The fourth general elections were held from 13 to 27 May 1929 in an atmosphere of political turmoil in the country generated by the visit of Simon Commission. As many as 14 members returned uncontested from the 33 general constituencies: 7 Swarajists, 5 Muhammadans and 2 Independents. Nichols Roy, Minister for Local Self Government was unseated, as his nomination paper was rejected on technical grounds from the reserved constituencies, 5 planter members were returned unopposed. Kanaklal Barua was elected on commerce and industry ticket. Of all the 14 Swarajist elected to the legislative Council, 7 went unopposed and the other 7 won with overwhelming majority.¹

The fourth reformed council had its first session from 7 to 14 September 1929. Rohini Kumar Chaudhary a Swarajist member moved a resolution on 12 September, recommending a reduction of ministers salary from Rs.3,500/- to Rs.1,500/- per month which was rejected by 30 to 12 votes. On the same day Brojendranarayan Chaudhary another Swarajist moved that an address be presented to the Governor expressing regret for the latter's failure to disclose reasons for the premature dissolution of the third Council. The

President disallowed the motion on the ground that it would amount to a criticism of the Governor's power.2

Meanwhile the National Congress met at Lahore from 29 to 31 December 1929 in an atmosphere of mounting political tension. The Congress resolved to completely boycott the Central and Provincial legislatures and Committees constituted by the Government. Above all, it called upon the Swarajists and others taking part in the national movement to abstain from participating directly or indirectly in future elections and directed the Congress members of the legislatures and committees to resign their seats forthwith.3 The Assam leaders who attended the Lahore congress disfavoured the Council boycott decision of the AICC as they felt that the moment was not opportune to adopt such an extreme policy.4 At the outset there was an element of initial hesitation by the Assam leaders to implement the resolution. In fact after returning from Lahore, Gopinath Bordoloi and Rohinikumar Chaudhary made a joint statement, and Tarunram Phookan made a separate one, not to resign from Council. But this attitude was short lived. The Congress directive was deliberated upon at a meeting convened jointly by Phookan, Bordoloi and Chaliha at Jorhat. The understanding reached here was to resign their membership from the Council. Accordingly Phookan resigned from the Central Legislative Assembly, along with 14 Congress Swarajists who resigned from the Council.5 Faiznur Ali,

2. ALCP, 1 September 1929, pp.1170-5, 1326.
4. From Assam eight members attended. Home poll. File No. 18/12/1929, F.R. December 1929, NAI.
a Swarajist and the President of the Council, however, refused to resign. Phookan, the President of the APOC, G.N. Bordoloi the President of the Gauhati DCC, and R.K. Chaudhary disagreeing with the congress policy resigned from the AICC. Under the leadership of Phookan, they formed a new party called the Assam Swarajya party. The party incorporated the ideals of the old Swarajya party of C.R. Das and decided to contest the by-election to the Council. An eleven member Executive Committee was also formed. In a statement, Phookan explained that the congress members capturing the Council could serve the Congress better by opposing repressive measures of the Government, both inside and outside the Council. Further the party would also endeavour to work for the Congress. In the by-elections that followed, Phookan was re-elected to the Central Assembly and R.K. Chaudhary and Sarbeswar Baruah to the Council. N.C. Bordoloi too, contested from Mangaldoi on Swaraj Party ticket but was unsuccessful. The general mood of the people was in favour of boycotting the Council. From south Sylhet and Sunamganj two illiterate cobblers Chirantan Muchi and Kalicharan Muchi - were elected with substantial majorities. Their candidatures were sponsored by the Congress Swarajists in order to "put dyarchy in Assam to ridicule". The Surma Valley Congress members who had resigned earlier, did not contest re-election to the Council.

6. Asamiya, 27 April 1930.
With the exit of the Congress Swarajists from the Council the initiative had shifted to the Responsivists and loyalist elements. The absence of the Swarajya party members was felt by all. Nuruddin Ahmed rightly stated:

"I have no doubt that the Council misses the vigorous criticism of the budget which the Swarajist members used to contribute annually prior to their unfortunate decision to resign from the Council . . . . their criticisms fearlessly brought forward to the notice of the Government and the Council the unredressed grievances of the people and the shortcomings of the Government."

