

[26th January 1922]

Mr. M. YUNUS : I rise to a point of order.

The Hon'ble the PRESIDENT : I have noticed that the practice followed at the earlier sessions seems to have been forgotten. When I say, "Order", "Order", members should not continue to stand.

Mr. M. YUNUS : Is the hon'ble member entitled to say anything more now except whether he wishes to withdraw his resolution or ask for a division ?

The Hon'ble the PRESIDENT : That is exactly what I pointed out to him. I am only going to ask him whether, in view of the assurance given on behalf of the Government, the hon'ble member is prepared to withdraw the whole resolution or any part of it. This answer I must have before I put the resolution to the vote.

Khan Bahadur KIIWAJA MUHAMMAD NUR : I leave it in the hands of the House.

Babu DEVAKI PRASHAD SINHA : If the hon'ble member leaves it to the House, that means that the resolution is not withdrawn.

The Hon'ble the PRESIDENT : The hon'ble member's over-anxiety is not at all necessary. The question before the House is :

This Council recommends to His Excellency the Governor in Council that the recent notification of the Government under the Criminal Law Amendment Act, 1908, Part II, declaring certain volunteer associations to be illegal, be withdrawn and that all those persons who have been convicted and are in custody for the breach of the terms of that notification be immediately and unconditionally released.

This was carried.

GANGES-DARJEELING ROAD.

Rai Bahadur PRITHI CHAND LAL CHAUDHURI : Sir, ^{2(d)} the resolution which I have the honour to move is this :

This Council recommends to the Government that the responsibility of maintaining the Ganges-Darjeeling Road be taken over by the Provincial Government from the Purnea District Board.

To explain my resolution, I shall have to give you a short history of the road, its length, its provincial importance, etc., before I can ask the House to pass this resolution.

This road begins from the bank of the Ganges at Kharhagola opposite to Shahebganj on the East Indian Railway line, and runs straight north *via* Purnea across the river Mahananda

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to Kishanganj and then through Islampur to Siliguri and Darjeeling, covering a distance of about 127 miles through the three districts of North Bihar and North Bengal. It is really the Calcutta-Darjeeling Road and one can go from the plain to the hills without the intervention of the railways at all. The Ganges has to be crossed only once at Shalaganj and one could walk, ride or motor, the whole of the distance by this road.

The Ganges-Darjeeling Road was entirely made from the provincial revenue and was maintained by Government up to the year 1883 when it was made over to the Purnea District Board, after the construction of the railways to Siliguri. The road was first opened to facilitate the traffic of food-stuffs and timbers from the districts of North Bengal and Bihar as well as from that of Nepal. The Lieutenant-Governor of Bengal when going to the summer capital of Bengal had also to use the road for very many years as it was then the only means of easy access to Darjeeling.

By the opening up of this communication, lands which were lying fallow and useless were brought under cultivation, the places were inhabited and the district of Purnea which was known as a penal district rose in importance. Anglo-Indian indigo planters sprang up there, factories were established, and Messrs. Thomas and Co. of indigo fame had large warehouses all over the district. Even now, there are many factories of Anglo-Indians and Indians, and it is not indigo that is grown but Purnea is famous for its tobacco, paddy, jute, rape-seed, etc. All these products are exported from Purnea to the Punjab on the north and to Bombay and foreign countries. The rice from the Nepal frontier has helped to keep down the prices, to pay the revenue and has enriched not only Purnea but the Province itself. The resources of this outlying and neglected district are immense but, unfortunately, Purnea has been treated like Cinderella among sister districts of the Bhagalpur Division.

Even to-day, Sir, if any of the gentlemen from the Council would care to take a trip by the Ganges-Darjeeling Road, he would find hundreds and hundreds of carts passing with paddy, rice and rape-seed across it, the carters singing merrily as the carts jolt along the road. In the grain-cutting season, families of labourers are to be seen wending their way along the roads with their *lota, handi*, baskets from Darbhanga, Chapra and Monghyr; for the labourers will get bundles of sheaves of corn for their labour in

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lien of wages which will help them to live through the other months of the year. Purnea might well be called the granary of Bihar.

The provincial importance of this Ganges-Darjeeling Road which cuts through Purnea from south to north is still as great as when the road was first opened. Alas for Purnea! the Governor does not go, with his train of secretaries and staff, by it. And can it be said by the Government that because one man has stopped passing by this road, the provincial importance has disappeared?

To build up this road, lakhs and lakhs had been spent and to keep it up the Government used to keep a staff of public works department engineers, etc., which cost the administration more than a lakh and a half every year. But when it was made over to the district board a sum of Rs. 26,000 and odd was allotted to the board to be taken from the Pound Income to maintain it—a sum not sufficient to maintain even one-fifth of the road. How this sum was arrived at, it is impossible to say but it appears that an estimate was prepared by the executive engineer about repairs apart from the staff to be kept, before it was made over and according to this estimate, a sum of Rs. 30,000 (thirty thousand) was required to renovate it that year.

