

# THE BIHAR LEGISLATIVE ASSEMBLY DEBATES, 1937.

*Wednesday, the 22nd September, 1937.*

**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 Wednesday the 22nd September, 1937, at 11-30 A. M., the Hon'ble the Speaker in the Chair.

## UNSTARRED QUESTIONS AND ANSWERS.

**NURSING SISTERS AT THE PATNA MEDICAL COLLEGE HOSPITAL AND DIET OF PATIENTS, WANT OF ACCOMMODATION AND INCREASE OF STAFF OF THE HOSPITAL.**

**222. Mr. SAIYID ALI MANZAR:** Will Government be pleased to state—

(a) the number of nursing sisters in the Patna General Hospital and the nature of duty that they are required to perform;

(b) the amount of money spent on the food of a patient living in the free English ward and that of a patient living in the free Indian ward;

(c) whether the rice given to Indian wards is of 2 varieties;

(d) whether it is a fact that the quality of medicines supplied in the hospitals is very poor;

(e) if the answers to clauses (c) and (d) be in the affirmative, whether they propose to take any action in the matter;

(f) whether it is a fact that a large number of persons suffering from serious diseases are refused admission in the Patna General Hospital almost every day for want of accommodation;

(g) if the answer to clause (f) be in the affirmative, whether they propose to take any action to provide more accommodation;

(g) There was no question of the Subdivisional Officer attempting to compel Congress workers to give up Congress work.

(h) Does not arise.

**Mr. SUKHLAL SINGH :** Will Government be pleased to state if they propose to take any action against the Subdivisional Officer ?

**Mr. KRISHNA BALLABH SAHAY :** Government have taken notice of the conduct of the Officer which they disapprove.

APPOINTMENT OF MR. KAPOOR AS DEPUTY DIRECTOR OF AGRICULTURE.

**235. Mr. JAMUNA KARJEE:** Will Government be pleased to state—

(a) whether one Mr. Kapoor was appointed as Deputy Director of Agriculture in Bihar ;

(b) if the answer to clause (a) be in the affirmative, whether he joined the post ;

(c) if the answer to clause (b) be in the negative, the reason why he did not join ;

(d) (i) the names of the degrees which Mr Kapoor stated in his application for the post he had obtained and held and (ii) whether he had attached copies of certificates and such degrees to his application ;

(e) whether it is a fact that he gave to the persons who were in charge of making a selection to understand that he had obtained the degree of Doctorate in Science of any Indian or foreign University ;

(f) whether he allowed himself to pass, or to be addressed, as Dr. Kapoor while he had no degree of Doctorate ;

(g) whether it is a fact that the Provincial Government demanded his certificates ;

(h) whether it is a fact that he failed to produce the certificates ;

(i) who were the advisers to Government for appointing Mr. Kapoor ;

(j) whether the head of the department who is chief technical adviser to Government in matters relating to the Department of Agriculture was consulted in the matter of this appointment ;

(k) if the answer to clause (j) be in the negative, the reason why he was not consulted ;

(l) if the answer to clause (j) be in the affirmative, the advice he gave with regard to this appointment ;

(m) whether Mr. Kapoor was known to the Head of the Department of Agriculture from beforehand, and whether the former put up with the latter in Patna during the period when he was trying to secure the job ;

- (n) (i) the number of candidates who were interviewed, (ii) their names, and (iii) the provinces to which they belonged ;
- (o) whether there was a Bihari candidate for the post ;
- (p) if the answer to clause (o) be in the affirmative, the degree which he held ?

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

(b) The reply is in the negative.

(c) The reason given by him was that the initial pay (Rs. 400) offered was small.

(d) A statement is laid on the library table.

The reply to the second part of this question is in the negative.

(e), (f) and (g) The answer is in the affirmative.

(h) Instead of producing certificates, he declined to accept the offer.

(i) The Selection Board consisted of (1) the Director of Agriculture, Bihar, (2) Lt.-Col. C. A. MacLean, Deputy Director of Agriculture, and (3) Dr. T. J. Mirchandani, Agricultural Chemist.

(j) The answer is in the affirmative.

(k) Does not arise.

(l) The Director of Agriculture recommended the appointment of Mr. Kapoor.

(m) Mr. Kapoor was known to the Director of Agriculture for four years before his interview. He was working during that period as Chief Economist of the Imperial Council of Agricultural Research and was in charge of the economic enquiry into the cost of production of crops in Bihar and other provinces. Mr. Kapoor did not stay with the Director of Agriculture when he came to Patna to be interviewed for the post.