The fourth reformed Council got the opportunity to discuss the Simon Commission's recommendations, which were issued on 7 June 1930. The principal recommendations were as follows:

1. Complete autonomy in the provinces including the department of law and order, but the Governor in the administrative side, to be given over-riding powers in certain matters like internal security;

2. Federal Government of the Centre should embrace not only British India but the princely states as well;

3. British troops and British officers to stay on in the Indian regiments for many years;

4. The Governor-General to select and appoint members of his Cabinet;

5. Provincial legislative Council to be enlarged;

6. And the High Courts to be under the administrative control of the Government of India. The Commission's failure to recommend even Dominion status as the goal of British India's policy and its failure to grant responsible Government at the centre and for putting further restrictions on the provincial Government by giving over-riding powers to the Governor were widely criticised.

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The Commissioner's report was discussed in the Council in its September session, 1930. Brindabanchandra Goswami moved a motion in the House on 15 September 1930. He said that the recommendations "fell far short of Indian expectation" and were not inspired by any genuine ideas of liberal statesmanship to help Indians to attain complete self-determination within a reasonable period of time, and would have to be significantly modified before they could be expected to fulfil the "Legitimate aspirations" of the Indians. He even described some clauses, such as Governor's power to include one or more non-elected persons in his Cabinet, his special and emergency powers, and retention of separate electorate, as "retrograde". Munawwar Ali who assisted the Simon Commission as a member of the seven-member Committee moved an amendment to the motion and commented. 

The report of the Simon Commission is unacceptable and that this council is of the opinion that Dominion status with autonomous provinces forming into a Federation as well as of the Central Government to their respective legislatures be immediately established in India with adequate safeguards of the interest of the Muslim and other minority communities.

The motion with the amendment, was passed without a division, after Munawwar Ali categorically stated that he would oppose secession from the Empire and repudiation of the national debt.

11. Ibid.
The Government without any legislative sanction undertook legislative operation and periodically revised land revenue rates deriving powers from the Regulations. All these years the Council agitated against these arbitrary actions of the Government. In deference to the wishes of the Council the Government introduced the Assam Settlement Bill 1925, to validate the resettlement operations. Under the provisions of the proposed measure, the assessment of land revenue was fixed at 20 percent of the value of the gross produce. The Council, however, considered this amount of taxation to be too great a burden upon the agriculturists. Accordingly, it refused to give its approval. The Council also sharply reacted to the enhancement of land revenue rates in 1927 and 1928 refusing grants for continued resettlement operations. Above all, it adopted a resolution of R.K. Chaudhary in September 1928 staying further collection of land revenue at the newly assessed rates until appropriate legislation on the subject was passed. Under the circumstances, the Assam Settlement Bill 1925, was reintroduced in the form of the Assam Land Revenue reassessment Bill 1930, and was taken up for consideration in the Council on 11 September 1930. The Government bowed to the popular demands and proposed to fix land revenue at 12 percent of the gross produce. This rate of assessment was agreed upon at an informal discussion held on 16 March 1929 between Government and the representatives of all parties.

in the Council. Despite this agreement the Government could not pass the necessary legislation because of the opposition of the Council. The Government, however, persisted in their attempt to push through the Council a legislation acceptable to them. In 1935, a private member introduced a Bill substituting 12 percent by 10 percent of the gross produce as land revenue, which was passed by the Council. The Bill which had been discussed and debated since 1925 thus became an Act on 17 September 1936.

Moreover, the absence of Tenancy legislation to protect the interest of the tenants in the temporarily settled areas in Assam was felt for a long time. Except for those whose tenancy originated in special circumstances, the tenants were tenants-at-will and enjoyed no special rights. They had no remedy against the enhancement of the rent and or forced ejection without compensation. Above all they had no right of transfer in any shape or form. This made the position of the tenants insecure. Some of them were, for generations occupying particular plots of land for cultivation as well as for their own homesteads, but they could not raise any loan mortgaging the land occupied by them. The plight of the tenants was brought to the notice of the Governor-General in Council through a petition submitted by two thousand tenants of Kamrup.

