

Proceedings of the Fourth Session of the Second Assam Legislative Assembly assembled under the provisions of the Government of India Act, 1935

The Assembly met in the Assembly Chamber, Shillong, at 10 A. M. on Saturday, the 3rd April 1948.

PRESENT.

The Hon'ble Mr. Lakshesvar Borooah, Speaker, in the Chair, the eight Hon'ble Ministers and forty-eight Members.

QUESTIONS AND ANSWERS

SHORT NOTICE QUESTIONS

(To which answers were laid on the table.)

Construction of buildings of different schools under Basic Education Scheme

Srijut HEM CHANDRA HAZARIKA asked :

2. Will Government be pleased to state—

- (a) Whether the construction works of buildings for different high schools proposed to be started under the Basic Education Scheme and also buildings for Basic Education Teachers Training Centres have been started ?
- (b) Whether construction works of any of the buildings stated above have as yet been completed ?
- (c) Whether the construction works of such buildings are being carried on by the Public Works Department ?
- (d) If not, who has been entrusted with this work ?
- (e) Whether any payment has been made for completion of the building works or part-payment made for such works ?
- (f) Under whose completion certificates or recommendations these payments, if any, are being made from time to time by the Department concerned ?

Srijut MAHENDRAMOHAN CHOUDHURY (Parliamentary Secretary) replied :

2. (a)—Yes.

(b)—Yes.

(c)—The buildings which were taken up last year, namely, at Titabar, Roha, Khowang, Dudnai and Shillong were not carried on by the Public Works Department. The buildings which have been taken up this year have been taken up by the Public Works Department. They are Academic High School buildings at Char-ali, Sapatgram and Howli and training school buildings at Sootea and Udarband.

(d)—The Construction Holding Company.

(e)—Part-payment has been made.

(f)—On the advice of the local Public Works Department officers and on bills for materials.

Mrs. BONILY KHONGMEN: Regarding Question (b), Sir, may I know whether basic training has also been started in the finished school buildings ?

Srijut MAHENDRAMOHAN CHOUDHURY (Parliamentary Secretary): This is a new question, Sir, but I may be allowed to reply. Basic training has been started in the Shillong Training School.

Mrs. BONILY KHONGMEN: Anywhere else besides this, Sir ?

Srijut MAHENDRAMOHAN CHOUDHURY (Parliamentary Secretary): Nowhere else, Sir.

STARRED QUESTIONS

(To which oral answers were given.)

Telephone connection with Headquarters of Goalpara District with other parts of India

Srijut SARAT CHANDRA SINHA asked :

*44. Do Government propose to move the proper authority to connect the Headquarters of Goalpara District with other parts of India by Trunk Telephone ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

44.—The Post and Telegraph Department has a proposal to open a public call office at Dhubri during 1948-49 to connect Dhubri with Cooch Behar.

One Telephone Exchange is also proposed to be opened during 1948-49 at Dhubri connecting same with Cooch Behar.

Srijut PURNA CHANDRA SARMA: May I know, Sir, if there are similar proposals to have such telephone connection with other districts as well ?

The Hon'ble Srijut GOPINATH BARDOLOI: This is a new question, but I presume that actions are being taken in that behalf also.

Nationalisation of Tea Industries

Srijut SARAT CHANDRA SINHA asked :

*45. Do Government propose to initiate along with and *mutatis mutandis* in the line of, the abolition of the Zamindari System, a scheme for nationalising Tea Industries in Assam to be completed gradually in 10 years without much financial pressure on Government Exchequer ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

45.—No, not at present.

Payment of arrear Travelling Allowance to Veterinary Field Assistants

Maulavi MAHAMMAD ROUFIQUE asked :

*46. (a) Are Government aware that the arrear travelling allowance of Re.1 for December 1943 which was increased by 40 per cent. as per F.M.40/43/(11)49, dated 12th January 1944 superseding FM.114/42/24 has not been paid yet to the Veterinary Field Assistants ?

(b) Are Government aware that the arrear advance increments of Rs.12 for January and February 1945 (at Rs.6 a month) as per Director, Veterinary Department's No.A5-57/833-917, dated 16th May 1945 has not yet been paid to the Veterinary Field Assistants ?

(c) Are Government aware that the pay for Veterinary Field Assistants is not paid regularly ?

(d) If so, what steps Government is taking to remedy these irregularities ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

46. (a)—(d)—Information has been called for.

Maulavi MAHAMMAD ROUFIQUE : Sir, My Question was submitted long ago and so why was it not possible for the Hon'ble Minister to collect the information ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR : Nothing more I have to say, Sir, beyond that the information could not be collected in time that was allowed by the hon. Member.

Maulavi MAHAMMAD ROUFIQUE : Sir, the Hon'ble Minister has got sufficient time since the Question was sent to him. So, Sir, does it not prove inefficiency in the administration ?

The Hon'ble the SPEAKER : When did the hon. Member receive the admitted copy of the Questions ?

Maulavi MAHAMMAD ROUFIQUE : I think it is about more than three weeks.

Relief to unfortunate widow girls

Srijut SARAT CHANDRA SINHA asked :

*47. (a) Are Government aware—

- (i) That a large number of unfortunate widow girls belonging to Brahmin, Goswami and other families have been forced to a help-less state with their children as a consequence of child marriage in Assam ?
- (ii) That there are only two "Ashrams" in Assam one at Gauhati and the other at Jorhat to give relief to such unfortunate girls ?
- (iii) That these Ashrams for financial difficulties are not in a position to render adequate help for which they are meant ?
- (iv) That the Assam Provincial Mahila Samiti in its 21st Session held on the 17th and 18th January, 1948 passed a resolution requesting Government to take these two Ashrams under their management ?

(b) If so, will Government be pleased to state—

(i) Whether Government propose to take over the management of the Ashrams or to give adequate help ?

(ii) Whether Government propose to set up such Ashrams according to need also in other places to give relief to the unfortunate girls ?

Srijut MAHENDRAMOHAN CHOUDHURY (Parliamentary Secretary) replied :

47. (a) (i)—Government have no information.

(ii) & (iii)—Government have no definite information. The District Officers have been asked to furnish this information.

(iv)—Yes.

(b) (i) & (ii)—Government will examine the question on receipt of the information asked for.

Government employees thrown out of employment due to original option for Pakistan

Moulana MD. MUFAZZAL HUSSAIN asked :

*48. (a) Is it a fact that a large number of employees of Assam Government have been thrown out of employment due to their original option for Pakistan though they subsequently changed it for "Rest of India" ?

(b) Are Government aware that these employees changed their option for "Rest of India" on a Government circular entitling them to do so ?

(c) If so, do Government propose to revise their decision and re-employ those who have been thrown out for no fault of their own ?

(d) Will Government be pleased to lay on the table a list of such employees showing their rank and status separately ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

48. (a)—No. They have been released from service under the Government of Assam but their employment was guaranteed by the Pakistan Government due to their option on 14th August 1947 being to serve Pakistan.

(b)—Yes, but the circular had to be cancelled by this Government in view of the decision of the East Bengal Government not to accept any revision of choice after 14th August 1947.

(c)—The Government regret that in view of the reply to (b) above this cannot be done.

(d)—The information has been called for.

Dr. EMRAN HUSAIN CHAUDHURY: Regarding Question 48(b), Sir, may I know whether any condition was attached to the circular issued by the Government ?

The Hon'ble Srijut GOPINATH BARDOLOI: That circular itself was based on the assumption that the East Bengal Government would be prepared to accept the revised option.

Dr. EMRAN HUSAIN CHAUDHURY: What I want to know is that whether any condition was attached to the circular ?

The Hon'ble Srijut GOPINATH BARDOLOI: The whole position was that the circular was to be given effect to only if the Pakistan Government would agree to allow this revised option to be accepted by them.

***Maulavi MAHAMMAD ROUFIQUE:** May I know from the Hon'ble Prime Minister, when he was pleased to say that this circular was based on the assumption that the East Bengal Government would accept the revised option of the employees, what led him to make that assumption? Was there any correspondence between the two Governments before the circular was issued?

***The Hon'ble Srijut GOPINATH BARDOLOI:** I should better explain the whole position, Sir. The opinion of this Government was that the exercise of revision of option cannot be of great hardship to people with considerably bigger salary, but it will cause great hardship if this option is exercised by officers of the smaller grade. The decision, therefore, taken by this Government is subject to the East Bengal Government agreeing to accept it: if the personnel who like to revise their option in favour of the place of their residence they will not be allowed to do so. Hon. Members of the House know that in order to meet the desire of the Government, we met the Premier of East Bengal. We also prevailed upon the Government of India to allow this revision of option, but the reply of the East Bengal Government and also the Central Government was that they are not prepared to revise their decision. Therefore, this Government had very reluctantly to give effect to the original option. That is the whole position, Sir.

***Srijut SARAT CHANDRA SINHA:** Is it not a fact that a number of officers are still serving in Assam, for example, in the Transport Department on the plea that Assamese officers are not available?

***The Hon'ble Srijut GOPINATH BARDOLOI:** In the question put by my hon. Friend, Sri Satindra Mohan Dev, he said that there are cases in which the department cannot be made to function on account of the release of personnel. For administrative exigency we had to keep some people who had agreed to remain and whose services are essential for the maintenance of the department itself. It is only in extreme cases that that had been done. I cannot say off-hand whether there are such officers in the Transport Department.

Maulana MD. MUFAZAL HUSSAIN: Are Government aware that the Central Government have taken a very lenient view in this matter and that they have taken steps to provide these released personnel?

The Hon'ble Srijut GOPINATH BARDOLOI: As far as I am aware, the view of the Central Government was that in vacancies caused by option exercised after the 14th of August by officers opting for Pakistan, the released personnel from Sylhet who had opted for Indian Dominion can be taken; and that principle is being applied in cases of vacancies which have been caused by released personnel who opted for Pakistan.

Un-employed Government servants opted for Rest of India

Dr. EMRAN HUSAIN CHAUDHURY asked :

*49. (a) Will Government be pleased to state the number of Government Servants who are un-employed inspite of their original option to serve in the "Rest of India"?

- (b) How many of them belong to the Education Department ?
- (c) What are their names ?
- (d) How do Government propose to absorb them ?
- (e) Are there any vacancies any where in the Province for their absorption ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

49. (a)—The information has been called for.
 (b)—66, excluding temporary employees who have been discharged with due notice.
 (c)—The information is not handy but will be supplied.
 (d)—It has been the policy of Government to accommodate them in vacancies caused by Pakistan opting officers.
 (e)—It is not clear whether the hon. Member refers to all or any particular class of employees.

Sugar smuggling and Black-marketing Cases

Srijut BHADRA KANTA GOGOI asked :

*50 (a) Will Government be pleased to state the number of sugar smuggling and black-marketing cases detected in Shillong between June 1947 and March 10, 1948 ?

(b) Is it a fact that one of these smugglers or black marketers was a person who was entrusted with the supply and distribution of sugar in Shillong ?

(c) Is it a fact that he is also one of the whole-salers of sugar in Shillong ?
 (d) What is the name of that person ?

*51. (a) Is it a fact that just prior to the decontrol of sugar in Assam nearly 400 maunds of sugar disappeared from the stock of food-grain wholesalers in Shillong ?

(b) If so, what is the name of the person concerned ?

(c) Has any case been instituted against him and with what result ?

The Hon'ble Srijut OMEO KUMAR DAS replied :

50. (a)—There was no sugar smuggling and black-marketing case detected in Shillong during the period.
 (b), (c) & (d)—Do not arise.

51. (a) & (b)—Food-grains' wholesalers deal only in rice and paddy. However, a shortage of over 400 maunds of sugar was discovered in the stock of M/S. National Supply Agency, Subdivisional Agent Cum Wholesaler of Shillong.

(c)—The firm has been penalised by terminating their agency and forfeiting Rs. 20,000 from their security deposit.

People under the "Begari Pratha" in the Forest Reserves

Srijut SARAT CHANDRA SINHA asked :

*52. (a) Are Government aware of the conditions under which the people under the "Begari Pratha" in the Forest Reserves of the District of Goalpara are living?

(b) In what way the services of these people are being utilised by the officials of the Forest Department?

(c) Do these people possess any franchise right?

(d) Will Government be pleased to state whether they propose to amend the Regulations controlling "Begari Pratha" to allow these people to enjoy the rights of the citizens of Free India?

The Hon'ble Srijut RUPNATH BRAHMA replied :

52. (a)—*Main conditions regarding Tenure.*—Forest villages are designed for the purpose of providing a source of suitable local labour for forming and maintaining plantations and taungyas and no castes which are not habituated to living and working in the forest are eligible for admission. An allotment upto 5 bighas of land to include homestead or bari is being made for each resident household to which 10 bighas are allotted on account of each working member residing in that household, but no household should occupy more than thirty five bighas of lands. The Divisional Forest Officer is empowered to evict from a forest village without payment of compensation any one who does not comply with rules or refused to carry out his orders. Sub letting of land is not permissible, but with the permission of the Divisional Forest Officer servants may be engaged to assist in agricultural operations. The land revenue levied for land (excluding homestead or bari) given to a forest villager is -/6/- per bigha. Besides this forest villagers are allowed free grazing for all necessary plough cattle. They are also allowed to remove sufficient building materials to erect and maintain their houses and ten cart loads of fuel annually free of charges.

(b)—Such villagers, if they do not wish to pay for the forest produce consumed, are to render five days free labour during the year to the Forest Department in lieu of the free benefits they receive, and shall also, if called upon, render 20 days labour per annum at the rate of wages locally current.

The Divisional Forest Officer may, with written permission from Conservator of Forests, excuse forest villagers, who have become old or infirm, poor widow, minor incapable of work from rendering labour in exchange of Forest Produce removed for home consumption.

(c)—*Franchise.*—There are no forest village rules which stand against this right; if a villager is eligible according to the ordinary rules of franchise he may have the right.

