

# THE BIHAR LEGISLATIVE ASSEMBLY DEBATES.

*The 28th September, 1939.*

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 Thursday, the 28th September, 1939, at 11-30 A.M., the Hon'ble the Speaker, Mr. Ramdayalu Sinha, in the Chair.

## SHORT NOTICE QUESTIONS AND ANSWERS.

ELECTION OF THE MEMBERS OF THE UNION BOARD OF MAHNAR.

1. **Mr. NIRAPADA MUKHARJI :** Will Government be pleased to state—

(a) whether there was an election of the members of the Union Board of Mahnar within the jurisdiction of the Mahnar Police-station, in the district of Muzaffarpur, on the 16th September, 1939;

(b) if the answer to clause (a) be in the affirmative, whether there was any trouble in conducting the election in a proper and legal way;

(c) whether it is a fact that the Sub-Deputy Magistrate, deputed to conduct the aforesaid election, submitted a report to the Subdivisional Officer mentioning that the Sub-Inspector of Police failed to maintain order and left the polling-station, in consequence of which, there was confusion and disorder, and the election could not be conducted in a proper and legal way;

(d) whether, in the circumstances stated in clause (c), Government propose to direct a re-election of the members of the aforesaid Union Board, and a sifting enquiry into the conduct of the aforesaid Sub-Inspector of Police responsible for so handling the situation?

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

(c) and (d) Petitions have been filed by private individuals before the District Magistrate to set aside the election, and as the same are under investigation, Government do not propose to make any definite statement about the subject matter of the case at this stage.

(b) if the answer to clause (a) be in the affirmative, the terms and conditions, if any, subject to which the aforesaid concession is being enjoyed by the tenants;

(c) whether any permission is required for the manufacture of bricks on the *raiya* lands in the *khas mahal* area of the said district; if so, whether the same is in accordance with the rules or customs of the Khas Mahal Department?

**Mr. SARANGDHAR SINHA :** (a) The answer is in the affirmative.

(b) The terms and conditions are—

(i) that previous permission of the *khas mahal* is obtained;

(ii) that a royalty of Rs. 12-8-0 per one lac bricks is previously paid;

(iii) that the value of the land is not impaired;

(iv) that the land is not rendered unfit for the purpose of the tenancy;

(v) that insanitary or dangerous holes are not left on the land;

(vi) that any discomfort or inconvenience is not caused to the neighbours;

(vii) that building sites, within the limits of probable urban development, are not damaged.

(c) The requirement of previous permission is in accordance with custom and law.

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HEAD ASSISTANT OF THE IRRIGATION DEPARTMENT.

**93. Mr. SHYAM NARAYAN SINGH :** Will Government be pleased to state—

(a) whether it is a fact that the Head Assistant of the Irrigation Department himself went to the Camp Office this year in violation of the past practice, if so, who initiated the proposal—the Head Assistant or any other superior officer of the Department;

(b) whether it is a fact that the Head Assistant got his deputation to the Camp Office approved on the ground that he would deal with budget matters in connection with the meetings of the Public Accounts Committee and also train for six weeks only the present budget assistant who has been attached to the Section since January, 1939;

(c) whether it is a fact that the Head Assistant is the disbursing officer of the Department who also controls the contingent expenditure and cash amount kept in the Patna office; if so, the officer who has been authorised to control the contingent expenditure at Patna in the absence of

the Head Assistant ; and whether this fact was taken into consideration when the question of deputation of the Head Assistant was being examined ?

**The Hon'ble Mr. ANUGRAH NARAYAN SINHA :** (a) On the recommendation of the head of the office and with the approval of the Chief Engineer, the Head Assistant of the Irrigation Branch (Public Works Department) accompanied the Camp Office to Ranchi. He was not the only Head Assistant who came to Ranchi this year and there is no rule against such move to Camp Office.

(b) The Head Assistant was required to come to Ranchi in connection with budget matters as the assistants who usually dealt with such work were on leave ; he was sent back to Patna when his place could conveniently be taken by one of the assistants on leave. The budget assistant under training was not capable of taking the Head Assistant's place.

(c) The Head Assistant is the disbursing officer of the Irrigation office and controls the contingent expenditure and cash. This he continued to do when at Ranchi, for both the Patna and Ranchi offices, and this arrangement was understood from the beginning.

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COLLECTION OF MONEY BY THE SUBDIVISIONAL OFFICER, CHATRA, FROM THE PUBLIC FOR THE PURPOSE OF GIVING PARTIES TO HIGH OFFICIALS.

**94. Khan Bahadur HAJI SHAIKH MAHMUD HASSAN KHAN :** Will the Hon'ble the Prime Minister be pleased to state—

(a) whether it is a fact that the Subdivisional Officer at Chatra collects money from the public for giving parties to the officials visiting the subdivision and that parties are held in his house ; if so, whether the Subdivisional Officer submits any account of the same to the public ;

(b) whether the aforesaid collection of fund by officials for the aforesaid purpose is in accordance with any orders of Government ?

**Mr. KRISHNA BALLABH SAHAY :** (a) The answer to the first part of the question is in the negative. The second part does not arise. If the hon'ble member has any definite information, he should bring it to the notice of Government.

(b) Does not arise.

**Khan Bahadur HAJI SHAIKH MAHMUD HASSAN KHAN :** Will Government be pleased to state whether any enquiry was made by Government and Mr. Sahay was also the recipient of such a party ?

**Mr. KRISHNA BALLABH SAHAY :** So far as the enquiry is concerned, it was made. So far as the party given to me is concerned it is true that I was entertained at a tea party at the house of the Subdivisional Officer.