CONCLUSION

We have so far studied the working of Dyarchy in Assam. What are our main conclusions?

While Dyarchy was a total failure in at least two provinces Bengal and Central Provinces, it was not so in Assam. The possibility of difficulty in working the somewhat intricate arrangement, provided in Part VII of the Government of India Act, 1919, without friction or loss of working efficiency was successfully surmounted in Assam. A good start was made. Neither the legislature nor the Government had always its way. Sometimes the Government could not persuade the Legislative Council to accept its view. Sometimes the Legislature accepted the proposal. The Government was not perversely obstinate in insisting on its views. The legislature was never obdurate or unreasonable. The assistance which it gave to the executive repeatedly enabled it to cope up with difficult situations. The first three years of the reforms passed without hostility or friction but with positive gain. In the next two Councils there was some criticism but it was friendly and helpful. Even the Nationalist and Swarajist did not adopt a hostile attitude nor resorted to extreme and destructive method adopted by the party in other Legislative Councils. In the third Council there were two no-confidence motions.
The first no-confidence motion was against the two ministers Saadullah and Nichols Roy but it was defeated. The second was moved against Nichols Roy in the fag end of the third Council and the motion was carried. Nichols Roy had to resign consequently. In the last Council there were no no-confidence motions. Thus the relation between the Legislature and the Executive were by and large friendly and constructive.

During Dyarchy important legislation was undertaken. For instance the first Act passed in the first Reformed Council was the Deputy President's Salary Act, 1921. This fixed the salary at Rs.2,500/- per annum.

The Assam General Clauses (amendment) Act, 1922 was an important measure in the field of legislation. This Act made certain modifications in the Provincial General Clauses Act of 1915 which was necessitated by the Constitutional changes introduced by the Government of India Act, 1919.

The Assam Court and Stamp Fees (amendment) Acts, 1922, were important measures of taxation. This enhanced the rates of Court and Stamp fees.

The most important piece of legislation passed in 1923 was the Assam Municipal Act. This was undoubtedly a more comprehensive and developed Act over its predecessors.

The first Act of the second Council was the Deputy President's Salary (amendment) Act, 1924. It reduced the
salary of this office to Re.1/- per annum. There was a proposal in the Council to reduce the salary to Rs.1000/- but the Deputy President himself offered to work without salary. Therefore, the Council fixed a nominal sum of Re.1/-.

In 1926, the Legislative Council passed the Assam Municipal (amendment) Act, 1925. It amended three sections of the original Act of 1923. The Act was introduced and passed in the same sitting without a division.

The Assam Primary Education Act, 1926, was a measure of first rate importance. In one respect at least Assam seemed to have gone a step further than any other province in India, for under the Assam measure the Government had to bear two thirds of its cost of every sanctioned scheme of compulsory education in Municipalities as well as in Local Boards. The Act also incorporated the provision for the levy of education cess by local authorities. This is an illustration of a case in which the Reformed Constitution had conferred on the province a legislative measure of great political value, which would not have probably been passed in the old days.

The Assam Local Rates and Local Self-Government (amendment) Act, was another achievement of the Reformed Constitution. By this Act the local rate on land under tea cultivation was raised. The additional revenue thus accrued was to be spent for the improvement of road communications.
The Assam Rural Self-Government Act, 1926 was another important Act, passed by the second Council. This Act made provision for the creation of village authorities which were to be corporate bodies constituted on a wholly elective basis. The primary duties of such bodies were to provide for village water supply, sanitations, communications and public health. Credit must be given to the Ministers, to the Council and to the Reforms which gave birth to this Act, since it was a practical and genuine attempt to improve the rural conditions of the province.

The Legislative Council passed also the Assam Temporarily Settled District Tenancy Act, the Goalpara Tenancy Act and Sylhet Tenancy Act. These were measures of first rate importance. The object of the Tenancy legislation was to protect the interest of the tenants in the temporarily settled areas in Assam. The tenants had no remedy against the enhancement of the rent or forced ejection without compensation. This made the position of the tenants insecure. The grievances of the tenants were raised in the Council by R.K. Chaudhary. He moved a motion appealing to the Government to introduce a special Tenancy bill covering the temporarily settled areas. The motion received overwhelming support from all sections of the Council and was adopted without a division. In deference to Chaudhary's resolution the Government introduced the Assam (Temporarily Settled districts) Tenancy Bill in 1934 and finally received the approval of the Council. This was no doubt a great achievement during reform.
To lighten the burden of debt of the agriculturists, the Assam Money Lenders Act was passed in 1934. This fixed the rate of interest on loan borrowed from Mahajans. It extricated the poor agriculturists from being thoroughly exploited which very often led to expropriation.

In 1933, there were 34 Assam Acts. These were passed by the Assam Legislative Council during 1921-32 under the Government of India Act, 1919. This shows that the Governor gave his assent to all the bills passed by the Assam Legislative Council during dyarchy.