(d)—*Proposed amendments in rules.*—Subject to improvement in medical, educational and other facilities, which the Forest Department is vigorously tackling under its Post-War Reconstruction plans, and the exercise of the right of franchise there seems to be no real grounds for complaint on the part of such Forest villagers. There is admittedly a general disinclination to render the 5 days free labour, but under the rules a villager may, if he wishes, avoid such labour by paying for the forest produce that he consumes or by paying land revenue at full khiraj rates. In practice, however, no villagers exercise this right. After the visit of the Hon'ble Premier and Hon'ble Minister of Forests some of their main grievances are being examined.

The Department has no objections in theory to the abolishing of the 5 days free labour rule provided that an additional 5 days of paid labour is

given in exchange (otherwise the volume of work now being carried out by the Department in these areas will suffer) and extra funds to meet the expenditure on this labour is sanctioned, and this will be very high amount annually, and provided that adequate extra staff be given to realise the royalty on forest produce removed by villagers.

As regards the latter, it might even be possible to lay down a lump-sum value to be automatically paid by each villager for the forest produce which he is entitled to, thus solving the question of extra staff. But the altering of this rule will also affect the position of outsiders living near the Reserve who now render 4 (or 5) days free labour in lieu of Forest Produce—in their case the realization of the royalty or lumpsum payment will be much more difficult as they are not directly under the control of the Department for if they refuse to pay and yet take forest produce a considerable staff will be required for patrolling and enforcement.

Supply of timber sleepers to the Railways

Srijut PURNA CHANDRA SARMA asked :

*53. (a) Will Government be pleased to state the quantity of timber-sleepers contracted for supply to the Railways by the Government of Assam and the quantity that has been supplied so far ?

(b) Will Government be pleased to state who are the contractors selected by Government for the purpose ?

*54. Will Government be pleased to state—

(a) If there are any proposals for opening up the Lilalung area in the Lumding Range bordering the North Cachar Hills for timber operations ?

(b) If so, whether Government propose to consider the claims of the natives of the Province who are prepared to instal saw-mills for efficient operations for ten years or more ?

(c) Whether Government have received any representations from any native concern for opening up this area and giving settlement for ten years ?

(d) If so, whether Government propose to make early decision regarding opening of this area and selection of the party so that early steps may be taken for installation of machinery and supply of large quantity of sleepers to the Railways ?

The Hon'ble Srijut RUPNATH BRAHMA replied :

53. (a)—The total quantity of sleepers contracted for supply to the Railways is 60,000 Sal B. G., 65,000 Sal M. G., 1,50,000 Miscellaneous Hard-wood B. G., 4,22,000 Miscellaneous Hard-wood M. G.

The quantity supplied to date is not known.

(b)—Contractors are mainly coupe-holders.

54. (a)—Not at present.

(b)—Yes, if and when the proposal is accepted.

(c)—No. The Divisional Forest Officer, Nowgong, has had discussion on this matter with representatives of local concerns.

(d)—Not until a Working Plan is prepared.

The Hon'ble the SPEAKER: What are 'B. G.' and 'M. G.' ?

†**The Hon'ble Srijut RUPNATH BRAHMA:** 'B. G.' is Broad Gauge and 'M. G.' is Metre Gauge.

†**Srijut PURNA CHANDRA SARMA:** My Question No.53(b) was—Will Government be pleased to state who are the contractors selected by Government for the purpose—and the reply given is—Contractors are mainly coupe-holders ; so it is too vague.

†**The Hon'ble Srijut RUPNATH BRAHMA:** Those who were then holding the coupe were the contractors.

†**Srijut NILMANI PHOOKAN:** Is the business of extracting sleepers the monopoly of Government or Government engage other contractors also ?

†**The Hon'ble Srijut RUPNATH BRAHMA:** This is entirely a new question, Sir.

The Hon'ble the SPEAKER: The hon. Member can put supplementary questions only on the replies given by the Hon'ble Minister.

†**Srijut NILMANI PHOOKAN:** Are the coupe-holders only contractors or there are other contractors also ?

†**The Hon'ble Srijut RUPNATH BRAHMA:** Government is not the contractor.

†**Srijut NILMANI PHOOKAN:** Are there other contractors to supply the sleepers ?

†**The Hon'ble Srijut RUPNATH BRAHMA:** Yes, Sir.

†**Srijut NILMANI PHOOKAN:** Do they pay the same royalty as the coupe-holders ?

†**The Hon'ble Srijut RUPNATH BRAHMA:** That is a new question.

†**Srijut NILMANI PHOOKAN:** I don't think that it is a new question.

The Hon'ble the SPEAKER: Yes, it is a new question.

Digboi Labour Union and an All-Assam Tea Employees Association

Srijut DALBIR SINGH LOHAR asked :

†55. Will Government be pleased to state—

(a) Whether Government have lately received any representation seeking redress of their various grievances from the Digboi Labour Union ?

(b) If so, what steps have been taken to redress the grievances of the Union, as stated in that representation ?

*56. (a) Are Government aware that there is a dispute between the Oil Company and the Digboi Labour Union ?

(b) if so, will Government be pleased to state—

(i) on what matters the dispute arose and what are the reasons of that dispute ;

(ii) whether the Government made an enquiry regarding the dispute ;

(iii) if so, what is the result ;

(iv) if not, whether Government propose to settle the dispute between the Union and the Company ; and

(v) whether the Government made any attempt to get the dispute settled amicably between the Labour and the Company ?

*57. Will Government be pleased to state—

(a) Whether Government have any scheme for the Social and Economic reforms of the Tea Garden Labourers ?

(b) If so, what is that scheme ?

(c) If not, whether the Government propose to set up a Committee consisting of officials and non-officials for the purpose ?

*58. Do Government propose to make some arrangements with Tea Companies to give the labourers facilities for prayer on Friday, i.e., the day of the demise of Rastra Pita Mahatmaji ?

*59. (a) Will Government be pleased to state whether they have lately received any representation from the All-Assam Tea Employees Association ?

(b) If so, what are the contents of that representation and what action Government have taken on the same ?

The Hon'ble Srijut OMEO KUMAR DAS replied :

55. (a)—No. Only copies of resolutions reiterating long outstanding demands were received.

(b)—The Assam Oil Company falls within the Central sphere and the Provincial Government have no jurisdiction over dispute arising there. The workers demands have been referred to the Central Government who have recently intimated that they would be referred to a Standing Industrial Tribunal.

56. (a)—There have been some differences between the Company and the Labour Union.

(b)—(i) These differences centre mainly round the question of bonus.

(ii) to (v)—The Labour Commissioner visited Digboi in July last year with the Regional Labour Commissioner, Government of India, and met the Manager and the workers. As already stated this is a matter for the Government of India who are going to set up an Industrial Tribunal to adjudicate on the dispute.

Srijut DALBIR SINGH LOHAR : Digboi Labour Union ব কোনো সভাৰ লগত Labour Commissioner ব দেখা সাক্ষাৎ হোৱা নাই —এই কথা সত্য নে ?

The Hon'ble Srijut OMEO KUMAR DAS : এইটো নতুন প্রশ্ন ।

Srijut DALBIR SINGH LOHAR: Labour Commissioner এ কি report দিছে আমি জানিব পাৰো নে ?

The Hon'ble Srijut OMEO KUMAR DAS: ইয়াত report ব কথা নাই।

It does not fall within the scope of this question, Sir.

Srijut DALBIR SINGH LOHAR: তেখেতে enquiry কৰি কি পালে জানিব পাৰো নে ?

The Hon'ble Srijut OMEO KUMAR DAS: This also does not fall within the scope of this question.

The Hon'ble Srijut OMEO KUMAR DAS replied :

57. (a) to (c)—Yes, Government have various proposals regarding fixation of wages, housing, etc. The Industrial Committee on Plantations is meeting shortly at New Delhi to discuss these and action will be taken by Government on the plans as they finally emerge from the Committee.

58.—This question has already been replied to by the Hon'ble Prime Minister on the floor of this House on a previous occasion. However, for the edification of the hon. Member, I can say no, if the hon. Member suggests a holiday on Friday to hold the prayers, because Government believe that the best way to perpetuate the memory of Rashtra Pita Mahatmaji is to work up to the ideals for which he lived and died and not by changing the weekly day of rest to Friday.

59.(a)—Yes.

(b)—The representation contains as many as 19 resolutions adopted by the All-Assam Tea Employees Conference the chief among which relate to security of tenure, promotion, the non-implementation by some employees of the Indian Tea Association circular fixing minimum pay, and the opening of a "Tea Employees Benevolent Fund" by voluntary subscriptions from employees.

Action to be taken on these will be decided after the ensuing Tripartite Conference.

Firing incident at Dibrugrah Town during a Marriage Ceremony

Srijut DALBIR SINGH LOHAR asked :

*60. (a) Are Government aware :—

- (i) That some person fired from the verandah of the house of one Kheali Ram Hansaria of Dibrugrah Town where a marriage ceremony took place on 24th February 1948.
- (ii) that as a result of that firing one person died instantaneously and several persons were injured ;
- (iii) that among other persons the person killed and the persons injured were passing on the public road ;
- (iv) that the Superintendent of Police was immediately informed of the said incident and he appeared in the scene after some time of the occurrence ; and

- (v) that the public on the road present at the time of occurrence of the incident demanded the Police to arrest the culprit and the licensee of the gun ?
- (b) If so, will Government be pleased to state if it is a fact—
 - (i) that the Superintendent of Police went inside the house in question but did not arrest the culprit and the licensee ;
 - (ii) that the culprit ran away under the very nose of the Police ;
 - (iii) that the Police, instead of arresting the culprits, made *lathi* charge on the public and students standing on the road ; and
 - (iv) that after such an incident, the Police allowed the marriage procession to go along the public road merrily with the band ?
- (c) Will Government be pleased to state—
 - (i) How the culprit managed to run away under the nose of the Police of the Dibrugarh Town ?
 - (ii) Whether Government have received any telegram and representation from any Member of the Assembly on the subject ?
 - (iii) If so, what action has been taken ?
 - (iv) Whether Government propose to appoint an Enquiry Committee to enquire into the matter ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

60. (a) to (c)—Necessary information has been called for from the Deputy Commissioner, Dibrugarh, and I am not in a position to reply to the details that have been put in this question. The Deputy Commissioner himself has been transferred for performance of other duties and we are expecting that as soon as it is possible the reply will be coming.

Canteen of the Assam Medical College

Maulavi ABDUL HALIM asked :

*61. Will Government be pleased to state why the Canteen of the Assam Medical College has been settled with one R. K. Baruah without calling for tenders ?

*62. (a) Will Government be pleased to state on what principle the nomination of members has been made to the Governing Body of the Assam Medical College ?

(b) Will Government be pleased to state why Mrs. R. K. Baruah has been nominated to the Governing Body of the said College and not any other lady of the town ?

(c) Are Government aware that Mrs. R. K. Baruah's nomination has caused great resentment in the Dibrugarh town ?

(d) Will Government be pleased to state why Sidananda Das, a Government Servant, has been nominated to the Governing Body of the Assam Medical College ?

*63. (a) Will Government be pleased to state who is going to be appointed as Secretary of the Assam Medical College ?

(b) Is it a fact that one Licentiate Medical Practitioner is going to be appointed in this post ?

(c) Do Government propose to direct the Assam Public Service Commission to invite applications and select a qualified Medical Practitioner for the post ?

The Hon'ble Srijut RAMNATH DAS replied :

61.—The College was to be started by the 3rd of November 1947 and the need of a Canteen was very urgent and it was only Mr. Baruah who applied to start immediately.

Maulavi ABDUL HALIM : May I know from the Government how he got the information ?

The Hon'ble Srijut RAMNATH DAS : Because he was very inquisitive and therefore he got the information from the Principal.

Maulavi ABDUL HALIM : Is it a fact that his wife is one of the members of the Governing Body of the Medical College ?

The Hon'ble Srijut RAMNATH DAS : Yes.

Maulavi ABDUL HALIM : Do Government propose to call for tenders now ?

The Hon'ble Srijut RAMNATH DAS : Government do not see any necessity to revise the settlement.

The Hon'ble Srijut RAMNATH DAS replied :

62. (a)—The principle followed was to give representation to various interest and communities, as far as practicable.

(b)—Government considered her case as she was and is also a member of the Managing Committee of the Medical School.

(c)—No.

(d)—He was selected as a representative of the Scheduled castes.

Maulavi ABDUL HALIM : May I know from the Hon'ble Minister whether all the present members of the Governing Body of the Medical College were members of the Governing Body of the Medical School ?

The Hon'ble Srijut RAMNATH DAS : No, Sir.

Maulavi ABDUL HALIM : If not, why only this lady was chosen for the Governing Body ?

The Hon'ble Srijut RAMNATH DAS : From the ladies, Government thought that she was the only lady suitable for the purpose. So she was selected.

Maulavi MAKABBIR ALI MOZUMDAR : May I know, if any Member has been selected from the Cachar District ?

The Hon'ble Srijut RAMNATH DAS : No, Sir.

Maulavi ABDUL HALIM : May I ask why Government preferred a Government servant while there were many suitable persons for this purpose in this community ?

The Hon'ble Srijut RAMNATH DAS : Government thought that from the Scheduled castes he was the man to be selected.

Dr. EMRAN HUSAIN CHAUDHURY : Will Government state what are the interests represented on the Governing Body ?

The Hon'ble Srijut RAMNATH DAS : Communal interest and scientific interest.

Dr. EMRAN HUSAIN CHAUDHURY : Who represent scientific interest ?

The Hon'ble Srijut RAMNATH DAS : Doctors.

Dr. EMRAN HUSAIN CHAUDHURY : And Public interest ?

The Hon'ble Srijut RAMNATH DAS : The publicmen that I have nominated.

The Hon'ble Srijut RAMNATH DAS replied :

63. (a)—No action for filling up this appointment is yet taken.