In 1910 the district board approached the Lieutenant-Governor of Bengal for help, but His Honour expressed his regret, for want of funds. And this Rs. 26,000 which was granted to the district board, was given by the transfer of the Pound Income which accrues to the board from receipts under the Cattle Trespass Act. The Pound Income owing to non-co-operation movement has dwindled, but the road of 103 miles has to be maintained.

The policy followed by the old Government was explained in the Annual Report of 1889. The Lieutenant-Governor of Bengal followed the principle of allotting funds exactly equal to the general charges imposed. "The transferred assets at the time of the grant were regulated on a scale to establish equilibrium only."

Sir, this allotment of assets has not quite kept pace with the increased burden transferred on the district board, and the increased expenditure consequent upon it. I shall only quote a few passages from Mr. Hallett's notes, who was our Chairman in Purnea, and that will show that not only we, the non-official members of the district board, but the Magistrate and

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Collector also felt the injustice of it and smarted under the shortness of funds allowed us.

He says in 1919, about the Local Government's resolution, this :

The arguments read thirty years later, are not very convincing, the Government of that time seems to have been diffident of giving the board too much money and it is curious that they did not appear to realize that large sums could be suitably expended on the expansion of medical relief and on education, the chief functions transferred to the board, and that there is no need to impose any new duties to them.

The only assistance which the board has received from Government to meet the increased cost of the Ganges-Darjeeling Road is the transfer in 1903 of three ferries with an income at that time of Rs. 1,500.

Another great injustice that we smart under in these present days, is that the Government is appropriating (1) the income of the ferries (which will be about Rs. 17,000 to Rs. 18,000) which exist within the district, and which do not include the inter-district ferries, (2) receipts from the Darjeeling-Himalayan Railway for allowing them to run their train on the road.

"The Government is appropriating all these things, yet they do not maintain a yard of public road in the district."

I believe, Sir, I have been able to show to the House that the Government has been appropriating the district board income without doing its own part of the duty. I have shown that the equilibrium promised by the Government has not been maintained. I have further shown that the road is provincially important and that it is not a sectional road benefitting Purnea alone, but a limb of the great road from Calcutta to Darjeeling.

Having all these things in mind, when it really benefits the whole of the Province, is it surprising that I should ask the Provincial Government to take up the responsibility which is theirs primarily? Supposing for a moment it is not done, and it falls into disuse, it is not we alone, but the whole Province that will suffer. We, of Purnea, have tried to do our duty bravely.

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I herewith enclose a statement of the money we have spent on this road alone :

				Rs.
10 years 1888 to 1908	...	...	...	2,64,077
10 years 1908 to 1908	...	...	...	3,02,567
10 years 1908 to 1918	...	...	...	4,46,238
				Total
				Rs. 10,12,882

Kindly note also the remarks of Mr. Hallett about the road :

(a) Though the expenditure on the road has largely exceeded the amount granted by the Government, the condition of the road in many places is not good and it requires thorough repairs, specially in those parts where the traffic is heavy. A rough calculation shows that in all 86 miles require renewal, viz., (i) from the 72nd to 92nd miles between Kishanganj and Islampur where jute traffic is heavy, (ii) between Hardah and Korah, 8 miles and (iii) 33rd to 41st miles, 8 miles. The cost of renewal may be roughly estimated at Rs. 5,000 a mile or Rs. 1,10,000 in all.

(b) There are still seven wooden bridges on the road, two of these, viz., that at Khagra near Kishanganj and that at Panjipara just south of Kishanganj, require to be replaced by iron bridges without delay. The former is almost in a dangerous condition and might be swept away by a heavy flood. Estimates have been prepared ; the cost of the former is Rs. 36,610 and of the latter, Rs. 12,623. A new bridge is also needed at the 99th mile but this is not so urgent. The cost would probably be about Rs. 12,000.

(c) The road was breached several years ago by the river Kankai at Hijla gap, carts and travellers have to go by a diversion across the fields which is impassable in the rains, as a result of this, Kishanganj is out off from Purnea in the rainy season. The cost of repairing and bridging this gap will be about Rs 50,000.

(d) Thus the total sum required in the near future for the road is approximately Rs. 2,92,000.

Mr. Hallett goes on to say about the contribution granted by the Government at the disposal of Commissioner to these boards that needed assistance, thus :

Purnea has been most unfortunate in not receiving its full share of the grants thus distributed. Situated geographically in one corner of the Province it has not attracted the same attention from the Government as other districts more conveniently situated with reference to the provincial or divisional headquarters. It has also been slow to press its claims to assistance. The only grants which have been given to the board are those for water supply, which are distributed to all boards, and a small grant to recoup expenditure incurred in connection with the Purnea Dak Bungalows. It has not received a single pice of the grant placed at the disposal of the Commissioner nor has it received any special grant from Government.

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The following figures will show clearly how unfortunate Purnea has been in comparison with other districts in the Province :

		Grant to Purnea District Board under Road Class Works	Grant to other District Boards in the Province.
		Rs.	Rs.
1914-15	...	1,319	5,25,016
1915-16	...	2,331	4,59,975
1916-17	...	6,735	5,96,716
1917-18	...	3,653	7,39,262
Total	...	14,028	23,50,969

If Purnea had received an equal share of the grant, she should have received Rs. 1,30,000. As a backward district with a small cess income she was entitled to an even larger share.