Before 1921, the Legislative Council of Assam was the Chief Commissioner's Legislative Council. It consisted of 24 members and a majority of them were nominated. The elected members were elected by Local Authorities. In 1921 the strength of the Legislative Council was increased from 24 to 53.

Under the Act of 1909 there were no territorial constituencies, but under Mont-Ford Reforms territorial constituencies were introduced. There were general constituencies and special constituencies for planting and commerce and industry. The territorial constituencies were divided first into Muhammadan and non-Muhammadan which were further subdivided into Rural and Urban.

As regards franchise, it was widened during the period of dyarchy. Before the introduction of dyarchy there was no franchise in the accepted sense of the term. The
members of the Chief Commissioner's Council were elected indirectly by the members of the local authorities. The members of the local authorities were partly elected and partly nominated. The elected members of the local authorities were elected by a restricted franchise. They were elected by those who paid certain amount as a rate or tax or possessed certain amount of land and income tax payers. After the introduction of dyarchy franchise was liberalised. The Electoral Rules 1920 disqualified women. The Legislative Council was, however, empowered to recommend the removal of sex disqualifications. In 1924, a resolution recommending the enfranchisement of women was passed in the Assam Legislative Council. Accordingly, the Assam Electoral Sex Disqualification Regulation, 1924, enfranchised women. Women began to enjoy the right to vote but they were not permitted to become members of the Legislature. At the commencement of dyarchy, the percentage of population that had the right to vote was only one percent of the total population of the province. By the end of dyarchy, more than ten percent of the population had the right to vote. The percentage of polling also increased considerably. In the poll of 1920, only 33,352 or 25 percent of the voters in the contested constituencies had participated. But the comparable figure for the 1923 poll was 83,320 or slightly above 42 percent and for 1926, 88,707 or above 43 percent. The number of candidates also increased from 81 in 1920 to 89 in 1923 and 88 in 1926. This indicates greater number of people were associated with decision making. This is
good feature of dyarchy.

The persons elected to the Legislative Council were all men of experience who had already served in the Chief Commissioners Legislative Council.

The first President of the Legislative Council under dyarchy was nominated by the Governor. He was not elected by the members of the Legislative Council. This is a sad feature of dyarchy. The person nominated was a retired civil servant and not an experienced legislator. This appointment was made with a view to favour a particular person. But he was compelled to resign due to ill health before the end of the term. The Governor nominated an elected member for the remainder of the term of the first President. The Presidents of the Legislative Council were without exception men of ability and adopted strictly rational and impartial attitude even though they belonged to a particular political party or community. One of them became a minister after being President for two terms. The last President under dyarchy was a leader of opposition and he conducted the proceedings with ability and impartiality.

The members of the Governor's Executive Council were experienced men of administration and politics. The Executive Council always consisted of one non-official. The first two Executive Councillors were civil servants. Sometimes a member of the Legislative Council was also appointed as a member of the Executive Council. For instance Kutubuddin Ahmed a member of the Legislative Council was appointed
as a temporary member of the Executive Council. Syed Muhammad Saadulla who was a Minister became a member of the Executive Council. He succeeded Kutubuddin Saadulla again was succeeded by Promode Chandra Dutta. One of the member of the Executive Council was always a senior I.C.S officer and the second was a non-official.

The Ministers were men of ability and moderates. All of them were men of character.

The relation between two wings of the executive, the Reserved and the Transferred appears to have been cordial. This is borne out by the fact that some of the ministers were appointed as members of the Governor's Executive Council. Two of the ministers were retired civil servants and they could not be expected to adopt hostile attitude towards the Reserved-half. These are some of the reasons why dyarchy worked successfully.

There was no party system in Assam as was in Madras. The Swarajists and the Nationalists were in a minority. In the First Council there were no political groups or parties. The second Council contained organised groups comprising Swarajists from the Assam valley and Nationalists from Surma Valley. Even they were moderates. They sat and worked together for sometime and were able to defeat government proposals on several occasions. But they did not resort to extreme and destructive methods. The Indian National Congress was still in its formative stage. The Ahom Association
consisted of loyalists. So also the Assam Association.
In 1921, the Assam Association began to identify itself with the Indian National Congress. The absence of any party organisation among the moderate members naturally gave the Swarajist an opportunity in the early days of the Second Council. Realising the growing importance of the Swarajists, the moderates formed themselves into what was called the Independent Party to work concertedly in the Council. The Independent Party was formed mainly to oppose the Swarajist and to work the Reforms. But it had no organised party outside the House. Inside the Council it was able to influence the Swarajist party to adopt a moderate attitude.

In the Councils constituted under the Act 1919, the elected representatives sat in the opposition. Thus came into existence the opposition. One peculiar feature was that the opposition consisted of a number of groups with different policies and programmes. But even then they cooperated with one another. Regional parties were there. But they were not well organised.