(b)—Does not arise, in view of the above reply.

(c)—The appointment will be made on the recommendations of the Public Service Commission.

(Starred Question No. 64 was not put and answered, as the hon. Questioner, Mr. C. W Morley, was absent).

UNSTARRED QUESTIONS

(To which answers were laid on the table).

* **Babu BIDYAPATI SINGHA :** Many voluminous questions have been put to-day. It will be seen that only a number of questions have been done in this Session and more than one-third has been put today. Therefore will you please consider about allotment of extra time ?

The Hon'ble the SPEAKER : That matter may be raised after the question hour. Question 177—Srijut Gauri Kanta Talukdar.

Johne's disease infected Cattle**Srijut GAURI KANTA TALUKDAR** asked :

177. Will Government be pleased to state—

- (a) Whether it is a fact that a Special Officer of the Central Government was deputed by the Director of the Indian Institute of Veterinary Research and that he detected a large number of Johne's disease infected cattle in the Government Cattle Breeding Farms ?
- (b) If so, in which of the Cattle Breeding Farms the disease was detected and when ?
- (c) What steps the Veterinary Department has taken to combat the disease ?
- (d) Whether it is a fact that the said Special Officer also detected several Tuberculosis infected cattle in the Government Cattle Breeding Farms ?
- (e) If so, in which of the Cattle Breeding Farms the detection was made and when ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

177. (a)—Yes. The number of infected cattle in the Farms however was not high.

(b)—At Khanapara in January 1947, Jorhat in February 1947 and Barapetta in March 1947.

(c)—Since the last visit of Mr. F. Ware, F. R. C. V. S., Animal Husbandry Commissioner with the Government of India in 1941, it was decided that Johne's disease problem is to be tackled by the Indian Veterinary Research Institute and as such their officers visit Assam when necessity arises to test the animals in Government Cattle Farms in Assam and whatever suggestion is given by them is carried out by the Director of Veterinary Department. Besides, all reactors are removed from the farm.

(d)—Yes. A small number.

(e)—At Khanapara in January 1947, Jorhat in February 1947 and Barapetta in March, 1947.

Srijut GAURI KANTA TALUKDAR : Will Government please state what are the number of Johne's disease infected cattle detected at Khanapara, Jorhat and Barapetta.**The Hon'ble ABDUL MATLIB MAJUMDAR** : I want notice of this question, because I will have to find out the reply from the file.**Srijut GAURI KANTA TALUKDAR** : My question was—"Whether it is a fact that a Special Officer of the Central Government was deputed by the Director of the Indian Institute of Veterinary Research and that he detected a large number of Johne's disease infected cattle in the Government Cattle Breeding Farms ? The reply is "Yes." The number of infected cattle in the Farms however was not high ! Now I want to know what is the number of infected cattle ?

* **The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR :** Khanapara about 20, Jorhat about that number and.....

Srijut GAURI KANTA TALUKDAR : Will Government please enlighten me if any subsequent examination was made after the year 1947 to find out whether there were fresh cases of John's disease and bovine T. B. infection in the Cattle Breeding Farms ?

* **The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR :** It has been said in the reply that it was done by an officer of Government of India and they will be sending an officer. When he will come, that will be done.

Srijut GAURI KANTA TALUKDAR : Is there any body in our Veterinary Department who can examine those diseases ?

* **The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR :** No, Sir.

Srijut GAURI KANTA TALUKDAR : Will Government try to see that some officers are trained for the purpose so that they may be able to detect the diseases without the help of the Government of India ?

* **The Hon'ble Maulavi ABDUL MATLIB MAJUMDAR :** Yes, that will be examined if Government can arrange this.

* **Maulavi SAIYID MUHAMMAD SAADULLA :** In reply to 177(b) a place has been mentioned called Barapetta. May I know where is this place in Assam ?

* **Srijut MAHENDRAMOHAN CHOUDHURY** (Parliamentary Secretary) : In the Barpeta Subdivision, there is a place near Sarupeta called Barapetta.

* **The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR :** There is one Barapetta in Barpeta Subdivision and one Barbheta in Jorhat. Now this is Barapetta.

Transfer of Mr. Rustomji, Deputy Commissioner of Lakhimpur

Mr. P. M. SARWAN asked :

178. (a) Is it a fact that Mr. Rustomji, Deputy Commissioner of Lakhimpur District, has been transferred from Dibrugarh ?

(b) Are Government aware that resentment has been expressed by the public of Dibrugarh in regard to the above transfer ?

(c) Are Government aware that this officer was gradually stamping out corruption in Lakhimpur ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

178. (a)—Yes.

(b)—Some representations have since been received by Government against this Officer's transfer from Dibrugarh.

(c)—Yes, and this anti-corruption drive will be continued.

Mr. P. M. SARWAN: Will not the transfer retard the anti-corruption drive ?

The Hon'ble the SPEAKER: It is a question of opinion.

Mr. P. M. SARWAN: No, Sir, it is a question of fact.

The Hon'ble Srijut BISHNURAM MEDHI: Sir, after the Chair has decided that it is a question of opinion, can the hon. Member refer to it again.

The Hon'ble the SPEAKER: No, he can't.

Procedure re: appointment in the Senior and Junior Assam Civil Services

Maulavi MAHAMMAD ROUFIQUE asked :

179. Will Government be pleased to state—

- (a) The procedure adopted by Government in promoting recently Sub-Deputy Collectors to the posts of Extra Assistant Commissioners ?
- (b) Whether there is any resolution of Government published recently in the *Assam Gazette* regarding the procedure of promotion of Sub-Deputy Collectors ?
- (c) If so, what was that ?
- (d) Whether this procedure has been followed in all cases of recent promotion of Sub-Deputy Collectors ?
- (e) If not, why not ?
- (f) Whether it is a fact that some of the very junior officers of the Assam Junior Civil Service have been promoted recently to the Senior Civil Service superseding the claims of many senior officers of the Department ?
- (g) If so, why ?
- (h) Whether it is a fact that Srijut Golakeswar Barua who has been promoted as an Extra Assistant Commissioner has not put in even 8 years of service at the time of his promotion ?
- (i) Whether it is a fact that Maulavi Rashiduzzaman Ahmed who has been promoted to the Assam Senior Civil Service from the Junior Civil Service was not a member of the Junior Civil Service at the time of his promotion ?
- (j) Whether it is a fact that this officer was appointed as an Agricultural Income-Tax Officer in 1942 and confirmed in that service ?
- (k) If so, why has he been shown as a Sub-Deputy Collector when he was not so at the time of his promotion ?
- (l) How long this officer served as Sub-Deputy Collector and how long as an Agricultural Income-Tax Officer ?
- (m) What are his special qualifications for holding the post of Agricultural Income-Tax Officer ?
- (n) Whether it is a fact that this Officer was placed under training under the Central Income-Tax Department ?
- (o) If so, for how long and where ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

179. (a)—In the recent promotion of Sub-Deputy Collectors Government adopted the following criteria :—

(i) Sub-Deputy Collectors with B.L. degrees who are fit for promotion and can immediately be put to magisterial work.

(ii) Senior Sub-Deputy Collectors without B.L. degree who are more fitted for Revenue posts and petty magisterial work.

(iii) The Public Service Commission made the selections and Government accepted them.

(b)—Yes.

(c)—A copy of Resolution No.AAA.10/45, dated 3rd December 1946, is placed on the Library Table.

(d)—Yes, as far as practicable under the abnormal situation created by the transfer of a large number of experienced Magistrates to Pakistan.

(e)—Does not arise.

(f) & (g)—Some junior officers with B.L. degrees have been promoted according to the policy mentioned at (a) (i) above which policy the Government had to adopt to meet the extreme shortage of Magistrates.

(h)—Yes.

(i)—Yes.

(j)—Yes.

(k)—Because he originally belonged to the Assam Junior Civil Service.

(l)—For 5 years 2 months 4 days as Sub-Deputy Collector and 5 years 6 months 2 days as Agricultural Income-Tax Officer.

(m)—M. Com., and B. L., are his special qualifications.

(n)—Yes.

(o)—Seven months at Bombay, Calcutta and Assam under the Central Income-Tax Department.

***Maulavi MAHAMMAD ROUFIQUE:** With regard to No.179(c) will the Hon'ble Prime Minister be pleased to state whether this resolution No.AAA.10/45, was promulgated by the Government ?

The Hon'ble Srijut GOPINATH BARDOLOI: Apparently ; it was published in the Gazette.

***Maulavi MAHAMMAD ROUFIQUE:** With regard to No.179(h), may I know whether Srijut Golakeswar Barua who has been promoted has not even put in 8 years service whereas the Government Resolution lays down that the minimum period of service should be eight years ?

The Hon'ble Srijut GOPINATH BARDOLOI: I could not say off-hand because I do not know the period of service put in by the officer. When it was decided by the Government that we should have three categories of officers, without applying actually the policy of separation of Executive and Judicial into practice, it was on the recommendation of the Public Service Commission that his name was also included among the list of those people who were actually promoted.

***Maulavi MAHAMMAD ROUFIQUE:** In the Public Service Commission seniority was ignored ?

The Hon'ble Srijut GOPINATH BARDOLOI: I do not know the number of years he has been in service.

***Maulavi MAHAMMAD ROUFIQUE:** I put down definitely that the gentleman did not even put in eight years of service.

The Hon'ble Srijut GOPINATH BARDOLOI: I could not say anything more in reply. I would like to see this officer's case.

***Maulavi MAHAMMAD ROUFIQUE:** Sir, with regard to No.179(i) is it not a fact that Maulavi Rashiduzzaman Ahmed who has been promoted to the Assam Senior Civil Service was not a member of the Assam Junior Civil Service at the time of his promotion ? Why was he promoted to the Senior Civil Service when he was actually acting as an Agricultural Income-tax Officer ?

The Hon'ble Srijut GOPINATH BARDOLOI: I have not been able to follow the object of the hon. Member in this question. He was at one time a Sub-Deputy Collector. He was also made an Agricultural Income-tax Officer. For that reason his qualification for holding magisterial duties was not taken away. The Public Service Commission thought his case was worthy of recommendation for promotion.

***Maulavi MAHAMMAD ROUFIQUE:** Was he not sent for training as Agricultural Income-tax Officer at Government cost.

The Hon'ble Srijut GOPINATH BARDOLOI: I am not aware.

***Maulavi MAHAMMAD ROUFIQUE:** There is the reply that he had training for seven months in Bombay and Calcutta. Why after giving him training Government was going to lend his services.

The Hon'ble Srijut GOPINATH BARDOLOI: I am not aware and I do not know also whether he is working again as an Agricultural Income-tax Officer. The question was whether he should be promoted, and the Public Service Commission recommended his case.

***Maulavi MAHAMMAD ROUFIQUE:** Is it not a fact that he was even not a candidate for the Magisterial post at the time of giving him promotion ? He is still now an Agricultural Income-tax Officer.

The Hon'ble Srijut GOPINATH BARDOLOI: He was in the cadre of Sub-Deputy Collector and then promoted. This case was recommended by the Public Service Commission. I am told he is yet working in the Agricultural Income-tax Department.

***Maulavi MAHAMMAD ROUFIQUE:** Was not Government doing a wrong by putting him into Magisterial work after giving him training.

***The Hon'ble Srijut BISHNURAM MEDHI:** The Hon'ble Member himself admits that he is still in Agricultural Income-tax Department. He is utilised there.

The Hon'ble Srijut GOPINATH BARDOLOI: I don't think that Government has done anything wrong. He is getting increased pay as Extra Assistant Commissioner, besides doing his work in the Agricultural Income-tax Department.

Opening of New Liquor Shop at Teok

Srijut HARINARAYAN BARUA asked :

180. Will Government be pleased to state—

- (a) Whether it is a fact that a new liquor shop (Canteen) is going to be opened against the will of the public and the labourers at Teok ?
- (b) Whether Government have received any representation from the public protesting against the opening of the said shop ?
- (c) Whether Government are aware that the labourers and the public vehemently opposed the establishment of the said shop ?
- (d) Whether Government propose to reconsider the question and stop the opening of the shop ?

The Hon'ble MAULANA MAHOMED TAYYEBULLA replied :

180. (a)—There is no proposal for opening a new Canteen at Teok Tea Estate. A lessee Manager shop for sale of liquor to Tea garden labourers was reopened on the 8th February 1948. No representation has been received either from the public or from the labourers, but a copy of a resolution passed by the Teok Mouza Congress Committee was received protesting against opening of a liquor shop at Jogduar Tea Estate in which a reference was also made about the closure of Teok lessee Manager shop. The proposal to open the Jagduar liquor shop was dropped. Teok lessee Manager shop was however reopened with a view to counteract the evil of illicit distillation and to control as far as possible excessive drinking among the labour force of crude liquor containing deleterious matter.

(b)—*Vide* answer to question (a) above.

(c)—Government are not aware of this.

(d)—Does not arise.

Srijut HARINARAYAN BARUA: Sir, মোৰ Question 180(c) আছিল “Whether Government are aware that the labourers and the public vehemently opposed the establishment of the said shop” আৰু গৱৰ্ণমেণ্টৰ উত্তৰ হৈছে “Government are not aware of this”। গৱৰ্ণমেণ্টে এইটো মোৰ পৰা অনুগ্রহ কৰি জানি লবনে যে এই মদৰ মহলখন বন্ধুৱা আৰু বাইজৰ আপত্তিৰ স্বত্বেও খোলাৰ কাৰণে ভয়কৰ অসন্তোষৰ সৃষ্টি হৈছে।

The Hon'ble Maulana MAHOMED TAYYEBULLA: An enquiry will be made on the information given. আপুনি যি বাতৰি দিছে সেই সৰ্ব্বক্ষেত্ৰে নই enquiry কৰিম।

Srijut HARINARAYAN BARUA: আসি আশা কৰিব পাৰোনে যে যেতিয়া সেই দোকান খনৰ কাৰণে বনুৱা আৰু স্থানীয় ৰাইজ সকলৰ আপত্তি হৈছে, গৱৰ্ণমেণ্টে অনুগ্রহ কৰি দোকানখন বন্ধ কৰি দিব ?