17. Ibid, 21 March 1933, p.734.
The grievances of the tenants were raised in the Council by R.K. Chaudhary on 21 March 1933. He moved a motion appealing to the Government to introduce a special Tenancy bill covering the temporarily settled areas outside Goalpara.  

The motion received overwhelming support from all sections of the Council and was adopted without a division. In deference to R.K. Chaudhary's resolution the Government introduced the Assam (Temporarily settled districts) Tenancy Bill in 1934. The Bill finally received the approval of the Council on 7 June 1935, and it was enforced in 1937 in all the districts except Goalpara and Sylhet, which provided rights to tenants in substance.  

The first Council also discussed for the first time, another economic issue relating to the excise revenue on petrol and Kerosene. The companies producing and refining oil in Assam used to pay more than rupees one crore annually as Excise duty to the Government of India without paying anything to the Provincial Government. Both the Indian and European members of the Council (including officials and non-officials) strongly felt that Assam should have its

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19. On March 1929, the Council passed the Goalpara Tenancy Bill which provided occupying rights to tenants over any land under any occupation for a period of 12 years or more. Ibid, pp 732-43.  
20. Ibid, 27 May 1935, pp 702-3 and 719-39. The Sylhet Tenancy Act, 1936 was passed by the Council by which no tenant could be ejected, except in the execution of decree and any payment of compensation for the improvement he made on the land. The landlord's right to enhance rent was regulated. Occupancy rights were clearly defined to include free rights of transfer. A Guha, n.4, p.202. ALCP (1931); Vol.11, pp.1657-9.
due share. But regarding this nothing materialised.\textsuperscript{21} Another important piece of legislation enacted by this Council was the Assam Criminal Law Amendment Act, 1934. This empowered the Government to deal with the nationalists engaged in terrorist activities.\textsuperscript{22}

The Council debates during this period were marked by the spirit of 'friendliness' and "give and take". Owing to the absence of the Congress Swarajists the treasury bench and the opposition hardly clashed, both the sides working more or less in a spirit of friendly cooperation.

Till 1929, it was a period of political lull.\textsuperscript{23} Devoid of political action, the nationalists seem to be uncertain and apathetic. This lull however, did not last long. The anti-Simon Commission demonstrations seemed to stir up the fervour for a country wide nationalist movement. But Gandhiji had some reservations. He felt, that the moment was not yet ripe to launch a country wide struggle. But the demonstration against the Simon Commission was significant. It emphasised for one thing that the zeal for mass action was gradually emerging to the surface, which could not be contained any longer. The storm was about to break out.

\begin{itemize}
\item \textsuperscript{21} ALCP, Sept 1938, p.915.
\item \textsuperscript{22} Administration Report 1933-34.
\item \textsuperscript{23} Administration Report of Assam for the year 1928-29.
\end{itemize}
When Assam was constituted into a separate province under the Chief Commissioner in 1874 his secretariat was composed of one Secretary and one covenanted Assistant Secretary. It was, however, subsequently found that a covenanted Assistant Secretary was unsuitable owing to frequent transfers to which he was liable and it was decided that a permanent Assistant Secretary should be appointed to ensure continuity of method. Accordingly an un-covenanted Assistant Secretary was appointed. This arrangement was also not considered satisfactory because it was thought that an Assistant Secretary without the knowledge of revenue administration of the district was unable to render adequate assistance to Secretary and in 1889 an Under Secretary was appointed to assist the Assistant Secretary. In 1912 there were two Secretaries and two Under Secretaries in addition to the Public Works Secretary.24

The rules of business adopted in connection with the Reforms of 1919 required the creation of a separate Legislative department, but as the Legal Remembrancer was appointed to be the Secretary to the Government in the Legislative department there was actually no increase in the number of superior appointments in the Secretariat on the

introduction of the Reforms. The clerical establishment was increased by ten clerks, and four stenographers, were employed for the Members of the Government and were utilised also as the reporting staff of the Legislative Council. The Legal Remembrancer and the Secretary in the Legislative department was also appointed to be the Secretary to the Legislative Council and he was given a small staff. Work in the Secretariat increased rapidly after 1923. The Secretary of State sanctioned an additional Secretary, an Assistant Secretary and strengthened the ministerial establishment by one Head Assistant and 18 clerks at an annual cost of about Rs.60,000/—.