(n) (i) Three, (ii) Dr. N. P. Mehta, Dr. A. C. Chaudhuri and Mr. R. D. Kapoor, and (iii) (1) Dr. Mehta belongs to Bombay, (2) Dr. Chaudhuri is domiciled in Bihar, and (3) Mr. Kapoor belongs to the Punjab.

(o) The answer is in the affirmative.

(p) Dr. Chaudhuri who is a domiciled resident of Bihar holds the degree of Ph. D. of Edinburgh University in Livestock.

**Mr. JAMUNA KARJEE :** Will Government be pleased to state when the certificates were demanded from Mr. Kapoor by the local Government ?

**Mr. SARANGDHAR SINHA :** Certificates were demanded after the publication of an article in the *Searchlight*, casting doubts as to the genuineness of the qualifications possessed by Mr. Kapoor.

**Mr. JAMUNA KARJEE :** Will Government be pleased to state how Mr. Kapoor was appointed as Deputy Director of Agriculture when he produced no certificates ?

**Mr. SARANGDHAR SINHA :** Strictly speaking, Sir, the original certificates should have been asked to be produced before the appointment was made but since Mr. Kapoor was employed in the Government of India and his application was forwarded by the Imperial Council of Agricultural Research there was no reason to doubt about the genuineness of his qualifications.

**Mr. JAMUNA KARJEE :** Will Government be pleased to state what action they took or they propose to take for the reason that Mr. Kapoor did not send copies of his certificates ?

**Mr. SARANGDHAR SINHA :** They did not take any action beyond informing the Imperial Council of Agricultural Research that he did not possess the qualifications which he stated in his application.

**Mr. JAMUNA KARJEE :** Will Government be pleased to state if Lt.-Col. MacLean and Dr. Mirchandani are officers of the department of Agriculture and are subordinates to the Director of Agriculture ?

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

**Mr. JAMUNA KARJEE :** Will Government be pleased to state if the Director of Agriculture recommended the appointment of Mr. Kapoor without examining his qualifications or certificates ?

**Mr. SARANGDHAR SINHA :** The question has been answered, Sir. His qualifications were examined but there was no reason to doubt the genuineness of the qualifications as he was already serving under the Government of India.

**Mr. JAMUNA KARJEE :** Will Government be pleased to state if Dr. Anwarullah and Dr. T. C. N. Sinha also applied for the post ?

**Mr. SARANGDHAR SINHA :** The answer is in the affirmative, Sir.

**Mr. JAMUNA KARJEE :** Will Government be pleased to state whether they are Biharis ?

**Mr. SARANGDHAR SINHA :** The answer is in the affirmative, Sir.

**Mr. JAMUNA KARJEE :** Will Government be pleased to state if Dr. Sinha is a Doctor of Science and possesses degrees in Botany.

**Mr. SARANGDHAR SINHA :** I ask for notice, Sir.

**Mr. JAMUNA KARJEE :** Is it a fact that he is a Doctor of Science ?

**Mr. SARANGDHAR SINHA :** Yes, Sir. He is a Doctor of Science.

**Mr. JAMUNA KARJEE :** Is it a fact that Dr. Anwarullah is a Ph. D. of the London University.

**Mr. SARANGDHAR SINHA :** The answer is in the affirmative, Sir.

**Mr. JAMUNA KARJEE :** Will Government be pleased to state the reason why these gentlemen were debarred from interview ?

**Mr. SARANGDHAR SINHA :** All the applications were carefully scrutinised by the Director of Agriculture and he found that only four candidates possessed the qualifications which were essential for the post of Deputy Director of Agriculture.

**Mr. JAMUNA KARJEE :** Will Government be pleased to state when the Director of Agriculture carefully examined the qualifications why was it that a man having no qualification was selected ?

**The Hon'ble the SPEAKER :** That has been answered.

**Mr. JAMUNA KARJEE :** Will Government be pleased to state if Dr. Anwarullah and Dr. T. C. N. Sinha were not called for interview simply because they were Biharis ?

**Mr. SARANGDHAR SINHA :** No, Sir, that could not be the reason.

**Mr. JAMUNA KARJEE :** Will Government be pleased to state the reasons for the anxiety of the Department of Agriculture to debar the sons of the soil and to appoint outsiders only ?

**Mr. SARANGDHAR SINHA :** On the other hand, Sir, the anxiety of the Government is to have as many Biharis as possible consistently with efficiency.

**Mr. JAMUNA KARJEE :** Will Government be pleased to state the reason why they were anxious to appoint Mr. Kapoor who posed himself as Dr. Kapoor ?