The Hon'ble Maulana MAHOMED TAYYEBULLA: গৱৰ্ণমেণ্টে সেইটো বিবেচনা কৰিব।

***Srijut BHADRA KANTA GOGOI:** গৱৰ্ণমেণ্টে কৈছে যে crude liquor বিক্ৰি বন্ধ কৰিবৰ কাৰণে সেই lessee Manager shop খন খোলা হৈছে। এনেকুৱা এখন দোকান খুলিলেই তেনেকুৱা liquor বিক্ৰি বন্ধ হ'ব বুলি গৱৰ্ণমেণ্টে ভাবে নে ?

The Hon'ble Maulana MAHOMED TAYYEBULLA: It is a matter of opinion, Sir.

Spread of opium smuggling in the Province

Dr. EMRAN HUSAIN CHAUDHURY asked :

181. (a) In view of the wide spread smuggling of opium prevailing in the Province, do Government propose to abolish their plan of prohibition in this respect ?

(b) If not, do Government propose to give adequate powers to the Excise Department to function effectively ?

(c) Since 1937 how many cases of opium smuggling have been reported in the Province ?

(d) Will Government be pleased to state the names of the reported smugglers of opium both convicted and acquitted ?

The Hon'ble Maulana MAHOMED TAYYEBULLA replied :

181. (a)—No.

(b)—Yes. The Assam Opium (Prohibition) Act 1947 is going to be put into operation from 1st April 1948. Government hope to secure active co-operation of the people in the eradication of the opium habit still obtaining in Assam. The Act provides stringent measures of punishment for offences committed under this Act.

(c)—The following cases of opium smuggling have been reported since 1937 :—

1937	...	...	...	...	...	267
1938	...	...	...	...	...	294
1939	...	...	...	...	...	947
1940	...	...	...	...	...	1036
1941	...	...	...	...	...	1185
1942	...	...	...	...	...	785
1943	...	...	...	...	...	712
1944	...	...	...	...	...	637
1945	...	...	...	...	...	594
1946	...	...	...	...	...	750
1947	...	...	...	...	...	550

(upto 30th
November,
1947.)

(d)—The question is being examined.

Dr. EMRAN HUSAIN CHAUDHURY: With regard to (a), the question was "In view of the widespread smuggling of opium prevailing in the Province, do Government propose to abolish their plan of prohibition in this respect". The reply is "No". Am I to infer from this that there is an admission on the part of Government that smuggling is widespread?

The Hon'ble Maulana MAHOMED TAYYEBULLA: This is a question of opinion.

Dr. EMRAN HUSAIN CHAUDHURY: But Government have admitted that.

The Hon'ble the SPEAKER: The question was "In view of the widespread smuggling of opium prevailing in the Province, do Government propose to abolish their plan of prohibition in this respect". The answer is "No".

Dr. EMRAN HUSAIN CHAUDHURY: My supplementary question arising out of this reply is that there is an admission on the part of Government that smuggling is wide-spread?

The Hon'ble the SPEAKER: The hon. Member may draw his own conclusion.

Refusal for payment of Chukani Paddy by cultivators in South Kamrup to the Land-owners

Srijut BELIRAM DAS asked :

182. (a) Are Government aware that the cultivators of South Kamrup have suddenly refused to pay Chukani paddy to the land-owners for the year 1947-48, according to the contract at the persistent preachings of the Communist agitators?

(b) Are Government aware that numerous meetings have been held in different Mouzas on the South Bank of Kamrup where inflammatory speeches have been made by some persons inciting the tenants not to give any paddy to the land-holders disowning their legal obligations?

(c) Are Government aware that a few ring-leaders in certain villages are doing all these things?

(d) Is it a fact that there are some complaints from the land-owners of the Mouzas on the South Bank of Kamrup regarding committing illegal acts by some tenants such as use of violence against land-owners gone to collect their dues, snatching away of paddy given by willing tenants, realising fine from tenants for paying dues, holding out threats of assault and social boycott of those who want to give paddy?

(e) Are Government aware that the mischief mongers are spreading various slogans in the said Mouzas to incite the people to break the law?

(f) Is it a fact that the Deputy Commissioner, Kamrup issued notices to the Mandals and Gaonburas of the Kamrup District to direct the raiyats to pay Chukani paddy amicably to avoid breach of peace?

(g) Are Government aware that the Gaonburas and raiyats of South Kamrup are not giving any heed to the above notices of the Deputy Commissioner, Kamrup?

(h) Is it a fact that the land-owners of the South Kamrup have represented such illegal actions of the tenants and others to the Government of Assam and the Deputy Commissioner, Kamrup for redress and necessary action?

(i) If replies to questions (a)—(h) above be in the affirmative, will Government be pleased to state what steps they have taken (i) to redress the grievances of the land-owners ; and (ii) on such agitators ?

(j) Will Government be also pleased to state what steps have been taken by the Deputy Commissioner, Kamrup on the aforesaid complaints and for not obeying his notices by the Gaonburas and others ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

182. (a)—(j)—The information have been called for from the Local Officer concerned and will be supplied to the hon'ble Member when received.

Provision of Wells and Primary Schools in Miri Villages

Srijut KARKA DALAY MIRI asked :

183. Will Government be pleased to state in how many Miri Villages Wells have been provided in North Lakhimpur, Dibrugarh and Jorhat Sub-divisions ?

184. (a) Are Government aware that in the distribution of Primary Schools all the local Members of the Legislative Assembly are not consulted by the Chairman, Jorhat Local Board ?

(b) Do Government propose to take necessary steps in the matter ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

183.—The information has been called for.

184.—The Boards are competent to open and close schools. The local Members of Legislative Assembly are not required to be consulted by the Chairmen of the Boards in making distribution of Lower Primary Schools.

(b)—Does not arise.

***Srijut KARKA DALAY MIRI :** The reply is : "The Boards are competent to open and close schools. The Local Members of Legislative Assembly are not required to be consulted by the Chairmen of the Boards in making distribution of Lower Primary Schools".

মাননীয় মন্ত্রী ডাঙৰীয়াই অনুগ্রহ কৰি জনাবনে যে এইটো সচানে যে previous গৱৰ্ণ - মেণ্টে এনেকুৱা standing order দিছিল যে কোনো venture স্কুল লবলৈ হলে বোৰ্ড - বিলাকে local Member of the Legislative Assembly বিলাকৰ লগত consult কৰিব ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR : The Board's administration is carried on according to the Local Self-Government Manual, where it has not been provided that the local Members of Legislative Assembly should be consulted. The Board is quite competent to manage its own affairs. Of course it is better for the Chairman to consult the Members of Legislative Assembly.

Dr. EMRAN HUSAIN CHAUDHURY : What is the standing order ?

The Hon'ble the SPEAKER: Order, order. আপুনি নিশ্চয় কৈ জানেনে যে আগৰ গৱৰ্ণমেন্টে এনেকুৱা Circular বা Order দিছিল যে কোনো স্কুল খুলিবলৈ হ'লে local Member of the Legislative Assembly সকলক পৰামৰ্শ কৰিব লাগিব? নিশ্চয় কৈ জানে নে নেজানে উত্তৰ দিয়ক।

***Srijut KARKA DALAY MIRI:** আনিও জনিছো যে গৱৰ্ণমেন্টে order দিছে।

The Hon'ble the SPEAKER: উৰণীয়া কথাৰ আশ্ৰয় লৈ এই সভাত কথা কোৱা উচিত নহয়। নিশ্চয় কৈ যদি জানে তেনেহলে কব পাৰে।

***Srijut KARKA DALAY MIRI:** মোৰ বিশ্বাস যে সেই বকম কাম কৰিবলৈ গৱৰ্ণমেন্টে order দিছিল।

Srijut HEM CHANDRA HAZARIKA: The question is about distribution of primary schools; there is no question of venture schools at all. So, how does this question arise?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: These are already established schools, and the Boards are quite competent to distribute them.

The Hon'ble the SPEAKER: The Hon'ble Minister will kindly state whether there is any standing order to the effect that in the distribution of new schools the local Members of Legislative Assembly should be consulted.

***Maulavi MAHAMMAD ROUFIQUE:** Is it not a fact that the Government have asked the Chairmen of Local Boards by a circular letter to consult the local Members of the Legislative Assembly who form a Committee for the purpose?

***The Hon'ble Srijut BISHNURAM MEDHI:** That is with regard to taking up of venture schools and not with regard to the distribution of existing schools.

***Maulavi MAHAMMAD ROUFIQUE:** That is also with regard to the distribution of existing schools.

***Srijut HARINARAYAN BARUA:** এই প্ৰশ্নত কোৱা হৈছে যে যেতিয়া venture স্কুল বিলাক লোৱা হয় তেতিয়া যোৰহাট লোকেল বোৰ্ডৰ চেয়াৰমেনে local Member of the Legislative Assembly সকলক পৰামৰ্শ নকৰে। কিন্তু মই জমাত যেতিয়া venture স্কুলবিলাক লবলৈ স্থিৰ কৰা হয় তেতিয়া Member of the Legislative Assembly হিচাপে মোক চেয়াৰমেনে মাতিছিল আৰু ময়ো সেই meeting attend কৰিছিলো।

***Dr. EMRAN HUSAIN CHAUDHURY:** আৰু কাক কাক মাতিছিল? মোক মতা মনত নপৰে।

***Srijut HARINARAYAN BARUA:** আৰু কাক কাক মাতিছিল মই কব নোৱাৰো।

The Hon'ble the SPEAKER : Yes, a Committee of the local Members of Legislative Assembly is formed, I think.

***Srijut MAHENDRAMOHON CHOUDHURY (Parliamentary Secretary) :** তেখেত উত্তৰ লক্ষীমপুৰ লোকেল বোৰ্ড আৰু যোৰহাট লোকেল বোৰ্ডৰ মেম্বৰ, গতিকে এখন লোকেল বোৰ্ড লৈ মাতিলে আন খনলৈ নামাতে। উক্তৰ ইন্‌ৰাণ হুছেইন এখন লোকেল বোৰ্ডৰ মেম্বৰ। গতিকে এখনলৈ মাতিলে আন দুখনলৈ নামাতে।

The Hon'ble the SPEAKER : আপোনালোকে তেনেহলে জনাব লাগে কোনখন লোকেল বোৰ্ড লৈ মাতিব লাগে।

***Srijut KARKA DALAY MIRI :** চৌধুৰী ডাঙৰীয়াই যিটো কথা কৈছে সেইটো false. মই বহুতদিন যোৰহাট লোকেল বোৰ্ডৰ চেয়াৰমেনৰ লগত কাম কৰি আহিছো। কিন্তু বৰ্তমান চেয়াৰমেনৰ খাম-খিয়ালিত গৰণ মেণ্টৰ order থকা স্বত্বেও এনে বকমে কাম কৰিছে।

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR : The hon. Member was not clear about the kind of school. If he meant taking up of venture schools, that does not come under the purview of the Local Board's administration. That is done by Government in the Education Department. Mr. Choudhury has given the reply.

The Hon'ble Maulana MAHOMED TAYYEBULLA : Is it parliamentary to call a statement "false" ?

The Hon'ble the SPEAKER : The words "false", "stupid", etc., are considered to be unparliamentary, and hon. Members should not use them.

Re: Tipling Mouza

Srijut BHADRA KANTA GOGOI asked :

185. Will Government be pleased to state—

- (a) The roads maintained by Local Board and Public Works Department in the Tipling Mauza in Dibrugarh Subdivision and their length ?
- (b) The number of Lower Primary Schools under Local Board and Government in the said Mauza ?
- (c) The population of the Mauza at present community by community ?
- (d) Whether any kind of hospital is maintained there by Government or Local Board ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

185. (a), (b) ও (c)—The information has been called for.

(d)—There is no dispensary of any kind in the Tipling Mauza.

***Srijut BHADRA KANTA GOGOI:** ইয়াত উত্তৰ দিছে যে গৱৰ্ণমেণ্টে information call for কৰিছে ; গতিকে উত্তৰ পাবলৈ আশা কৰা মিছা। তাত কিং dispensary এখনো নাই আৰু ডাক্তৰ আৰু ঔষধৰ অভাৱত মানুহে কষ্ট পাইছে। তাত এখন dispensary দিবলৈ মন্ত্ৰীমহোদয়ে বিবেচনা কৰিবনে ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: So far as the Local Board is concerned, it is up to them to see whether a dispensary can be opened there. It also concerns the Public Health Department and if the hon. Member consults the Public Health Department I think he will get the information from there.

***Srijut BHADRA KANTA GOGOI:** মাননীয় সভাপতি মহোদয় আজি আমাৰ আগত শ্ৰীযুত বিদ্যাপতি সিংহই কিছুমান প্ৰশ্নৰ উত্তৰ নোপোৱাৰ কথা কৈছে.....

The Hon'ble the SPEAKER: Only 3 minutes are left. The hon. Member will please sit down.

Settlement of plots of land in the Cantonment Area of Dibrugarh Subdivision

Srijut BEJOY CHANDRA SAIKIA asked :

186. (a) Will the Hon'ble Minister of Revenue be pleased to inform the House if some plots of land in the Cantonment Area in the Dibrugarh Subdivision have recently been settled with some Marwaries and some other Foreign Capitalists ?

(b) If so, will the Hon'ble Minister be pleased to lay on the table a list of persons with whom those plots of land have been settled and with what object ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

186. (a)—The reply is in the negative.

(b)—Does not arise.

Assessment of Income-tax on Forest income

Maulavi MD. NAZMAL HAQUE asked :

187. (a) Is it a fact that income from forest received by the Zaminders are assessed by the Agricultural Income-tax Officer though this income has already been assessed by the Central Income-tax Authority as a non-agricultural income ?

