

# THE BIHAR LEGISLATIVE ASSEMBLY DEBATES.

*The 29th April, 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 Friday, the 29th April, 1938, at 11 A.M., the Hon'ble the Speaker, Mr. Ram Dayalu Sinha, in the Chair.

## UNSTARRED QUESTIONS AND ANSWERS.

### AFFAIRS OF THE SARAN DISTRICT BOARD.

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

(a) whether their attention has been drawn to an editorial comment, published in a local daily dated the 2nd April 1938, under the heading "Saran District Board Affairs";

(b) whether it is a fact that the authorities of the district board of Saran are delaying matters and avoiding the proposed appointment of a Special Officer ;

(c) whether it is a fact that the affairs of the said district board are going from bad to worse as days pass by ;

(d) when the last general election of the said district board took place ;

(e) whether the term of office of the present district board has expired ; if so, when ;

(f) if the answer to the first part of clause (e) be in the affirmative, the reasons why the next fresh general election is not being held ;

(g) whether they propose to take any action to set right the matter of the said district board ; if so, what and when ?

**Mr. BINODANAND JHA:** (a) The answer is in the affirmative.

(b) and (c) Government have no definite official information.

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\* In the absence of the questioner, the answer was given at the request of Mr. Dwarkanath Tiwari.

## DETAILS OF ELECTION AND NOMINATION TO MUNICIPALITIES.

**270. Mr. SHIVANANDAN RAM \*** : (a) Will Government be pleased to state in respect of each municipality in the province where election has been held between the 20th July 1937, and the 28th February 1938—

- (i) the entire population,
- (ii) the total Hindu population,
- (iii) the total Muslim population,
- (iv) the total scheduled caste population,
- (v) the number of seats to be filled by election,
- (vi) the number of Hindus elected,
- (vii) the number of Muslims elected,
- (viii) the number of persons belonging to scheduled castes elected,
- (ix) the number of seats to be filled by nomination,
- (x) the number of Hindus nominated,
- (xi) the number of Muslims nominated,
- (xii) the number of persons from scheduled castes nominated,
- (xiii) the number of Christians or aboriginals nominated;
- (b) in view of negligible representation of scheduled castes, what steps, if any, Government propose to take in the matter?

**Mr. BINODANAND JHA :** (a) A statement is laid on the table.

(b) Government have issued instructions to local officers to consider the claims of scheduled castes while sending up proposals for nominations. Government also consider their case independently and nominate them where necessary.

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\* In the absence of the questioner, the answer was given at the request of Mr. Ram Prasad.

## STATEMENT.

Serial no.	Name of municipality.	Total population.	Hindu population.	Muslim population.	Scheduled caste population.	Number of seats of elected commissioners.	Number of commissioners elected.				Number of seats of nominated commissioners.	Number of commissioners nominated.				Remarks.	
							Hindus.	Muslims.	Scheduled caste.	Hindus.		Muslims.	Scheduled caste.	Christians.	Aborigines.		
1	Bar	9,750	7,417	2,320	Figure is not available.	8	5	3	..	2	..	1	1	..	..	..	*One Anglo-Indian (Railway employee) was elected as a commissioner.
2	Khugaul	7,412	5,741	1,596	Figure is not available.	9	7	1	..	2	..	1	1	..	..	..	*One seat of elected commissioner was filled by nomination as the rate-payers failed to elect one.
3	Gaya	88,005	66,432	20,596	Figure is not available.	21	16	5	..	5	..	3	1	1	..	..	*One Government official (Sub-Assistant Surgeon) was appointed <i>ex-officio</i> .
4	Tikari	5,481	4,267	1,209	Figure is not available.	12	11	..	..	3	..	2	2	..	..	..	*Caste of one elected commissioner is unknown. Nomination not yet made.
5	Daudnagar	11,699	8,912	2,787	Figure is not available.	13	11	1	..	3	..	1	1	..	..	..	*Two seats of nominated commissioners were filled by appointment of Government servants <i>ex-officio</i> .
6	Dumraon	14,421	12,208	2,162	Figure is not available.	8	6	2	..	2	..	1	..	1	..	..	One official was nominated as <i>ex-officio</i> commissioner.
7	Motihari	17,545	12,709	4,729	Figure is not available.	16	12	2	1	4	..	..	..	..	..	..	
8	Mazafarpur	42,812	30,648	11,801	Figure is not available.	24	16	7	1	6	5	1	1	..	..	..	
9	Lalcanj	9,192	7,709	1,473	Figure is not available.	8	7	1	..	3	..	..	..	..	..	..	
10	Roseah	8,369	8,458	402	Figure is not available.	12	12	..	..	3	..	..	1	1	..	..	

