the others failed to report. The two candidates who reported were tried by the Company and found unsuitable for the posts. Two posts were then filled up by departmental promotion and confirmation of technically qualified hands already working in the department. Their nationality is " Bengali ".

The third post was kept vacant and was filled up later on by a nominee of the Information Bureau. This one is a Bihari.

(d) Under the circumstances, Government do not consider it necessary to take any further steps in the matter.

INSPECTION OF RECORDS IN THE CIVIL COURT AT MONGHYR AND CORRUPTION  
IN THE COURTS IN MONGHYR.

**217. Mr. BRAHMDEO NARAYAN SINGH:** Will Government be pleased to state—

(a) whether it is a fact that only the lawyers of the parties in the case are allowed on application to inspect the records in the Monghyr Civil Court, whereas in the High Court the clients or agents of the clients are also allowed to see the records along with lawyers ;

(b) whether it is a fact that the parties are put to much inconvenience on account of not being able to study the defects of the case of the opposite party and to give proper instruction in the case ;

(c) whether it is a fact that a few years before such practice was not prevalent and the parties were then at liberty to inspect the documents along with their pleaders ;

(d) whether they propose to enquire if it is a fact that much of the corruption in the *sherista* is due to the fact that parties are not permitted to see the records ;

(e) whether it is a fact that pleaders after getting permission from the court to inspect the records are put off on some pretext by the man in charge of the record with the result that they become tired and give up the idea of inspecting, though the court has fixed time for inspection and that this gives opportunity to the man in charge of the record to take bribe to expedite the matter ;

(f) whether Government propose to take speedy measures to eradicate the evil ;

(g) whether it is a fact that lawyers are entitled to take short notes of the document on inspection under the High Court rules ?

**Mr. SHIVANANDAN PRASAD MANDAL:** (a) Yes. The practice is in each case in accordance with the rules. The reason for the divergence in practice is that in the subordinate courts there is much greater risk of the records being tampered with.

(b) Government have no information. As the pleaders of the parties have access to the records, it is not understood how any very serious or general inconvenience can be caused.

(c) There has been no modification in the rules in recent years. It is possible that at one time the rules were not so strictly observed as they are now.