(b) Is it a fact that the Agricultural Income-tax Officer is assessing this income every year in spite of Zaminders making a protest against this assessment ?

(c) Will the Hon'ble Minister-in-charge be pleased to state the steps taken by this Government for relieving the Zaminders from such double taxation ?

(d) Whether this Government has made any representation to the Central Government against the assessment of forest income by the Central Income-tax Authority ?

(e) Is it a fact that almost all the Zaminders of Goalpara have filed appeals against the assessment of forest income ?

(f) If so, how many appeals were filed and how many have been disposed of ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

187. (a)—In the absence of any ruling that forest income is not liable to agricultural income-tax, the Agricultural Income-tax Officer has been assessing this income to agricultural income-tax.

“(b).—Yes, but the realisation of this portion of income has been stayed till the disposal of appeal filed before the Appellate Assistant Commissioner.”

(c)—No steps taken.

(d)—No.

(e)—Yes.

(f)—In all 36 appeals have been filed. None has been disposed of as the parties concerned have prayed for adjournment of hearing of the appeals till the disposal of Appeals Nos.19 and 22 of 1944 by the Privy Council.

Maulavi MD. NAZMAL HAQUE : With regard to (c), am I to understand from the answer that the Government could not take steps because the Appellate Authority had not been able to dispose of appeals filed by the Zamindars as he has got no training in this matter ?

The Hon'ble Srijut BISHNURAM MEDHI : This question has been put on a wrong assumption. The appeal has been postponed on account of a request on behalf of the Zamindars to see the decision of the Privy Council against the decision of the Chief Court. So, this has been done for the benefit of the Zamindars themselves at their own request. Appeals are kept pending so that the Zamindars might avail themselves of the decision of the Privy Council.

Maulavi MD. NAZMAL HAQUE : Was this officer placed under training ?

The Hon'ble Srijut BISHNURAM MEDHI : I want notice of this question.

Veterinary Surgeons of Barpeta and Nowgong

Maulavi MAHAMMAD ROUFIQUE asked :

188. (a) Are Government aware that the Veterinary Assistant Surgeons of Barpeta and Nowgong have to pay a house rent of Rs.30 to Rs.35 a month out of their monthly pay of Rs.55 ?

(b) Did Government fulfil their assurances given to the deputationists of Veterinary Assistant Surgeons on 18th August 1946 for supply of free quarters or reasonable house rent in lieu thereof like those of the Sub-Assistant Surgeons in the Medical Department along with raising their interim scale of pay and travelling allowance from April, 1947 ?

(c) Are Government aware that this discrimination is due to the dual control by the Local Boards and Government over this Department ?

(d) If so, why the Department is not provincialised like Medical and Agricultural Departments ?

(e) Did Government actually pay the interim scale of pay to the Veterinary Assistant Surgeons which was sanctioned from April, 1947 ?

(f) If not, why not ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

188. (a)—Government have no information.

(b)—The Government have already sanctioned the house allowance and travelling allowance to the Veterinary Sub-Assistant Surgeons at the same rate as admissible to Sub-Assistant Surgeons of the Medical Department.

(c) and (d)—Do not arise.

(e)—Yes.

(f)—Does not arise.

Deaths of cattle and other animals from Rabies

Maulavi MAHAMMAD ROUFIQUE asked :

189. (a) Will Government be pleased to state the number of deaths of cattle and other animals from Rabies for the last 5 years in Assam ?

(b) Did Government supply Anti-Rabic Vaccine free for the treatment of cattle ?

(c) If not, why not ?

(d) Do Government propose to start a Veterinary branch or section for preparing anti-Rabic Vaccine in the Pasteur Institute, Shillong, immediately and arrange free supply of the said vaccine for the treatment of cattle of poor raiyats ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

189. (a)—Figures are being collected from the local officers.

(b)—No.

(c)—Anti-Rabic Vaccines are obtained from the Pasteur Institute on payment.

(d)—Public Health Department will be consulted on the feasibility of the proposal.

Veterinary Field Assistants

Maulavi MAHAMMAD ROUFIQUE asked :

190. Will Government be pleased to state—

(a) The number of Veterinary Field Assistants recruited this year from each District and Subdivision of the Province (figures to be shown separately for each Subdivision) ?

- (b) What is the training period for a Veterinary Field Assistant and the course for training ?
- (c) What particular duty a Field Assistant is to perform on completion of his training ?
- (d) Whether vaccination work is one of the duties of a Field Assistant and if so, what arrangement has been made by Government for regular supply of vaccine ?
- (e) Whether it is a fact that 200 Field Assistants are not doing any vaccination work due to the failure of the Department to supply vaccine regularly ?
- (f) Whether Government are aware and received reports to the effect that these Field Assistants when they go in the interior profess themselves to be Veterinary Doctors and undertake treatment of disease of cattle for which they have no training at all ?
- (g) Whether the attention of Government has been drawn to a correspondence under the heading "THE VETERINARY DEPARTMENT" published in daily ASSAM TRIBUNE, dated the 4th August 1947 ?
- (h) If so, what action has been taken by Government to stop these untrained men usurping the duties of qualified Veterinary Doctors ?
- (i) Whether Government have received reports to the effect that due to indulgence given to the Field Assistants by the Director of Veterinary Department, the Field Assistants have, as a rule, become defiant to their immediate superiors, *i. e.*, the Veterinary Doctors ?
- (j) Whether Government are aware that complaint of such defiance of Field Assistants made by the Veterinary Doctors to the Director of Veterinary Department are not properly dealt with, with the result that the Field Assistants have become uncontrollable ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

190. (a)—The number of Veterinary Field Assistants recruited in the year 1947 from each Subdivision is shown below :—

Dhubri 2, Barpeta 6, Gauhati 11, Nowgong 8, Sibsagar 6, Golaghat 1, Jorhat 2, Dibrugarh 1, North Lakhimpur 2, Sadiya 1, Mokokchang 1, Silchar 3, Hailakandi 23, Sylhet 16, Karimganj 4, Habiganj 4, Maulvibazar 9, Sunamganj nil.

(b)—The training period for a Veterinary Field Assistant is six months. The course consists of training in vaccination; inoculation, castration by Burdizzio's castrator and treatment of simple wounds and sores.

(c)—Vaccination, inoculation, castration and treatment of simple sores and wounds under the direction and general supervision of the Veterinary Assistant Surgeon under whom he is placed.

(d)—Yes, vaccination is one of the duties of a Veterinary Field Assistant. Ordinarily, vaccines are brought from the Veterinary Department of Bengal. But when the demand for vaccine cannot be fully met from this source indents are made on the Veterinary Departments of other Provinces, *viz.*, Bihar and Orissa. This arrangement is not always satisfactory and therefore to ensure an adequate and regular supply of vaccine Government have already taken in hand the construction of a Vaccine Depot at Gauhati.

(e)—Not exactly except for occasional interruption for want of adequate and regular supply of vaccine.

(f)—Government have no information.

(g)—No.

(h)—Does not arise.

(i) & (j)—Government have been informed that except for certain individual cases the discipline among the Veterinary Field Assistants has been satisfactory. The cases of indiscipline reported to were suitably dealt with by the Director.

Veterinary Hospital at Nowgong

Maulavi MAHAMMAD ROUFIQUE asked :

191. Will Government be pleased to state as to why the Veterinary Hospital at Nowgong has not been started this year ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

191.—Selection of site, drawing up of plans and estimates took time.

Utilisation of the amount allotted to the Veterinary Department

Maulavi MAHAMMAD ROUFIQUE asked :

192. Will Government be pleased to state how they propose to utilize nearly half a crore of rupees allotted to the Veterinary Department for Post-War Development purposes without qualified Veterinary Doctors ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

192.—Government will strain their resources to the utmost and will do as far as possible.

Mr. A. K. Mitra, Director of Veterinary Department

Maulavi MAHAMMAD ROUFIQUE asked :

193. Has the attention of Government been drawn to an article under caption "Veterinary Department" published in the *Assam Tribune* of the 21st February 1948, regarding opting for Pakistan, by Mr. A. K. Mitra, Director of Veterinary Department, Assam ?

194. (a) Will Government please state whether Mr. A. K. Mitra, Director of Veterinary Department, opted to serve in Pakistan ?

(b) If so, what steps Government have taken to release him ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

193.—Yes.

194. (a)—Yes, conditionally.

(b)—The services of Mr. A. K. Mitra is essential and has therefore been retained in the interest of the Province.

Preparation and Manufacture of Gur

Srijut GAURI KANTA TALUKDAR asked :

195. Are Government aware—

- (a) That in several localities in the Province, particularly in the Kamrup District the cultivators of sugarcane prepare *gur* and keep it in liquid form ?
- (b) That this *gur* prepared in liquid form is unsuitable for storing and unfit for preservation for a long time ?
- (c) That most of those cultivators do not appreciate the advantages of preparing *gur* in the dried form ?
- (d) That even those cultivators who are willing to abandon their traditional method of keeping of *gur* in liquid form are unable to help themselves as they are ignorant of the process of manufacturing *gur* in dried condition ?

196. If the reply to the above Questions be in the affirmative, do Government propose (i) to start a vigorous propaganda for introducing the system of manufacturing *gur* in dried form and (ii) to engage some experts to help the ignorant cultivators of these localities in this useful art ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

195. (a)—Yes.

(b)—Yes.

(c)—Yes.

(d)—Yes.

196. (i) and (ii)—Government will undertake demonstrations.

Prohibition of intoxicants

Dr. JINARAM DAS asked :

197. Will Government be pleased to state—

- (a) When they are going to introduce complete prohibition in Assam ?
- (b) Whether immediate steps will be taken to start prohibition ?

The Hon'ble Maulana MAHOMED TAYYEBULLA replied :

197. (a) and (b)—Total prohibition of opium is already in force in the Included and Partially Excluded Areas of the Province. The Assam Opium Prohibition Act, 1947, comes into force from 1st April, 1948. The question of prohibiting liquor was recently considered by a Committee, which came to the conclusion that the present was not the time for attempting a full scale drive but suggested certain preliminary measures for preparing the ground. As regards other intoxicants no effective measures have so far been taken.

Employment of refugees personnel from Pakistan in the Public Works Department

Srijut NILMANI PHOOKAN asked :

198. (a) Is it a fact that Government have decided to employ some of the refugees technical personnel from Pakistan direct to posts held by Class I and II Service Officers of the Public Works Department ?

(b) Have any of such people been already employed in the Department in Class I and II ?

(c) If so, how many, on what scale of pay and under what terms and conditions ?

(d) What will be their positions and future prospects for promotion in relation to the sons of the soil who are already employed in that Department in Class I and II or are still working in the 'temporary' list ?

The Hon'ble Rev. J. J. M. NICHOLS-ROY replied :

198. (a)—No.

(b)—None.

(c) and (d)—Do not arise.

Realisation of Sales tax on Cigarettes, etc.

Mr. C. W. MORLEY asked :

199. (a) Are Government aware that 2 pice is being charged as Sales tax on 5-anna and 6-anna packets of cigarettes and a 3-anna packet of Biris ?

(b) If so, whether any action has been taken in this respect ?

(c) If not, do Government propose to make enquiries and take necessary action in the matter ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

199. (a)—Government have no information as to whether the charges are levied by registered and/or unregistered dealers at the rates named. They have no information whether the levy, if any, is in the form of a tax or increased sale price.

(b)—Does not arise.

(c)—The matter will be enquired into.

Settlement of Government Waste Lands in Hazo Mauza

Srijut GAURI KANTA TALUKDAR asked :

200. Will Government be pleased to state—

(a) Whether it is a fact that about four thousand bighas of Government waste land in Kumargaon, Dakhinsingara and some other neighbouring villages of Hazo Mauza in the Gauhati Subdivision formerly under water and unfit for cultivation have recently become fit for cultivation ?

(b) Whether it is a fact that the Revenue Authorities of the Kamalpur Circle proposed to settle the lands with persons who already possessed lands in sufficient quantities ?

(c) Whether it is a fact that the public and the Upar-Barbhag and Paschim Barigong Krishak Sabha in particular protested against the proposed settlement by their resolution, dated 12th January 1948 submitted to the Deputy Commissioner, Kamrup ?

- (d) Whether it is a fact that the Upar-Barbhag Congress Committee also protested against the proposed settlement and suggested that the lands should be reserved for constituting a Model Village there ?
- (e) The area of lands fit for cultivation and available for settlement in the said locality ?
- (f) Whether the said lands or any portion of them have been settled with anybody ?
- (g) If so, what is the area settled ?
- (h) If the reply to Question (f) above is in the negative, (i) whether Government propose to utilise the lands for establishing a Model Village there and (ii) whether Government propose to settle the same with cultivators without lands or having lands less than 30 bighas in area ?

The Hon'ble Srijut BISHNURAM MEDHI replied ?

200. (a)—(h)—The information have been called for and will be supplied to the hon. Member when they will be received from the local officers concerned.

Settlement of lands acquired by Government for Military purposes

Srijut BHADRA KANTA GOGOI asked :

201. (a) Are Government aware that the following lands were acquired by the Government for Military purposes under Deputy Commissioner, Lakhimpur's office Memo. No. III/L-4/2015-19 RQ., dated the 8th May 1944 :—

Mouza	Village	Patta No.	Dag No.	Area of land B. K. L.
Tinsukia ...	Town Area	P. P. 168	1369	1—3—18
Ditto	ditto	„ „	1370	1—0—15
Ditto	ditto	„ „	1375	2—3—10
Ditto	ditto	„ „	1376	7—4—19

(b) Are Government aware that the Deputy Commissioner, Lakhimpur, gave notice by letter No. III/L-4/2323-49-R., dated the 16th September 1946, to the owner Tarachand Agarwalla and others, that the said lands were no longer required by Government and that it would be settled with the original pattadar on payment of the amount already paid to them as costs and compensation for the land ?