When the Secretariat was reorganised Departments were not created to deal with transferred subjects and Reserved subjects separately. The departments of Education and Local Self-Government which were placed under the Ministers did not have sufficient work to deal with and therefore other subjects were allotted to these departments. As a consequence each department continued to deal with both transferred and reserved subjects. As a result of re-organisation, the staff in the Secretariat increased by two Head Assistants (in place of six it became eight), three Upper Division Assistants (in place of fifteen it became eighteen) two L.D. Assistants (in place of 43 it became 45) one typist (in place of five it became six) four peons, two record suppliers. This was the strength bill 1937.
The allotment of subjects to each Department was as follows:

(1) Appointment and Political Department dealt with Appointment, Political, Assam Rifles, Military, Passport, Certificates of Identity etc. These were dealt with by the Chief Secretary directly under the Governor.

(2) Judicial and General Department dealt with administration of Justice, Appointment, Transfer, power of Magistrates, Civil Police, Jail, Forms, Arms Act, Explosive, Excise Wild animals, Holidays, Newspapers and Printing press. All these subjects were under the control of the Judicial except the Legislation. There were a few subjects which were under the Governor himself.

(3) Revenue Department dealt with Revenue proper including settlement, Forest, Ward Estates, Government Estates, Mines and Minerals, Fisheries Factories, Books and Maps. All the subjects were under the Finance Member. Factories, however, were under the Governor.

(4) Finance Department dealt with Accounts, Budget proper, Reappropriation, Loan account, Pension, Local audit, Income Tax, Stamp, Salt, Customs. All these departments were under the control of Finance Member.

(5) Local Self Government and Industries department, dealt with Municipalities, Local Boards, Agriculture, Veterinary, Industries, Cooperative Societies, Trade and Statistics. Trade and Statistics belonged to reserved half. Similarly a part of the agriculture belonged to the reserved half.

(6) Education and Sanitation Department dealt with Education including European Education which was a subject in the Governors' portfolio. Medical,
Sanitation, Lunatic Asylum, Registration, Ethnography, Dakbanglo, Stores, Ecclesiastical, Gazette, etc. Here also some reserved subjects were placed in the Education Department. But division on these reserved subjects were made by the Member concerned.  

In 1922-23 on ground of economy, the Local Self Government department was abolished as a temporary measure and its subjects were distributed among the General and Education Departments.

With the introduction of constitutional reform in 1921, the Chief Secretary dealt entirely with Reserved subjects and the second Secretary mainly with Transferred subjects; though he was incharge of revenue and forest department also. The work of the Finance Department of which the Chief Secretary was in-charge since the introduction of Reforms had increased enormously both in volume and technicality. The Reforms and the appointment of Ministers caused an immediate increase of work in the Transferred department. As regards the Reserved subjects, the Governor felt that the charge of all Reserved subjects including Finance would be too heavy a burden for the Chief Secretary. Hence a proposal to this effect was submitted by the Government of Assam and considering the situation, under the circumstances, the Secretary of state sanctioned the post of Third Secretary. A Phillipson I.C.S. an Officer on Special Duty in the Assam Secretariat was appointed to be the Secretary to the Government.

27. Note by J.H. Kerr dt. 26 June 1926.
of Assam in Finance and Revenue Department with effect from 9th March 1927.\textsuperscript{28} Finance being more and more a specialised subject the appointment of a competent and permanent officer as assistant Secretary was also sanctioned.\textsuperscript{29}

As a result of the appointment of a Third Secretary there was redistribution of work. The Chief Secretary was assigned, Appointment, Political, Immigration, Forest and Forms. All Transferred Department went to the Secretary Transferred Department. The Finance Secretary was incharge of Finance (including income-tax, stamps and Court fees) and Revenue.\textsuperscript{30} The Finance Department was reorganised into:

1. Budget and Accounts including Statistical;
2. Finance (establishment).

The net result of this organisation in the Secretariat was an increase of one Head Assistant, two Upper Division and seven Lower Division Assistants costing ₹11,640 a year.\textsuperscript{31} Because of increase of work Finance Department was split into two in 1928 namely Audit and Budget.\textsuperscript{32} There was no indication of decrease of work in the Secretariat. On the otherhand it steadily increased in volume and complexity. The Legislative Council was mainly responsible for this.\textsuperscript{33}

In the post-Reforms period new work such as, Departmental control of expenditure, maintenance of large number of codes, both financial and administrative, compulsory

\begin{itemize}
\item \textsuperscript{28} Notification No. 2798 AP. dt. 2 May, 1927.
\item \textsuperscript{29} Appointment A, December 1927, No. 19-43.
\item \textsuperscript{30} APPT A, December 1927 No.19-43.
\item \textsuperscript{31} APPT A, December 1927 No.19-43.
\item \textsuperscript{32} Establishment 'A', Sept. 1929, No.1-2.
\item \textsuperscript{33} Establishment 'A', Sept. 1929, No.35.
\end{itemize}
primary education etc. were performed on a wide scale in the Secretariat. Almost all the departments appeared to be in need of additional staff. The Transferred Departments were particularly responsible for the increase of work.\textsuperscript{34}

Since the Secretariat was a policy making authority it had to examine all proposals which originated from line agencies, with minute care.\textsuperscript{35}

In view of the Retrenchment Committee 1931-32 both the Civil and P.W.D. Secretariat were amalgamated for economic reason, therefore the Government did not take any action on it and the amalgamation of the two Secretariats was postponed indefinitely and in fact was never effected.

Section - III

JUDICIAL SYSTEM UNDER DYARCHY

In 1874 Assam was constituted as a Chief Commissioner's province and in 1880 a Judicial Commissioner was appointed. He was invested with the powers of a Commissioner of Divisions to assist the Chief Commissioner in administrative matters. The Judicial Commissioner then became the Judge Commissioner of the Brahmaputra Valley comprising six plain districts. In 1903 a separate whole-time judge was appointed who became the District and Session Judge of the Assam

\textsuperscript{34} Finance-Audit B, Sept. 1932 No.31.
\textsuperscript{35} Note by the Governor Laurie Hammond dt. 18.8.31 Finance Audit B 1932 No.31.
Another District and Session Judge was appointed for Surma valley consisting of the district of Sylhet and Cachar. In the Assam Valley one single sub-Assistant District Judge managed the civil suits and appeals along with criminal cases. Uncontested and formal civil matters were, however, disposed of by the Deputy Commissioners of the districts who were appointed as ex-officio Sub-Judges for the purpose. In Surma Valley, however, members of Bengal Civil Service (Judicial) were borrowed to fill up the posts of Munsiffs and Subordinate Judges in the district of Sylhet only. In the district of Cachar, Members of the Assam Executive Service, as in the Assam Valley were vested with the powers of a Munsiff, but the subordinate judges of Sylhet however, used to function for the Cachar District also.

The lower judiciary - both civil and criminal in the Assam Valley districts were in the hands of the members of the Extra Assistant Commissioners (Members of the Assam Executive Service) and similar was the case regarding criminal matters in the district of Sylhet also.  

The judicial administration of the hills of Assam - both civil and criminal - was entirely vested in the Executive Officers and the appellate authorities were also the

same, right up to the Chief Commissioner/Governor of the State in the pre-reformed and reformed period.