**The Hon'ble the SPEAKER :** That has been answered practically.

**Mr. JAMUNA KARJEE :** Will Government be pleased to state if the Director of Agriculture is a Punjabi ?

**Mr. SARANGDHAR SINHA :** The answer is in the affirmative, Sir.

**Mr. JAMUNA KARJEE :** Is it a fact that Mr. Kapoor is also a Punjabi ?

**Mr. SARANGDHAR SINHA :** The answer is in the affirmative, Sir.

**Dr. Sir GANESH DUTTA SINGH :** Will Government be pleased to state if there is anybody in Bihar competent to serve as Director of Agriculture ?

**Mr. JAMUNA KARJEE :** That question does not arise because there was no vacancy for the post of Director of Agriculture.

Will Government be pleased to state if they are taking any action against the officers who were in the Selection Committee and who are in the service of Government and who misled the Government in appointing Mr. Kapoor ?

**The Hon'ble the SPEAKER :** They were misled because Mr. Kapoor was already employed under the Government of India and his application came through the Imperial Council of Agricultural Research and, therefore, they thought that it was not necessary to go through the papers showing the degrees which he possessed.

**Mr. JAMUNA KARJEE :** Will Government be pleased to state that when the Director of Agriculture knew Mr. Kapoor for four years why he misled the Government knowing that he had no qualification and at the same time he recommended to appoint him as Deputy Director of Agriculture ?

**Mr. SARANGDHAR SINHA :** Mr. Kapoor used to pay official visits to this province as Chief Economist of the Imperial Council of Agricultural Research and in that capacity Mr. Sethi knew him.

**Mr. JAMUNA KARJEE :** But that is not the answer to my question. That does not matter if he visited. The question is whether he possessed the qualifications. If he does not.....

**The Hon'ble the SPEAKER :** That has been answered.

**Mr. HARIHAR SINHA :** Did Mr. Kapoor ever stay with Mr. Sethi during his visit to Patna ?

**Mr. SARANGDHAR SINHA :** Yes, Sir, on two previous occasions before he was appointed.

**Mr. HARIHAR SINHA :** Why was not Mr. Kapoor required to produce his original certificates before his application was taken into consideration ?

**The Hon'ble the SPEAKER :** That has been answered.

**Mr. HARIHAR SINHA :** Will Government be pleased to state why the selection board did not include any non-officials ?

**Mr. SARANGDHAR SINHA :** It consisted of two non-official members, Sir, but they intimated their inability to attend the meeting of the Board as a protest against Government restricting their choice to only three candidates.

**Mr. HARIHAR SINHA :** Will Government be pleased to state the names of the non-official members ?

**Mr. SARANGDHAR SINHA :** Mr. Chandreshvar Prasad Narayan Sinha and Khan Bahadur Saghirul Haqq were the two non-official members of the Selection Board.

**Mr. HARIHAR SINHA :** Will Government be pleased to state the reasons why the non-officials declined to attend the meeting ?

**The Hon'ble the SPEAKER :** Because Government restricted their choice to three candidates.

**Mr. HARINANDAN SINGH :** Will Government be pleased to state if they are aware of the feelings among the people in this province that Mr. Sethi who is a Punjabi wanted anyhow to import Mr. Kapoor who is also a Punjabi ?

**Mr. SARANGDHAR SINHA :** Government are not aware of the feeling, Sir.

**Mr. TAJAMUL HUSAIN :** Was the appointment made by the previous Government ?

**Mr. SARANGDHAR SINHA :** Yes, Sir.

**Mr. TAJAMUL HUSAIN :** Then why are the present Government supporting the action of the previous Government ?

(No answer.)

**Mr. MUHAMMAD YUNUS :** Is it a fact that when the original certificates were demanded, he said that he did not want the job ?

**Mr. SARANGDHAR SINHA :** Yes, Sir.

**Mr. MUHAMMAD YUNUS :** Is it a fact that after his appointment he resigned his services under the Government of India ?

**Mr. SARANGDHAR SINHA :** No, Sir, the Government of India relieved him of his job.

**Mr. MUHAMMAD YUNUS :** Is the Government aware of the reason for his being relieved ? Who brought this fact to the notice of the Government of India ?

**Mr. SARANGDHAR SINHA :** Because it was pointed out to the Government of India that he did not possess the qualifications he stated that he possessed.