(c) Are Government aware that the owners agreed to refund the amount paid to them as compensation and agreed to accept the settlement ?

(d) If so, why the lands in question have not yet been given back to them ?

(e) Is it a fact that another influential party is trying to get the said lands and that Government is going to settle the lands with that party ?

(f) Will Government be pleased to refer to the reply given to Starred Question No. 126 asked by Srijut Lakshesvar Borooah, M.L.A., on the 2nd September, 1947 (*vide* page 982 of the Assembly debates of that date) and its supplementaries and propose to take immediate steps to give back the lands to the original owners ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

201. (a)—Yes.

(b)—Yes.

(c)—Yes.

(d)—After acquisition the lands become the property of the Central Government and they will be disposed of according to their Rules.

(e)—Whether a certain party is influential or not is a matter of opinion, but the Assam Oil Company is an applicant for the land. It is however not a fact that this Government are going to settle the land with any party.

(f)—Government have moved the Military Authorities to make over the land to the owners in case it is not wanted by the Central Government.

Persons provisionally opted to serve in Pakistan

Dr. EMRAN HUSAIN CHAUDHURY asked :

202. Will Government be pleased to state what is the number of people who on account of their provisional option to serve in Pakistan have been released by Government.

The Hon'ble Srijut GOPINATH BARDOLOI replied :

202.—1,812 persons from different services and establishments have been released for services in Pakistan.

Opium Smuggling Cases

Dr. EMRAN HUSAIN CHAUDHURY asked :

203. Will Government be pleased to state—

(a) The number of opium smuggling cases detected annually from 1939 upto now ?

(b) How many of these smugglers were convicted ?

(c) How many of these were acquitted ?

(d) What amount of the opium detected was Government manufactured and what amount contraband ?

The Hon'ble Maulana MAHOMED TAYYEBULLA replied :

203, (a) to (d)—A detailed statement is placed on the Library Table.

Establishment of an Engineering College in Assam

Dr. EMRAN HUSAIN CHAUDHURY asked :

204. Will Government be pleased to state—

- (a) Whether they propose to start an Engineering College in Assam ?
- (b) If so, when ?
- (c) What is the amount of money Government propose to spend on it ?
- (d) Whether they propose to start the said College at Jorhat from the view point of economy ?

The Hon'ble Rev. J. J. M. NICHOLS-ROY replied :

204. (a)—Yes.

(b)—The scheme is still under preparation.

An Engineering School has already been established at Gauhati in January 1948 and the plan is to enlarge it into a combined Engineering School and College. A sum of Rs.1,60,000 has been provided in the next year's Budget for the construction of combined Engineering School and College building.

(c)—It is not possible now to give an idea of the amount to be spent as the scheme is still under preparation.

(d)—This will be established at Gauhati where greater facilities would be available for the purpose, with the establishment of the University of Assam.

Bus Services between Jorhat and Sibsagar and Teok

Srijut HARINARAYAN BARUA asked :

205. (a) Will Government be pleased to state the number of Bus Services running from Jorhat to Sibsagar and *vice versa* ?

(b) Are Government aware that the number of Bus Services over this road is insufficient for the passengers ?

(c) Are Government aware that a large number of passengers have to wait on roadside and cannot get accommodation in the existing Bus Services ?

(d) If so, will Government be pleased to state what steps they are taking in the matter ?

(e) Do Government propose to remove this inconvenience by increasing the number of Buses from Jorhat to Sibsagar ?

(f) Do Government propose to take necessary steps for running one Bus after every one hour on this road ?

206. (a) Are Government aware that the existing Bus Services from Jorhat to Teok are absolutely inadequate for the increased number of passengers ?

(b) Are Government aware that the Sibsagar Bus Services do not carry passengers for Kakajan, Teok, Jhanji and other way-side places and only pick up those for Sibsagar ?

(c) Is it a fact that the public of Jorhat and Teok submitted a representation to the Upper Assam Regional Authority for granting permit for an additional Bus Services on this route ?

(d) Is it a fact that the said representation was rejected by the Upper Assam Regional Transport Authority ?

(e) If so, why ?

(f) Do Government propose to reconsider the case and put two more buses on this route ?

The Hon'ble Srijut RAMNATH DAS replied :

205. (a)—Eleven buses between Jorhat and Sibsagar and one Bus between Jorhat and Jhanji.

(b)—No.

(c)—No.

(d), (e) & (f)—Do not arise.

206. (a)—No.

(b)—No. On such occasions as when the Bus is fully occupied by through passengers, passengers to or from way-side stations are not allowed to be picked up. There is, moreover, a regular bus service between Jorhat and Jhanji.

(c)—Yes.

(d) & (e)—Yes. Due to shortage of petrol.

(f)—No, not till the petrol position improves.

Nationalisation of Bus and Ferry Services

Srijut HARINARAYAN BARUA asked :

207. Will Government be pleased to state—

(a) Whether they are contemplating to nationalise the Bus services on the main routes and the Ferry services ?

(b) If so, when they are going to give effect to the scheme ?

The Hon'ble Srijut RAMNATH DAS replied :

207. (a)—Yes. Government contemplate to nationalise gradually transport on most of the important roads in the Province. There is no proposal at present to nationalise the Ferry services.

(b)—The Gauhati-Nowgong route has been nationalised with effect from 15th of January, 1948. For the other routes no definite dates have been fixed yet.

River Barak Hydro-Electric Scheme

Babu BIDYAPATI SINGHA asked :

208. (a) Are Government aware that hydro-electricity can be generated by making a dam at the source of the river Barak ?

(b) If not, has any expert enquiry been made in the matter and what is the recommendation, if any, of the said enquiry ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

208. (a)—Yes.

(b)—Government have brought this to the notice of the Central Waterways, Irrigation and Navigation Commission. Last month a Project Officer deputed by the Commission inspected the proposed dam site. His report is awaited.

Enactment of Cachar Urban Tenancy Legislation

Babu BIDYAPATI SINGHA asked :

209. (a) Will Government be pleased to state whether they have received any representation from the tenants of Hailakandi and Silchar towns requesting Government to enact a Cachar Urban Tenancy Legislation ?

(b) If so, what action Government have already taken or propose to take in the matter ?

(c) Are Government aware that the landlords in the towns of Silchar and Hailakandi have served ejectment notices on their tenants in those towns and that some families have already been evicted from their holdings ?

(d) Do Government propose to introduce and pass an Urban Tenancy Bill for Cachar in the next Session of the Assembly or promulgate an Ordinance to save the helpless town tenants from the clutches of landlords ?

(e) Are Government aware that the landlords in the towns are arbitrarily increasing rents of their lands and are realising enormous salamies in giving lands to new tenants ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

209. (a)—Yes.

(b)—The matter is under consideration of Government.

(c) & (e)—Some representations have been received containing such allegations and have been sent to local Officers for report.

(d)—On receipt of report from the Deputy Commissioner the Government expect to come to definite decision in the matter.

Silchar G. C. College

Babu BIDYAPATI SINGHA asked :

210. (a) Do Government propose to provincialise the Silchar G. C. College and start Science classes in the said College from the next session ?

(b) If not, do Government propose to allot suitable non-recurring grant for starting Science classes to the said College ?

(c) Are Government aware that after the separation of the major part of Sylhet, the students of Cachar are much handicapped in having admission in Science classes elsewhere in the Province?

(d) Have Government received any representation from the people of Cachar for opening Science classes in the Silchar G. C. College to commemorate the name of Late A. K. Chanda?

(e) If so, do Government propose to consider the proposal sympathetically?

Srijut MAHENDRAMOHAN CHOUDHURY (Parliamentary Secretary) replied :

210. (a)—No.

(b)—No.

(c)—Not exactly inasmuch as the Karimganj College has opened Science classes.

(d)—No.

(e)—Does not arise.

Grant of permit to one Abdul Aziz to run a Bus in Garo Hills

Srijut SARAT CHANDRA SINHA asked :

211. (a) Are Government aware that one Abdul Aziz (*alias* Aziz Mia) has been granted a permit to run a Bus in the Garo Hills by the Regional Transport Authority in the meeting held on the 6th October 1947?

(b) Will Government be pleased to state (i) what is he (*i.e.*, aforesaid Abdul Aziz), (ii) whether he has any place of residence—a home in Assam, (iii) whether he is not a foreigner—a man from Pakistan, (iv) on what principle he was granted the permit, depriving the *bonafide* people of the soil?

(c) Do Government propose to rectify the wrong?

(d) Will Government be pleased to state who is responsible for such action?

The Hon'ble Srijut RAMNATH DAS replied :

211. (a)—Yes.

(b) (i)—Business-man.

(ii)—The residence of Abdul Aziz is found on verification to be in Tarangapur (Jabdirbhita), Lakhipur P. S., in the District of Goalpara.

(iii)—No.

(iv)—Does not arise.

(c) & (d)—Do not arise.

Teachers trained in Basic Education

Srijut HEM CHANDRA HAZARIKA asked :

212. Will Government be pleased to state—

(a) The number of teachers up till now for training in Basic education at different centres of India?

(b) The date of their returning after completion of their training and how they are being engaged since then?

(c) Whether any curriculum of Basic education has been prepared by the Department concerned?

- (d) If so, whether Government propose to distribute copies thereof to different Schools ?
- (e) Whether it is a fact that some of the teachers trained in Basic Education are sitting idle ?
- (f) If so, whether Government propose to send them to Venture Institutions for being employed there ?

Srijut MAHENDRAMOHAN CHOUDHURY (Parliamentary Secretary) replied :

212. (a)—Twelve were sent to Wardha and twelve to Delhi in 1946. One of those sent to Wardha returned without completing the course. One Mission teacher reverted to her own school. On the separation of Sylhet three were discharged. Nineteen are now working in Assam. In 1947, ten more teachers were sent for training at Delhi, and four women teachers were sent to Wardha.

(b)—The teachers sent in 1946 returned in April 1947. The teachers sent in 1947 will return in April 1948. Since their return they have been engaged in the preparation of text-books, reading sheets, charts and other literature in Assamese and Bengali for use in Basic Schools.

(c)—Curricula for Basic Schools have been prepared by the Ins- tructors and are now being tested in the Practising Schools. It is proposed to print them after a year's trial.

(d)—Literature will be distributed to school in each "Compact Area" as the schools are taken over.

(e)—No.

(f)—Does not arise.

Number of temporary Teachers in Assam Valley and names of teachers attending B. T. classes in Shillong

Srijut HEM CHANDRA HAZARIKA asked :

213. Will Government be pleased to place on the table a statement showing the number of temporary teachers in the different Schools of Assam Valley, showing their academic qualifications with dates of their appointment ?

214. Will Government be pleased to place on the table a statement showing the lists of teachers appointed on probation and on permanent basis during the years 1945-46, 1946-47, and 1947-48 showing the dates of their appointment on a temporary basis, their academic qualifications, the dates of their appointment on probation and also dates of confirmation with their home districts ?

215. Will Government be pleased to state—

(a) The names of teachers now attending B. T. Classes at Shillong showing their home districts and Schools they are recruited from ?

(b) What is the principle of selection of teachers for such training ?

Srijut MAHENDRAMOHAN CHOUDHURY (Parliamentary Secretary) replied :

213, 214, & 215. (a)—*Statements are placed on the table.

(b)—Number of untrained teachers of each school is taken into account in selecting teachers for B. T. Course. Teachers who are permanent or likely to be made permanent are generally deputed for the training.

*Statements have been placed on the Library Table as they are too big and unwieldy to be printed at short notice.

**Quantity of Petrol issued in North Lakhimpur Subdivision during
1946-47 and 1947-48**

Srijut HEM CHANDRA HAZARIKA asked :

216. Will Government be pleased to place on the table a statement showing the quantity of petrol issued in the North Lakhimpur Subdivision during the year 1946-47 and 1947-48 to date to the following :—

- (i) Private lorries with names of owners,
- (ii) Public carriers with names of owners,
- (iii) Lakhi mpur Bus-Syndicate,
- (iv) Co-operative Motor Transport Association, and
- (v) Private car owners?

The Hon'ble Srijut RAMNATH DAS replied :

216.* A statement giving the figures called for up to the end of October 1947 is laid on the table.

Provision of Concrete wells, Tube wells, etc., in Rural Areas

Mr. BINODE KUMAR J. SARWAN asked :

217. Will Government be pleased to state :—

- (a) The total number together with names of places in rural areas where the Public Works Department and Local Boards have constructed (i) Concrete ring wells, (ii) Tube wells, and (iii) tanks (information to be given district by district).
- (b) The distances of such ring wells, tube wells and tanks from one to the other ?
- (c) Are Government aware that these fall far short of the needs of the people?
- (d) Do Government propose to take immediate steps to provide more wells for drinking water in rural areas?

The Hon'ble Rev. J. J. M. NICHOLS-ROY replied :

217. (a) & (b).—The hon. Member is referred to the replies which were sent to him with a statement (in original) containing the required information to his home address.

(c) & (d).—Government are fully aware of the need for an over-all improvement of rural water supply and for this purpose have sanctioned and propose to sanction special grants.

Exercise of option for services in Pakistan or Rest of India

Srijut SATINDRA MOHAN DEV asked :

218. (a) Is it a fact that Government of Assam asked all their officers including the non-gazetted staff in the District of Sylhet on 1st July 1947 (before the Sylhet Referendum was held) to exercise their option for service in "Pakistan" or "the Rest of India" and at the same time guaranteed their existing terms and conditions of service?

(b) If so, will Government be pleased to state whether it was the duty of Government to take necessary steps for the transfer and absorption of those

* Statement has been placed on the Library Table as it is too big and unwieldy to be printed at short notice.

of the employees of the Sylhet District who opted for "Rest of India" before the transfer of power on the 15th August, 1947, the Appointed Day?