In Assam, the Chief Commissioner's Council did not appoint any committee. Under Mont-Ford Reforms Committees were appointed. Accordingly two Committees namely the Select Committee and Public Accounts Committee were brought into existence. Apart from these two Committees, a Committee of the members of the Council was appointed annually by the Government to advise them in connection with framing
of budget. Moreover, the Council appointed Special Committees when important matters cropped up. For instance, in 1924, a Committee was appointed at the instance of the Council to report on the separation of Judicial and Executive functions. In the same year, another Committee consisting of fourteen members of whom all except three were members of the Council, was appointed to advise on land-revenue assessment. The composition of these Committees had invariably been decided by the Governor in consultation with his ministers. Although in dyarchic period, the Committee system did not develop, the Committees functioned efficiently. Since 1921 the Assam Legislature did not reject the decisions of the Committees. Thus a close relation between the House and the Committees were maintained.

All the Governors of Assam during dyarchy were senior I.C.S. officers but they were recruited outside the Assam Commission of the I.C.S. cadre except in the case of some temporary appointments. But no Governor completed the five years term. No Indian was appointed as Governor of Assam.

All the Governors of Assam were popular. Some of the Governors did immense good to the province. One was responsible for the construction of a road from Sylhet to Shillong. Michael Keane and Lady Keane evinced keen interest in girls' education.

The Governors were vested with wide powers both discretionary and individual judgement. They did not
hesitate to exercise their powers but they exercised their powers not for the sake of exercising them but when it was absolutely essential. The Governor exercised his discretionary powers on thirty eight different occasions and individual judgement powers on twenty occasions.

The special responsibility vested in the Governor rendered him virtually very powerful. The wording of the special responsibilities was such that it facilitated the assumption of tremendous powers by the Governor. Above all, the interpretation of the Government of India Act relating to the provinces was also vested in the Governor. This enabled him to interpret the Act to suit his convenience.

In the absence of strong party system, there was need for effective leadership both in administration and in policy making. The legislature consisting of representatives elected by several classes was not effective in this matter. The Governor's leadership not only in administration but also in policy making was evident.

The Governor did not promote collective responsibility. Rather he advocated individual responsibility. As a consequence the ministry as a whole was not held responsible. The legislature could censure individual ministers and drive them out of office as they did in one case.

Sometimes the minister was not compelled to resign even after a motion of no-confidence was passed against him.
The minister concern remained in office some months. He was removed only when the Governor-General insisted that the minister concern must not remain in office after a motion of no-confidence was passed.

The Governor on several occasions did not accept the decisions of the ministry or of the legislature. He returned bills to the legislature for reconsideration. He vetoed bills even after reconsideration or reserved them for the consideration of the Governor-General. Of course he reserved the bills rarely for reconsideration of the Governor-General. On one occasion he did not accept the decision of his ministers.

The Governor was not a constitutional head. The powers of the Legislative Council were illusory. The Governor had the power of certification. The Nationalist Party with support of the Swarajist Party reduced the demands by 3½ lakhs of rupees of Government demands for resettlement operation. It also reduced the demand under Police and Excise head. But the Governor certified these expenditures.

During the tenure of the First and Second Council 276 resolutions were moved, many were withdrawn and many were negative by the Council. The resolutions that were passed had certain definite influence upon the Government which the Governor could not ignore. The Governor gave effect to the resolutions passed by them as far as practicable because he thought it to be his business to do all that he could to work amicably with legislature. Though the
resolutions on the Transferred subjects were binding upon the Government, sometimes such resolutions were rejected by the Governor on the ground that they were not in conformity with existing laws.

The Governor, in consultation with the Finance Department, was the final authority to allocate revenues to the Reserved and Transferred Departments. In Assam, the expenditure under the head Police in 1922-23 was Rs. 74,71,000/-; the provision for Police in the Budget in 1930-31 was Rs. 27,70,000/-. It was an increase of 124 percent. Under General Administration the expenditure in 1921-22 was Rs. 25,46,000/-; the provision in the Budget 1930-31 was Rs. 28,95,000/-. The increase was 13 percent.

In the Transferred Departments, under Public Health the expenditure in 1921-22 was Rs. 6,51,000/-; the provision in the budget in 1930-31 was Rs. 7,81,000/-. The increase was 20 percent. Under Medical the expenditure in 1921-22 was Rs. 10,03,000/-; the provision in the Budget 1930-31 was Rs. 14,50,000/-. The increase was 44 percent. Though there was no fifty fifty division of expenditure between the two halves, yet it must be said that there was a considerable increase in the allocation of finance to the Transferred Departments.

Moreover, a number of social services were provided by the transferred departments. It provided perfected water in the urban areas. It introduced Panchayat system in several places. It improved medical and Public Health Services and communications. Thus Dyarchy was not a failure in Assam.