**Mr. MUHAMMAD YUNUS :** Do Government propose to take any further action against him ?

**Mr. SARANGDHAR SINHA :** No other step is under contemplation of Government, Sir.

**Mr. H. B. CHANDRA :** Do Government propose to institute an enquiry into the conduct of the Director of Agriculture ?

**Mr. SARANGDHAR SINHA :** I have already stated, Sir, that there is no case for enquiry because he was himself misled.

**Khan Bahadur SAGHIRUL HAQQ :** Will Government be pleased to state if the usual practice is that when a post falls vacant the head of

a department invites and receives applications from candidates, makes out a list, selects a few candidates for interview and forwards the list along with the applications to all the members of selection board and asks them to suggest name or names of any candidates to be interviewed besides those selected by him (the head of the department) ?

**Mr. SARANGDHAR SINHA :** I ask for notice, Sir.

**Mr. CHANDRESHVAR PRASHAD NARAYAN SINHA :** Was the protest of non-official members brought to the notice of Government by the head of the department ?

**Mr. SARANGDHAR SINHA :** I could not answer that, Sir, without notice but I may tell the House that Khan Bahadur Saghirul Haqq later said that because he was very busy with his election it was not possible for him to be present on the date fixed and Mr. Chandreshvar Prashad Narayan Sinha said that he would attend the meeting if a different date was fixed but as the other members of the Selection Board had already assembled it was not possible to postpone the meeting.

**Mr. CHANDRESHVAR PRASHAD NARAYAN SINHA :** Was there any very great haste about the appointment ?

**Mr. SARANGDHAR SINHA :** A Deputy Director of Agriculture was needed very urgently because there was nobody to take charge of the Patna Range.

**Mr. CHANDRESHVAR PRASHAD NARAYAN SINHA :** Was that object fulfilled by this appointment ?

**Mr. SARANGDHAR SINHA :** No, Sir, Mr. Kapoor could not be appointed because it was discovered that the qualifications were bogus.

**Mr. SACHCHIDANAND SINHA :** Mr. Kapoor, Sir, could not be a bogus person, but he could be a person with bogus qualifications (*Laughter*). He is much too alive and kicking, Sir.

**The Hon'ble the SPEAKER :** Yes, as we see from the number of questions put.

**Mr. MAHESH PRASHAD SINHA :** Is it a fact that whenever the Director of Agriculture went to Delhi he stayed with Mr. Kapoor ?

**Mr. SARANGDHAR SINHA :** Government have no information, Sir.

**Mr. MAHESH PRASHAD SINHA :** Is it a fact that the Director of Agriculture is a relation of Mr. Kapoor ?

**Mr. SARANGDHAR SINHA :** Government have no information, Sir.

**Mr. JAMUNA KARJEE :** Will Government be pleased to state if the policy of the head of the department is to deprive Biharis from getting higher appointments in that department ?



**The Hon'ble the SPEAKER :** The question does not arise.

**Mr. SACHCHIDANAND SINHA :** Sir, referring to the last answer (p) about Dr. Chaudhuri, it is said that he is a domiciled resident of Bihar and holds the degree of Ph. D. of Edinburgh University in Livestock ; am I to understand that he holds the degree in the subject of Livestock or whether the Edinburgh University is situated in a place called Livestock ? (*Laughter.*)

**Mr. SARANGDHAR SINHA :** No, Sir ; he holds a degree in the subject of livestock.

**Mr. SACHCHIDANAND SINHA :** Then that should have been made clear.

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PROSCRIPTION OF A BOOKLET.

**236. Mr. BUDHAN RAI :** Will Government be pleased to state—

(a) whether it is a fact that a booklet in English with the title "Peasants' Revolt in Malabar in 1921" by Mr. Saumendra Nath Tagore, published by T. Godiwala of Ganga Printing Fert, Bombay, has been proscribed by them ;

(b) if the answer to clause (a) be in the affirmative, the reason for such action taken by them in respect of the said booklet ?

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

(b) Does not arise.

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DIFFERENT DENOMINATIONS OF THE FRACTION OF AN ANNA IN THE LAND REGISTRATION COURTS OF THE PATNA AND TIRHUT DIVISIONS.

**237. Mr. TAJAMUL HUSAIN :** Will Government be pleased to state—

(a) whether they are aware that in the land Registration Courts in the Tirhut division the fraction of an anna is called "Ganda, Karant, Masant, etc.," and in the Land Registration Courts in the Patna Division, it is called "Dam, Kauri, Bauri, etc." and that they do not bear the same fraction to an anna ;

(b) if the answer to clause (a) be in the negative, whether they propose to enquire into the matter ; if not, why not ;

(c) if the answer to clause (a) be in the affirmative, whether they propose to take any action to remove the anomaly ; if so, what action and when ; if not, why ?