

[B. Nirsu N. Sinha]

QUESTIONS AND ANSWERS

imply that the Indian asylum has taken an inordinate time as compared with the European asylum ; such delay as has occurred over both institutions is due to difficulties caused by the war.

MAINTENANCE OF GRAND TRUNK ROAD.

201. Will the Government be pleased to state if any terms or conditions have been laid down for the maintenance of the Grand Trunk Road ?

202. Are the Government aware that near Burhi (in the Hazaribagh District) on the Grand Trunk Road there is a bridge which only allows a vehicle weighing not more than three tons and that is causing a great inconvenience to transport and traffic ?

203. Will the Government be pleased to state who is responsible to maintain the Trunk Road ?

MR. BREMNER : 201. No specific rules or conditions have been prepared for the maintenance of the Grand Trunk Road.

202. Yes ; the question of strengthening the floor members of this bridge to meet recently developed mechanical road transport is under the consideration of Government.

203. The Public Works Department is responsible for the maintenance of the Grand Trunk Road.

Swami Vidyanand alias Bishva Bharan Prashad.

SURSAND COURT OF WARDS.

204. (a) Has the attention of the Government been drawn to the correspondence in the local press regarding the doings of the Sursand Court of Wards ?

(b) Is it true that Mr. Barnicott, the then Collector of Muzaffarpur, entered into an agreement, dated the 8th October 1917, with one Babu Harnandan Prashad Singh, Zamindar of Chainpur in Saran, relating to the estate of one Babu Janki Prashad Narayan Singh late of Sursand, whereby in consideration of a share in the estate, the Collector Mr. Barnicott apparently as representing the Court of Wards undertook to carry on litigation, pay all expenses of such litigation and keep Babu Harnandan Prashad Singh indemnified against the payment of any costs which the Court might in such litigation award against him ?

(c) Is it true that Mr. A. R. Toplis, the present Collector of Muzaffarpur, has also entered into a similar agreement with one Musammat Ambika Kuer, mother and guardian of Babu Bidya Prashad Narayan Singh, Zamindar of Chainpur, Saran, by which the Collector obtained from Babu Bidya Prashad's mother a share in the estate of one Krishna Pratap Indra Narayan Singh of Sursand, the consideration being, also, the Court of Wards conducting litigation, payment of all expenses and undertaking to pay all such costs as may be awarded against Babu Bidya Prashad in such litigation ?

(d) Is it true, that the Sursand Court of Wards conducted and is conducting litigation in accordance with the above agreements and has met and is meeting all the expenses of such litigation ?

(e) Is it true that both Babu Harnandan Narayan Singh and Babu Bidya Prashad Narayan Singh of Chainpur belong to the well-known zamindar family of Chainpur and are themselves substantial zamindars with means of their own to enable them to meet all expenses incidental to recovering the interest respectively attributed to them ?

[29th November 1921]

QUESTIONS AND ANSWERS

(f) If the answers to questions Nos. (d) and (e) be in the affirmative will the Government be pleased to state the reasons in the possession of the Court of Wards why the Court of Wards has chosen to undertake all the expenses of litigation?

(g) Are the Government aware that the public regard the transactions covered by the agreements as containing all the principal ingredients of champertous transactions?

205. (a) Are the Government aware that the Court of Wards has undertaken to meet all the expenses and has commenced and is carrying on the litigation in suit No. 112 of 1920?

(b) Is it true that a suit, being suit No. 307 of 1917, was instituted in the Court of the Subordinate Judge, Muzaffarpur, in the names of the minor Wards which, was withdrawn?

(c) Will the Government be pleased to inquire and state (i) who is responsible for the agreements and institution of the suits, (ii) what is the amount of money if any hitherto, spent by the Court of Wards in suit No. 112 of 1920?

206. (a) As regards suit No. 112 of 1920, did the Court of Wards know that Dulhin Gulab Kuer, the maternal grandmother of the minor wards, admitted the existence of agnates of the deceased owner of the estate so far back as 1911?

(b) Will the Government be pleased to state the terms of the deeds between Mr. A. W. Barnicott, the Collector of Muzaffarpur, and Babu Harnandan Prashad of Chainpur, dated the 8th October 1917 and that of Mr. A. R. Toplis, Collector of the same district and Musammat Ambika Kuer of Chainpur, dated the 9th February 1920?