It is clearly unfair that Purnea should suffer and it is only equitable that the board should receive larger grants in future to compensate it for small grants received in recent years.

Such being the state of affairs of the district board it is highly politic and expedient that this great responsibility should be taken over by the provincial Government. With these few words I commend the resolution for your consideration.

The state of things still continues as it did at the time of Mr. Hallett, only the roads and bridges are a little the worse for time's ravages, and the cost of repairs greater. This is still another reason as to why the Government should take up the belated duty.

The Hon'ble Mr. MADHUSUDAN DAS : I have no doubt that justice had not been done to the Purnea District Board. Notwithstanding all attempts by the present Secretary who was then the District Officer all attempts made by him to secure justice to this district board have failed. I am decidedly of opinion that justice had not been done. This road was originally built for military purposes. Then it was maintained by the Government of Bengal as being the shortest and easiest route for the official summer residence at Darjeeling. Now also a part of the road is in the Province of Bengal and used by that Government. These are provincial roads and it has been decided by the Public Works Organization Committee that these roads should be taken up by the provincial Government. The Government

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appointed a committee for the purpose and this committee also endorsed their opinion. So I need not go into details. The position is this. The Minister of Local Self-Government has had handed down to him a legacy with encumbrances, encumbrances created by other governments. It is not a very enviable position for a person in the position of a laity. I admit that injustice has been done and that it should be the duty of the Local Self-Government Minister, I cannot say to provide the funds, but to get at everybody who is liable to provide this. The Government of India created certain encumbrances. It was for the Government of India that the road was constructed. The Government of India maintained this road, then changed its route and then it was convenient for the Government of Bengal to use it. I am told that there is a jute trade and other kinds of goods are carried by this road and the road must be maintained by the district board. I do not see the force of the logic which asks one to come to the conclusion that it should be the duty of the district board to maintain it. I have not been in a position to get all the papers in connection with this road and secondly I am not in a position to say what will be the ultimate attitude of the Government. Meantime, I can assure my friend that he has my full sympathy and if funds were available he will have it.

Rai Bahadur PRITHI CHAND LAL CHAUDHURI: The board may be given Rs. 18,000.

The Hon'ble Mr. MADHUSUDAN DAS: I cannot promise the amount now. If any money is available we shall see what we can do. At any rate, you can have this assurance from me that though I cannot promise anything now I will see that justice is done.

Rai Bahadur PRITHI CHAND LAL CHAUDHURI: The only point that I have been able to gather from the Government Benches, that what stands in the way of their accepting my resolution is the want of funds. My reply is that they were in the position of a trustee who have broken their trust. In a civil suit, the trustees would have been made to disgorge the profit they made from the trust funds for their breach of trust. The Government has quietly appropriated the ferry or the road income to the tune of over Rs. 30,000 to Rs. 50,000 a year, for how many years I know not. The accumulated money would go over to more than 10 lakhs with capital and interest.

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I am asking the Government to do an act of bare justice and spend a little of the amount so unjustly taken by them on the maintenance of this road.

If they do not do this, can it not be said that the Government is failing in its duty and how can you expect after this that other people would do their duty?

When the Viceroy came to India with "Justice" on his lips, we for ourselves thought that the idea of justice will permeate everywhere, not only between man and man, but between men and Government and the standard would be kept pure and undefiled. I stand by that pronouncement and ask for a division.

The Hon'ble the PRESIDENT: Does the hon'ble member withdraw his resolution in view of the sympathetic spirit in which it has been received?

Rai Bahadur PRITHI CHAND LAL CHAUDHURI: I leave it to the House.

The Hon'ble the PRESIDENT: Am I to put it to the vote?

Rai Bahadur PRITHI CHAND LAL CHAUDHURI: I claim Rs. 18,000 from the ferry. I hope the Council will grant it.

The Hon'ble Mr. MADHUSUDAN DAS: All I can say is that I have not been able to get all the papers and I am not in a position to say anything. All I can say is that I am a trustee and have an obligation. If you pass this resolution it will come to nothing. You cannot get blood out of stone.

This is a part of the route that is maintained for the use and benefit of Bengal. That has been handed down to us. I hope my friend Sir S. N. Banarji will help me in recovering a portion of the money from Bengal. I shall be very glad to hand over what I get from Bengal plus my share to the mover. I do not think that my friend is reasonable in pressing the resolution after I have mentioned all the circumstances. I have not got the papers and I am not in a position to fix the liability of Bengal or of the India Government but I shall try to realize a portion from them. I hope the Council will take into consideration my position and decide accordingly as to whether this sum should be granted or not.

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Rai Bahadur PRITHI CHAND LAL CHAUDHURI : I
withdraw it.

The resolution was withdrawn by leave.

The Council adjourned to the 27th January 1922.