Serial no.	Name of municipality.	Total population.	Hindu population.	Muslim population.	Scheduled caste population.	Number of seats of elected commissioners.				Number of commissioners elected.				Number of seats of nominated commissioners.	Number of commissioners nominated.					Remarks.
						Number of seats of elected commissioners.				Number of commissioners elected.										
						Hindus.	Muslims.	Scheduled caste.	Number of seats of elected commissioners.	Hindus.	Muslims.	Scheduled caste.	Number of commissioners elected.							
11	Jamulpur	30,346	24,256	4,888	Figure is not available.				10	8	..	..	10	..	..	..	..	..	Two Europeans were elected. Nomination not yet made.	
12	Bhagalpur	83,847	58,348	24,555	20	16	3	1	5	..	1	..	..	..	1	2	1	..	..	One seat of nominated commissioner was filled by appointment of Government servant <i>ex-officio</i> .
13	Colgong	5,283	3,965	1,236	8	7	1	..	2	..	..	..	2	..	1	..	..	..	..	Nomination not yet made.
14	Katihar	15,864	10,778	4,919	8	7	1	..	2	..	..	..	2	..	1	..	..	..	..	Election of municipal commissioners has been held but list of commissioners not yet received.
15	Forbesganj	5,939	3,850	2,035	8	7	1	..	2	..	..	..	2	..	1	..	..	..	..	Nomination not yet made.
16	Jhalda	6,924	6,560	322	8	..	..	..	2	..	..	..	2	..	..	..	..	..	..	Election of municipal commissioners has been held but list of commissioners not yet received.
17	Hazaribagh	20,977	14,648	4,975	16	13	3	..	4	2	1	1	4	2	1	..	..	..	..	Nomination not yet made.
18	Chatra	8,758	6,303	2,409	12	6	6	..	3	1	..	..	3	1	1	..	..	..	..	Nomination not yet made.
19	Giridih	21,122	15,202	5,654	16	12	4	..	4	..	..	..	4	..	..	..	..	..	..	Nomination not yet made.
20	Lohardaga	7,577	4,840	2,001	8	6	2	..	2	1	..	..	2	1	..	2	1	..	1	Nomination not yet made.
21	Purnalia	25,974	22,128	2,964	16	16	..	..	4	..	..	..	4	..	..	..	..	..	..	Four Christians were elected. Nomination not yet made. Includes one Oraon and one Munda.
22	Ranchi	50,517	27,717	12,096	20	15	1	..	5	..	..	..	5	..	..	..	..	..	..	

**Mr. RAM PRASAD :** Are Government aware that depressed classes are not adequately represented ?

**The Hon'ble the SPEAKER :** That is a matter of opinion.

CLERK TO THE SECRETARY OF THE COUNCIL OF LEGAL EDUCATION.

**271. Mr. HARINANDAN SINGH \* :** Will Government be pleased to state—

(a) whether it is a fact that Babu Jagdeep Sahay, a clerk to the Secretary of the Council of Legal Education is also a whole-time librarian of the Patna Bar Library and is drawing salaries from both offices ;

(b) if the answer to clause (a) be in the affirmative, when he was so appointed and by whom ;

(c) whether it is a fact that he attends the office of the Council of Legal Education very seldom ?

**Mr. SHIVANANDAN PRASAD MANDAL :** (a) Yes.

(b) In 1922 by the then Secretary to the Committee of Legal Education Mr. (now the Hon'ble Mr. Justice) C. M. Agarwalla.

(c) The Committee of Legal Education are satisfied that he attends with sufficient regularity to enable the work to be done satisfactorily. If a whole-time clerk were employed it would be necessary to pay him more than Rs. 30 if he were a competent man.

RULES FOR THE APPOINTMENT OF GOVERNMENT PLEADERS AND PUBLIC PROSECUTORS IN THE DISTRICT COURTS.

**272. Mr. SHYAM NANDAN SINHA :** Will Government be pleased to state—

(a) the rules regarding the appointment of Government Pleaders and Public Prosecutors for district courts ;

(b) whether the District Officer invites applications from the members of the Bar before making his recommendations for appointment when the term of office of the incumbent of such a post is about to be over ;

(c) whether only one name or more than one name is recommended by the District Officer for the appointment of District Government Pleader and Public Prosecutor ?

**Mr. SHIVANANDAN PRASAD MANDAL :**

(a) A copy of the rules is laid on the table.

(b) Under the rules as they stand he is not required to. Government have, however, issued instructions to District Magistrates to invite applications in those cases in which the term of office of the existing incumbent has expired or is about to expire and are considering whether the rule should not be amended so as to make this the invariable practice in future.

\* In the absence of the questioner, the answer was given at the request of Mr. Harikishore Prashad.