(c) Is it a fact that sometime after the assumption of the charge of the estate of Dulhin Gulab Kuer and Ram Dulari Kuer of Sursand by the Court of Wards, Muzaffarpur, F. F. Lyall, Esq., C.I.E., the then Collector of Muzaffarpur, was requested by the said Dulhin Gulab Kuer and Ram Dulari Kuer to take the matter of the Sursand litigation in hand by the Court of Wards and to fight in the name of Babu Bisheshvar Partap Narayan Sahi and Rameshvar Partap Narayan Sahi for the estates vacated by the death of Babu Krishna Kishore Narayan Singh and Musammat Mulukrani Kuer of Sursand in the district of Muzaffarpur?

(d) Is it a fact that the said Mr. Lyall having gone into the merits of the claim of the wards of the Sursand Court of Wards, declined to take up the matter in hand and also to become a party to any deed?

(e) Will the Government be pleased to state what are the reasons which led the Court of Wards to undertake what Mr. Lyall, the able Collector of Muzaffarpur, refused to do?

(f) Has the attention of the Government been drawn to the statement in the press on the doings of the Sursand Court of Wards?

(g) Is it a fact that the Collector and the Deputy Collector attended the Court of the Subordinate Judge during the trial of the Sursand case now pending before the Sub-Judge of Muzaffarpur?

(h) Will the Government be pleased to state the reasons of such attendance?

MR. HUBBACK: 204. (a) The answer is in the negative.

204. (b) to (g), 205—206. Government have no information but are making inquiries.

THE PRESIDENT : With regard to this question put by my hon'ble friend Babu Bishva Bharan Prashad I would like to point out that although I have allowed this question in this instance to go into the list of questions, but I as the President of this Council was perfectly at liberty to exclude it on the ground that it was excessively long. As it was the first time the question came before me, I allowed it to go in and I mention the matter now as I would like the hon'ble members to understand that questions must be much shorter.

Chaudhuri Bhagabat Prashad Samantarai Mahapatra.

CONDITION OF AQUEDUCTS IN JAJPUR SUBDIVISION IN ORISSA.

207. Are the Government aware—

(a) that the Kuaria and the Mattagunjar aqueducts in the Jajpur Sub-division, in Orissa, below the high level canal, Range No. 1, have been left without repairs for some years past ;

(b) that these aqueducts are outlets for the waters of the river Kuaria and of the neighbouring tracts, into the Brahmani river ; and

(c) that continued non-clearance of these aqueducts has nearly blocked them up by gradual silt deposits, and that free passage of water through them is prevented ?

MR. BREMNER : (a) No. The Superintending Engineer reports that the aqueducts are regularly repaired every year.

(b) The answer is in the affirmative.

(c) The answer is in the negative. A certain amount of silt is deposited every year when the Brahmani river is in flood. This cannot be avoided.

208. Will the Government be pleased to state :

(a) how many self-acting shutters are there, in each of the above aqueducts ;

(b) how many of these self-acting shutters have become unworkable by silt-deposits.

(c) how many of them have become out of order ;

(d) the extent of the area if any that is being annually washed away, owing to inundation caused by the blockade of the Kuaria and of the Mattagunjar aqueducts ;

(e) the extent of the area if any that is lying waste owing to inundation caused by the blockade of each of these aqueducts ;

(f) the action taken upon the petition of the villagers of Ghasibar, Kusumpur, Arenda, Karilo, Kamagor, Paikarapur, Bhahmapur, Kusumpur, Arimul, Brindadeipur, Telipukhuri, Sataman, Lachhindrapur and Jenapur, the Subdivisional Officer of Jajpur, Cuttack, in June 1920 or thereabouts regarding the clearance of Muttagunjar aqueducts ;

(g) the action taken upon the petition of the villagers of Bhubanpur, Osara, Mahisara, Jhatiapara, Nakua, Chhapara, Mandia, Birbati, Telore, Patauri, Madhupur, Kustira, Baunsanta, Gengutia, Bharatpur Antia and Sreechandapur to the Subdivisional Officer of Jajpur, Cuttack, in June 1920, or thereabouts regarding the clearance of the Kuaria aqueducts ; and

(h) the action taken upon the petition of the proprietor of Madhupur in Orissa to the Executive Engineer of the Mahanadi Division, Cuttack, on the 28th January 1920, regarding the clearance and other repairs of the above aqueducts ?