219. Will Government be pleased to state—

- (i) The number of persons in different classes of services released from the District of Sylhet by the Government of East Bengal for their having opted for "Rest of India"?
- (ii) The number of vacancies created in all Departments of all Government Offices in Assam by release of employees who originally opted for "Pakistan" the number being shown according to classification of service.
- (iii) How many of the released employees from Sylhet have been absorbed in the vacancies created by Pakistan-opting personnel and how the remainder of the released employees from Sylhet have been dealt with?
- (iv) The number of new or normal vacancies which occurred in various offices and departments including the Secretariat and offices of the Heads of Departments since 1st July 1947 and how many of these vacancies have been filled up by released personnel from Sylhet and how many by fresh recruits?
- (v) The number of temporary employees or the District of Sylhet who have been discharged for their having opted for "Rest of India"?

220. Will Government be pleased to state the total number of officers and staff (stating their names and the post held by each) in various departments and offices of the Government of Assam at present continuing in service?

- (i) Who have been re-employed after retirement?
- (ii) Who, having attained the age of superannuation, been granted extensions of service for one or more terms, not against each—the date when such extension will expire?
- (iii) Who have earned retiring or superannuation pension?

221. Will Government be pleased to consider the question of absorbing the released employees from Sylhet by discharge of fresh recruits taken since 1st July 1947, *vide* Question 218(iv) above and also by discharge of those who come under the category of Question 219 above?

The Hon'ble Srijut GOPINATH BARDOLOI replied:

218. (a)—Government of Assam carried out certain instructions of Government of India in this behalf and asked officers abovementioned the nature of option they would exercise on the basis of agreement between Pakistan and India whereby guarantees of service were given.

(b)—This Government was in the beginning of the opinion that the employees in the Lower Grade of Service might like to revise their option, which was exercised at a moment of great tension in favour of their place of residence. It was also not possible to effect transfer of a large number of employees within such a short time and moreover in the interest of administration Government had to adopt a "carry on principle" in the beginning.

219. (i) & (v)—A statement is laid on the Library table.

(ii) to (iv)—A statement is laid on the Library table.

It must be remembered that the "vacancies" are shown on the basis of the cadres as existed before partition and no allowance has been made for necessary reductions due to separation of Sylhet.

220. (i) & (ii)—A statement is laid on the Library table.

(iii)—The information is contained in the statement in reply to (i) & (ii).

221.—As a result of discussion with the Government of India this Government have accepted the principle that (1) Vacancies created by options to Pakistan would be filled up by the permanent officers of Sylhet opting for India. (2) The rest must be considered as excess to requirements in the Province and would be dealt with under normal rules appertaining to retrenched personnel. It should be remembered that the secession of Sylhet would mean a reduction of the staff by nearly $\frac{1}{4}$ th, if not more.

Cloth smuggling cases

Dr. EMRAN HUSAIN CHAUDHURY asked :

222. Will Government be pleased to state—

(a) How many cloth smuggling cases have been detected between 1942 and August 1947 ?

(b) How many of these were convicted and how many acquitted ?

223. Will Government be pleased to state—

(a) Whether it is a fact that the entire inspecting staff of the Textile Department, Jorhat were suspended on 28th February 1946 ?

(b) If so, why ?

(c) Whether any of the said staff has been reinstated ?

(d) Whether these officers have been paid their salaries during the period of suspension ?

(e) If not, why not ?

The Hon'ble Srijut OMEO KUMAR DAS replied :

222. (a)—1122 cases.

(b)—630 cases ended in conviction and 352 cases in acquitted and the balance are still pending.

223. (a)—Yes, on the 27th February 1946.

(b)—For suspicion about their honesty.

(c)—Yes, except the Superintendent all the other 3 officers have been reinstated.

(d) & (e)—Yes, the Textile Inspector has been allowed to draw his pay for the whole period of suspension ; but the other two officers have been allowed to draw subsistence allowance only as Government were not fully satisfied with their explanations.

Government Stipendiaries in the Bengal Veterinary College

Maulavi MAHAMMAD ROUFIQUE asked :

224. (a) Is it a fact that the stipends of six Government stipendiary students, reading in the Bengal Veterinary College have not yet been paid since August, 1947 ?

(b) If so, who is responsible for this ?

(c) Do Government propose to pay their stipends regularly ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

224. (a)—There was some delay in the issue of the necessary authority from the Comptroller due to certain technical errors made in the Office of the Director, Veterinary Department. The authority has since been issued.

(b) & (c)—Hon. Member is referred to the reply to question 224 (a).

Spread of Bovine Pleuro-Pneumonia among the Cattle

Srijut GAURI KANTA TALUKDAR asked :

225. (a) Are Government aware that Bovine Pleuro-Pneumonia has spread itself among the cattle almost all over the Province ?

(b) Is it a fact that the Government of India sanctioned a big sum of money to fight this fell disease in Assam ?

(c) If so, what was the amount and how the money has been spent ?

(d) Whether any money remains unspent ?

(e) If so, why ?

226. (a) Is it a fact that the Commissioner of Animal Husbandry of the Government of India was greatly dissatisfied with the working of the Veterinary Department of this Province and submitted a report to the Assam Government to this effect ?

(b) If so, will Government be pleased to state what action was taken to improve the matter by this Government and when the said report was received by them ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

225. (a)—Yes, in the Assam Valley.

(b)—Yes, an appreciable sum.

(c)—Rupees 1,02,000 spread over a period of five years. The sum could not be utilised so far for want of Veterinary Officers.

(d) & (e)—Do not arise.

226. (a)—No.

(b)—Does not arise.

Bovine Contagious Pleuro-Pneumonia Control Scheme

Maulavi MAHAMMAD ROUFIQUE asked :

227. Will Government be pleased to state—

(a) Whether the post of Officer-in-charge of Bovine Contagious Pleuro-Pneumonia Control Scheme which was advertised last year, has since been filled up ?

(b) If so, by whom ?

(c) If not, why not ?

(d) How many Assamese Veterinary Assistant Surgeons applied for the said post and with what result ?

(e) Why the post of Assistant Research Officer and the posts of 12 Veterinary Assistant Surgeons for the said scheme were re-advertised this year as well ?

- (f) Whether it is a fact that a sum amounting to Rs.35,000 to Rs.40,000 was allotted by the Central Government for this scheme ?
- (g) If so, why the Government could not utilise the amount ?
- (h) Whether it is a fact that the amount is lapsing since the last 2 years ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

227. (a)—No.
- (b)—Does not arise.
- (c)—Owing to dearth of Veterinary Assistant Surgeons who form the main part in the implementation of the Scheme.
- (d)—Two. There being no application for the posts of Research Assistant and Veterinary Assistant Surgeons, no nomination was sent by the Assam Public Service Commission for the post of the Officer-in-charge.
- (e)—There being no response to the previous advertisement.
- (f) & (g)—Hon. Member is referred to the reply to Question No.225 of Srijut Gauri Kanta Talukdar.
- (h)—Yes.

Supply of drinking water in rural areas

Srijut KARKA DALAY MIRI asked :

228. (a) Are Government aware that all the Members of the Legislative Assembly were not consulted by the local authorities in regard to the better supply of drinking water in rural areas under the Rural Water Supply Scheme ?
- (b) If so, why ?

The Hon'ble Srijut RAMNATH DAS replied :

228. (a)—Yes.
- (b)—It was not considered necessary to include all the Members of the Legislative Assembly in the site selection Committees under the Rural Water Supply Scheme, to avoid the Committees becoming unwieldy.

Opening of silted mouth of river Dhaleswari

Babu BIDYAPATI SINGHA asked :

229. (a) Are Government aware that by opening the silted mouth of the river Dhaleswari in the Hailakandi Subdivision, floods there may be prevented and internal transport facilitated ?
- (b) If not, do Government propose to make an expert enquiry in the matter ?

The Hon'ble Rev. J. J. M. NICHOLS-ROY replied :

229. (a)—The preliminary investigation made by the Embankment and Drainage Branch Officers points to such a possibility.
- (b)—Does not arise.

Muslim Officers discharged or released for service in Pakistan

Maulavi MUHAMMAD ABUL KASHEM asked :

230. Will Government be pleased to state—

- (a) How many Muslim Officers from Assam have been discharged or released from their service in Assam as a result of their opting for Pakistan ?
- (b) How many of these Officers revised their option for rest of India after they were given the right to do so ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

230. (a)—1,553 Muslim Officers of all rank were released for service in Pakistan. None was discharged.

(b)—465. Government gave an opportunity to all employees to revise their options but had to cancel that in view of the attitude taken by the Government of East Bengal.

Members of the Sub-Committee of the Liaison Committee for distribution of Corrugated Iron Sheets at Jorhat

Dr. EMRAN HUSAIN CHAUDHURY asked :

231. Will Government be pleased to state—

- (a) What are the names of the members of the Sub-Committee of the Liaison Committee for distribution of Corrugated Iron Sheets at Jorhat ?
- (b) Whether it is a fact that the members of that Committee distributed this commodity mostly among themselves without regard to the needs of the public ?
- (c) If so, why ?
- (d) Whether any steps have been taken by Government against these gentlemen ?
- (e) If so, what are they ?

The Hon'ble Srijut OMEO KUMAR DAS replied :

231. (a)—The following are the members of the Sub-Committee appointed by the Liaison Committee, Jorhat for the distribution of Corrugated Iron Sheets.

1. The Deputy Commissioner.
2. The Supply Superintendent.
3. Srijut G. Dutta.
4. Srijut P. K. Barua.
5. Maulavi K. B. R. Ahmed.
6. Maulavi A. Malik.
7. Srijut S. N. Bharali.
8. Sardar S. S. Singh.
9. Babu Mahadeb Agarwalla.

(b)—No, only a small percentage, i. e., 13.38 of the commodity went to some of the members and the rests were distributed with due regard to the needs of the public.

(c)—Does not arise.

(d)—No.

(e)—Does not arise.

Abolition of Sarakachi Liquor Shop

Srijut HARINARAYAN BARUA asked :

232. Will Government be pleased to state—

(a) Whether they have received any representation from the public demanding the abolition of the liquor shop at Sarakachi in the Golaghat Subdivision ?

(b) Whether Government are aware that the public of that area are agitating for abolition of the said shop ?

(c) Whether Government propose to take steps to abolish the same ?

The Hon'ble Maulana MAHOMED TAYYEBULLA replied :

232. (a)—There is no shop by the name of Sarakachi liquor shop in the Golaghat Subdivision. The hon. Member apparently refers to the Barkachari country spirit shop in respect of which a representation from the villagers of Raidangia village was received in 1946 for its abolition. A counter petition from Srijut Saru Ram Sonowal and some others of Barhola village which is adjacent to the shop, was also received and as such Government decided to continue the shop.

(b)—Government is not aware of any agitation except the petition referred to above.

(c)—The question of abolition of the Barkachari liquor shop in connection with preparing the ground for a future campaign for liquor prohibition by restricting the number of shops is under consideration of the district officer.

Damages done by rivers to agricultural lands

Srijut HEM CHANDRA HAZARIKA asked :

233. (a) Are Government aware that the rivers Subansiri, Ranga Nodi, Dhal, Kakai and other hill streams have been causing damages to the agricultural produce of a large number of people every year and that the vast area of fertile land is being flooded annually rendering unfit for human habitation and cultivation ?

(b) Do Government propose to take river training or other suitable measures to reclaim this vast area of land so that the lands under water may be made fit for cultivation ?

The Hon'ble Rev. J. J. M. NICHOLS-ROY replied :

233. (a)—Government are aware of this damage.

(b)—A scheme for the necessary works has already been drawn up, sanctioned, and funds allotted.

There are some difficulties in execution due to shortage of labour available for works this year besides the shortage of technical staff in the Department.

Every attempt is being made, however, to execute this work as early as circumstances may permit.

Charitable Dispensaries of different Subdivisions

Srijut HEM CHANDRA HAZARIKA asked :

234. Are Government aware that the Charitable Dispensaries of different Subdivisions under the Local Boards are managed with inadequate funds ?

235. Will Government be pleased to state the number of dispensaries under the Local Boards possessing microscopes ?

236. Do Government propose to provide the various dispensaries under the Local Boards with funds for having sufficient stocks of up-to-date drugs ?

237. (a) Will Government be pleased to state whether they received resolutions from Dispensary Committees of North Lakhimpur Town, Bihpuria, Bordolani and Dhakuakhana dispensaries of North Lakhimpur Subdivision requesting the Government and the Board for enhancing their grant-in-aid to meet their deficit budgets for the last two years ?

(b) If so, whether Government propose to sanction the amounts prayed for ?

The Hon'ble Srijut RAMNATH DAS replied :

234.—Yes.

235.—The information is not available.

236.—Government gave extra grants to the Local Board dispensaries in 1946-47 to the extent of Rs.38,220 and a sum of Rs.76,000 in 1947-48.

237. (a)—Resolution was received from Bihpuria Dispensary Committee but no such resolutions were received from others. Government however, gave extra grants to all these dispensaries as below :—

				Year	
				1946-47	1947-48
				Rs.	Rs.
1. North Lakhimpur Hospital	...	...	...	150	1,700
2. Bihpuria Dispensary	...	...	...	200	500
3. Bordolani Dispensary	...	...	...	100	500
4. Dhakuakhana Dispensary	...	...	...	200	600

(b)—Does not arise in view of answer to question 237(a).

Girls' Middle Vernacular and Middle English Schools at Dhakuakhana and Badati

Srijut HEM CHANDRA HAZARIKA asked :

238. (a) Are Government aware that the people of Dhakuakhana and Badati of Bihpuria Mouza have been managing Girls' Middle Vernacular and Middle English Schools with great difficulties for several years ?

(b) Do Government propose to take over the management of these institutions to encourage female education in backward area like North Lakhimpur ?