The permanent staff employed for criminal work in the plain portion of the province consisted of two Session Judges, one Additional Session Judge, one Assistant Session Judge, eight District Magistrates, sixty-two subordinate stipendiary magistrates. 38

The permanent Civil Judicial staff of the province consisted of two District Judges, ten subordinate Judges and twenty-seven Munsiffs. The two subordinate Judges and ten Munsiffs employed in the district of Sylhet were as usual members of the Judicial Branch of the Bengal provincial Civil Service and the remainder were executive officers vested with judicial powers. An additional subordinate vested with the power of an Assistant Session Judge was employed in the Assam Valley districts. In the subsequent years of the reform period the same system prevailed with minor changes in the staff. 39

The Central laws were made applicable to Brahmaputra valley and Surma Valley. But most of the Central laws particularly relating to property and the complicated procedural laws such as the codes of Criminal procedure and Civil procedure were not made applicable to the hill districts namely Naga Hills District (now Nagaland), Khasi and Jaintia Hills and Garo Hills (now Meghalaya) and Lushai Hills (now Mizoram) and Mikir and North Cachar Hills (still

39. Ibid.
with Assam). Customary law were held the field in the hill districts of then Assam. Only the Rules for the administration of justice/police in the autonomous districts of Assam were applicable to these areas.

Till 1948, the Province of Assam was under the jurisdiction of the High Court of Judicature at Fort William in Bengal which was established in 1862 under the terms of the High Court Act of 1861.

Therefore the litigant public had to take their appeals and revision cases both in civil and criminal matters to the High Court at Calcutta. For the services rendered by the High Court of Calcutta, since 1921, when under the Montford reform the question of interprovincial contribution for services rendered was first introduced, Assam had to make a contribution towards the upkeep of the High Court of Bengal Government. The average contribution payable by Assam to the Bengal Government had been in the neighbourhood of 1.25 lakh rupees. The High Court of Calcutta was an extremely paying proposition and taking together the accounts of the original and appellate sides, the surplus balance of the High Court was in the neighbourhood of ten lakhs of rupees annually. All mofussil lawyers had to take a license from the High Court and the annual charge was Rs.25/-. There were about two thousand Lawyers practising in Assam Courts.

40. Baharul Islam (Retired Chief Justice Gauhati High Court) Silver Jubilee Commemoration Volume, article, "Law and Justice in the Eastern Region", p.22
and a sum nearing half a lakh of rupees was paid by the Assam lawyers, but all that sum went to the coffer of the Bengal Government. Since the system of inter-provincial contribution started, for more than ten years Assam was given credit for the paltry sum of Rs. 6000/- by Bengal in the shape of Court fees for Assam cases.42

Section - IV

LOCAL SELF GOVERNMENT UNDER DYARCHY

The Government of India realised it fully well that responsible institutions cannot be stably rooted until they were broad-based and that the best school of political education was the intelligent exercise of vote and the efficient use of administrative power in the field of local self-government. Therefore the Government of India's resolution of 1918 recommended the gradual removal of all unnecessary control over local bodies. With a view to complete popular control over local bodies the resolution recommended that they should ordinarily have substantial elected majorities and elected non-official Chairman. A small number of persons were to be nominated by the provincial government to give representation to minorities and secure official experience. In certain cases a municipal board could elect an official as its Chairman. Since the rural areas were deemed to be less advance than urban areas, the provincial governments were urged to arrange for the election of their Chairman

42. Ibid.
whenever possible, and in any case to encourage the appoint-
ment of non-official Chairman. Municipal Boards were given
a freer hand in the preparation of their budgets. The de-
gree of control from outside was to be relaxed. The reso-
lution also asked the provincial governments to encourage
the growth of panchayats.

Mont Ford Reforms not only placed the entire res-
ponsibility for the growth of local self-government on the
provincial governments but also placed it under the charge
of a popular minister to achieve considerable progress.
Local Self Government under dyarchy was made a transferred
subject. The popular ministers were anxious to introduce
the greatest possible degree of popular control and respon-
sibility in local bodies. Municipal and District Boards
Acts were passed in almost every province extending the
franchise and increasing the elected element in local bodies.
The system of nomination was retained only for securing the
representation of minorities and expert official advice.
Nominated officials were denied the right to vote, they
could only participate in the discussion and give advice.
All Municipal and District Boards came to have elected
non-official Chairman. In this way official control from
within was completely eliminated; local bodies were given
the greatest possible measure of freedom to develop their
resources and spend income upon items enumerated in the Acts
Provincial Governments, however, continued to exercise
control over them from outside in several ways such as rules,
audit and inspection. Laws were passed to set up village
Panchayats.
Local Self Government in Assam always had a retarded growth. This was more pronounced in rural areas than in the urban. The villages which were regarded as units for purposes of local self government were not suited for the purpose, moreover the inhabitants of one part of the village was not interested in another part even though they belonged to the same village for local government purposes. The non-cooperation movement also hampered the progress of the village authorities. The Local Boards were supposed to look after the interest of the villages but they could not do it as in each local board area there were hundred of villages. The object of the Panchayat Act of 1926 was to provide a machinery so that villages might undertake the management of their own affairs and thereby develop a capacity for self help. But this Act also could not produce any tangible result because most of the villages were not capable of discharging their functions and some of the village authorities had only a nominal existence.

Growth of Local Self Government in the urban areas was also more or less of the same fashion as in the rural areas even though the percentage of intellectual elite was more. Attempt was made to introduce Municipal Governments in different towns of Assam from early fifties of nineteenth century with different Municipal Acts of the Bengal Government but the progress was slender. The chief factors that hampered

44. L.S.G.A. March 1927.
the growth were that the Acts were permissive in nature and there was a general dislike on the part of the people for being ruled by non-officials and there was a tendency among the people to look to the Government for all improvements in their conditions. The stepmotherly attitude of the Bengal Government was also another factor for the retarded growth of local Self-Government in Assam. Assam had to depend on Bengal Government for the Acts and the Acts (such as the Act of 1850, 1864, 1868, 1871) were not at all suited to Assam condition. Since 1874, when Assam became a Chief Commissioner’s province, however, the progress was rapid. Jealousy, ill feeling, personal antagonism also played a no mean less role in the retarded growth of the local authorities. For such reason the Municipal Boards of Tezpur, Jorhat and Dibrugarh failed to get a non-official elected Chairman in the Boards.46

After the annulment of partition in 1912, steps were taken to place the local boards in Assam on a legal footing and the Assam Local Self Government Act was passed in 1915. This Act was more democratic in character as it provided for an election of non-official majority and for the election of non-official Chairman and Vice-Chairman. Likewise the Municipal Act of 1876 made provision for the appointment of non-official as Chairman though an official Chairman was in vogue. The Vice-Chairman was to be elected.

46. V.V. Rao, A Hundred Years of Local Self Government in Assam, pp 45, 66.
Lord Ripon in his famous Resolution of 1882 suggested that the Chairman should, wherever possible be a non-official. The Government of Assam accepted the recommendations and advised all Municipal Boards to elect one of its own member to be the Chairman. Section 23(2) of the Bengal Municipal Act, 1884, laid down that the Commissioners of every municipality "shall" at a meeting elect one of their member to be the Chairman or request the Local Government to appoint a Chairman, provided such a request was made at a meeting attended by not less than two-thirds of the Commissioners. But even then in most of the municipal boards there were nominated officials as Chairman. Assam had its first Municipal Act passed in 1923. This was undoubtedly a more comprehensive and developed Act over its predecessors. This Act was in force till 1956.

In 1924, the Assam Legislative Council appointed a Committee to suggest amendments to the Assam Local Self-Government Act 1915. Most of the amendments suggested by it were embodied in the Local Self Government Act, 1926. It provided that all the members of the board must be elected; Government might nominate officials to supply expert advice; the Chairman of the local board was to normally elected or board might request the Government to appoint a Chairman. In order to enable the board to provide better communications, protected water supply and other public needs, they were authorise to levy tax on carts, carriages and other vehicles using their roads. Provision was also
made for the establishment of toll-bars on metalled roads for the recovery of the cost of metalling them. The bill did not provide for the retention of the nominated element.

The most difficult problem which the local authorities in Assam had to face was the finance. Different Local Acts contained a long list of sources of revenue but most of them were inelastic and the yield from some of them was not significant. As a consequence local administration had not been efficient. Assam was an economically backward province and the people neither had the will to pay nor the capacity to pay for the functioning of the local authorities nor government could help much the local authorities with finance in the shape of grant-in-aid. Therefore the Ministers for Local Self-Government even with honest intentions failed to bring about a real progress of the boards.