Srijut MAHENDRA MOHAN CHOUDHURY (Parliamentary Secretary) replied :

238. (a)---The Government have no information.

(b)---Reports are being called for and on receipt of these such action as might be thought necessary will be taken.

Dhakuakhana Middle Vernacular School Building

Srijut HEM CHANDRA HAZARIKA asked :

239. (a) Are Government aware that Dhakuakhana Middle Vernacular School building requires immediate reconstruction ?

(b) If so, what step, if any, has been taken by the Government in this respect ?

(c) Are Government aware that the Dhakuakhana Girls' Middle Vernacular School and Middle English Combined School is the only institution of its kind to meet the demand for a large number of Girls in the Subansiri Circle and that it has received no substantial recurring and non-recurring grant from the Government ?

(d) Do Government propose to take up the management of the said School ?

Srijut MAHENDRA MOHAN CHOUDHURY (Parliamentary Secretary) replied :

239. (a)---Yes.

(b)---We have already written to Public Works Department to prepare plan and estimate for reconstruction of the building.

A special grant has been sanctioned this year for thorough repair of the existing building.

(c)---Yes. A recurring grant has already been sanctioned during the current year for general maintenance of the School.

(d)---Not at present.

J. B. College, Jorhat**Srijut DANDESWAR HAZARIKA** asked :

240. Will Government be pleased to state—

- (a) When the J. B. College, Jorhat, was established ?
- (b) Whether it is a fact that this is the oldest Private College in the Assam Valley ?
- (c) Whether Government are aware that there are separate Commerce and ladies' sections in the College, besides Arts ?

241. Will Government be pleased to state—

- (a) The total number of students and staff in the different departments of the College ?
- (b) What is the average income and expenditure of the College per month at present ?
- (c) Whether Government are aware that the present recurring Government grant for the above College is quite inadequate in comparison with that of other private colleges of the Province ?
- (d) What are the main factors taken into consideration by Government at the time of distribution of grants to private colleges ?
- (e) Whether Government are aware that the authorities of the above College are running the college with great financial difficulties ?
- (f) If so, whether Government propose to allot sufficient recurring and non-recurring grants in the next Budget for the College ?

242. (a) Are Government aware that the public and the authorities of the J. B. College, Jorhat, are trying to open a Science section of the above College very soon in order to remove the long-felt need of the students of Upper Assam ?

(b) Is it a fact that they sent representations and deputations to Government requesting them to hand over the present Deputy Commissioner's Bungalow to the College Authorities for the above purpose ?

(c) If so, have Government come to any decision in the subject ?

(d) If not, do Government propose to take necessary steps for handing over the bungalow to the College authorities early ?

Srijut MAHENDRAMOHAN CHOUDHURY (Parliamentary Secretary) replied :

240. (a)—The J. B. College was established in October 1930.

(b)—Yes.

(c)—Yes.

241. (a)—(i) Number of students—

Arts (Boys) ...	...	...	486
Commerce (Boys) ...	...	...	75
Arts (Girls) ...	...	...	49

(ii), Total number of members in the teaching staff in different Departments of the College is 17.

(b)—Average monthly income during the year 1946-47 including the Girls' Section is Rs.5,404-12-0. Average expenditure (monthly) Rs.6,060-11-0.

(c)—Not exactly.

(d)—The following factors are taken into consideration at the time of distribution of grants to private Colleges:—

(1) Number of enrolment in the Colleges.

(2) Average income and expenditure of the Colleges.

(3) Subject or subjects taught in the Colleges.

(e)—The College authorities have so represented.

(f)—Government have proposed an increased grant to the extent of Rs.1,000 per mensem, with effect from the 1st April, 1948.

242. (a)—Yes.

(b)—Yes.

(c)—The matter is receiving attention of the Government.

(d)—Does not arise.

Sericultural Demonstration Farms, Staffs and their activities

Srijut HEM CHANDRA HAZARIKA asked :

243. (a) Do Government propose to start a Sericultural Demonstration Farm in each Subdivision of Assam ?

(b) If so, will Government be pleased to state whether they would provide funds for starting such farms in each Subdivision immediately ?

244. (a) Are Government aware that in Assam rearing and spinning works of *Pat* and *Endi* are carried on efficiently by women generally ?

(b) If so, do Government propose to send willing ladies for training and engage them as Demonstrators to rear and spin *Endi* and *Pat*, etc. ?

245. (a) Will Government be pleased to state the scale of pay now allowed to the Sericultural and Weaving Demonstrators ?

(b) Do Government propose to enhance the scale of pay of these officers ?

246. Will Government be pleased to state the number of model house for rearing Silk (Assam *Pat*) started by each of the Demonstrators and also the progress of work of each Demonstrator engaged in different centres ?

Srijut BIMALA PROSAD CHALIHA (Parliamentary Secretary) replied :

243. (a)—There is for the present a proposal to start 10 Silk Farms in addition to the existing 6 Farms. Therefore it will appear that almost every subdivision where there is scope for the industry will have a Farm.

(b)—Funds have already been provided for the purpose.

244. (a)—Yes.

(b)—As soon as the Sericultural Training Institute at Titabar is opened, the possibility of starting a female section will be looked into.

245. (a)—Sericultural Demonstrators—

Rs.30—4/2—50 (Old).

Rs.20—25—30—2/2—50 (New).

Weaving Demonstrators—

Rs.40—4—60 (Old).

Rs.35—40—2/2—60 (New).

(b)—Pay Committee's recommendations for revision of pay are under consideration of Government.

246.—The information is being collected.

Cost of collection of Land Revenue amounting to rupees one thousand in Sidli and Majuli Tahsil Area

Dr. JINARAM DAS asked :

247. Will the Hon'ble Minister-in-charge of Revenue be pleased to state the cost of collection of Land Revenue amounting to rupees one thousand in (1) Sidli Tahsil Area, (2) Majuli Tahsil Area and (3) Cachar District ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

247.—The cost of collection of Land Revenue amounting to Rs.1,000 in Sidli Tahsil area is approximately Rs.150 only. The information relating to the Majuli Tahsil area and Cachar district have been called for and will be supplied to the hon. Member when received from the local officers concerned.

Names of Mauzadars with their total amount of Revenue and annual commission

Dr. JINARAM DAS asked :

248. Will the Hon'ble Revenue Minister be pleased to state the names of Mauzadars of Assam with their total demand of Revenue and the annual commission they drew separately year by year from 1940-41 to 1947-48 ?

249. Will Government be pleased to state—

(a) The total amount of commission paid to Mauzadars for the year 1947-48 ?

(b) The total amount of revenue collected by Mauzadars during the same year ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

248.—The information relating to the districts of Goalpara and Garo Hills are given below. As for other districts they will be supplied to the

hon. Member later when they are received from the local officers concerned.

GOALPARA DISTRICT

Name of Mauza	Name of Mauzadar	Year	Demand of Land Revenue	Commission paid
			Rs.	Rs.
Dhubri and Latka	Babu Mrinal Kanta	1940-41	11,044	1,087
	Datta.			
Ditto	Ditto ..	1941-42	10,928	1,076
Ditto	Ditto ..	1942-43	10,956	1,079
Ditto	Ditto ..	1943-44	11,177	1,099
Ditto	Ditto ..	1944-45	11,162	1,098
Ditto	Ditto ..	1945-46	11,218	1,101
Ditto	Ditto ..	1946-47	10,739	1,074
Ditto	Ditto ..	1947-48	10,754	Not yet drawn.

GARO HILLS

Mauza V	..	Maulavi Kobad Hussain	1940-41	9,514	951	
		Ditto ..	1941-42	9,956	950	
		Ditto ..	1942-43	13,582	1,159	
		Ditto ..	1943-44	20,596	1,508	
		Maulavi Nurul Islam ..	1944-45	3,830(a)	383	(a) A balance of
		Ditto ..	1945-46	21,229	1,566	Rs.16,834 for
		Ditto ..	1946-47	21,410	1,553	this year was
		Ditto ..	1947-48	21,833	Not yet paid.	realised by
Mauza VI	..	Maulavi Bazlur Rahman.	1940-41	12,751	1,185	Mandal who
		Ditto ..	1941-42	12,906	972	was a paid
		Ditto ..	1942-43	13,829	1,048	Government
		Maulavi Aynal Huq ..	1942-43	2,870	287	Servant.
		Ditto ..	1943-44	23,965	1,699	
		Ditto ..	1944-45	690	69	
		Maulavi Abdul Sattar	1944-45	23,381	1,511	
		Ditto ..	1945-46	24,376	1,718	
		Srijut Bimal Bhusan	1946-47	23,777	1,689	
		Barman.				
		Ditto ..	1947-48	23,825	Not yet paid as the year is still current.	
Mauza VII	..	Srijut Rohini Kumar	1940-41	21,050	1,553	
		Barman.				
		Ditto ..	1941-42	21,276	1,500	
		Ditto ..	1942-43	25,944	1,730	
		Ditto ..	1943-44	38,376	2,351	
		Maulavi Kobad Hussain	1944-45	39,381	2,217	
		Babu Arabindra Sangmai.	1945-46	7,690	769	
		Srijut Rohini Barman	1945-46	35,149	1,798	
		Maulavi Abdul Sattar	1946-47	43,536	2,933	
		Ditto ..	1947-48	44,317	Not yet paid.	

Name of Mauza	Name of Mauzadar	Year	Demand of Land Revenue	Commission paid
			Rs.	Rs.
Mauza VIII	.. Khan Bahadur Maulavi	1940-41	15,679	1,286
	Md. A. Latif, M.B.E.			
	M. A. Elias Ziaosham	1941-42	13,744	1,219
	Ditto ..	1942-43	19,540	1,411
	Ditto ..	1943-44	27,605	1,815
	Ditto ..	1944-45	28,082	1,836
	Ditto ..	1945-46	28,518	1,937
	Ditto ..	1946-47	28,781	2,200
	Ditto ..	1947-48	28,922	Not yet paid.
Mauza IX	.. Mr. Moniram Marak ..	1940-41	8,063	806
	Ditto ..	1941-42	8,229	801
	Ditto ..	1942-43	9,895	965
	Ditto ..	1943-44	14,913	1,460
	Ditto ..	1944-45	15,154	1,253
	Ditto ..	1945-46	15,372	1,519
	Ditto ..	1946-47	16,094	1,556
	Ditto ..	1947-48	16,857	Not yet paid.
Mauza X	.. Babu Daigran Marak ..	1940-41	2,768	258
	Ditto ..	1941-42	2,738	249
	Ditto ..	1942-43	2,629	262
	Ditto ..	1943-44	2,662	266
	Ditto ..	1944-45	2,724	272
	Ditto ..	1945-46	2,791	279
	Ditto ..	1946-47	2,940	294
	Ditto ..	1947-48	3,005	Not yet paid.

249. (a) and (b)—The information is not available in view of the fact that the year is still current and the accounts of the Mauzadars have not yet been closed.

Assam Public Health Service Junior

Maulavi MD. NAZMAL HAQUE asked :

250. (a) Is it a fact that two grades of officers are maintained in the Assam Public Health Service Junior ?

(b) If so, will Government be pleased to state separately the (i) Designation, (ii) Qualifications required for appointment, (iii) Pay, (iv) Other privileges and (v) mode of promotion and future prospects of these two grades of officers ?

(c) Is it a fact that Urban Health Officers do not enjoy the same privileges in respect of pay, promotion, house rent, etc., as the Sub-Assistant Surgeons of Public Health Department ?

(d) If so, why ?

(e) Do Government propose to raise the status of the Urban Public Health Officers to that of the Sub-Assistant Surgeons of the Public Health Department ?

The Hon'ble Srijut RAMNATH DAS replied :

250. (a)—There are two cadres in the Public Health Department for Licentiate Doctors.

(b) (i)—Urban Health Officers and Sub-Assistant Surgeons, Public Health Department.

(ii)—Licentiate with D. P. H. and Hygiene qualification for the post of Urban Health Officers and Licentiate qualification only in case of other Sub-Assistant Surgeons.

(iii)—Urban Health Officers Rs. 100—5—200 with 10 per cent. selection grade posts at Rs. 225. Sub-Assistant Surgeons Rs. 75—5—175 with 6 per cent. selection grade posts at Rs. 200 *plus* special pay at Rs. 20—40 per mensem.

(iv)—Urban Health Officers:—Cycle allowance at Rs. 5 per mensem. Sub-Assistant Surgeons:—House rent allowance of Rs. 10 per mensem (temporarily raised to Rs. 15 in rural areas) and Rs. 20 in towns other than Shillong where it is Rs. 25 in lieu of free quarters.

(v)—Urban Health Officer:—Promotion to selection grade is made by the Director of Public Health, Assam, on seniority and merit.

Sub-Assistant Surgeons:—Promotion to selection grade is made by the Director of Public Health, Assam, on seniority and merit. Besides, one post in the cadre of Assistant Surgeon is reserved for the Sub-Assistant Surgeons and the promotion is made by Government on the recommendation of the Assam Public Service Commission.

(c)—Reply is given against question (b) above.

(d)—Special pay is not given to the Urban Health Officers because the conditions laid down in Fundamental Rule 9(25) are not fulfilled. The question of house rent for them is under consideration. In respect of promotion to the post of Assistant Surgeon to hold charge of districts as District Medical Officer of Health only the Sub-Assistant Surgeons are considered because of their varied experience in rural areas and knowledge of rural conditions.

(e)—Status of the Urban Health Officers is in no way inferior to other Sub-Assistant Surgeons of the Department.

Water Supply in the Mikir Hills

Srijut KHORSING TERANG asked :

251. (a) Are Government aware that the Questioner was not consulted by the Deputy Commissioner, Nowgong, regarding Water Supply in the Mikir Hills ?

(b) What amount has been allotted for Water Supply in the Mikir Hills and in what localities ?

The Hon'ble Srijut RAMNATH DAS replied :

251. (a)—Yes. The Deputy Commissioner will be advised to consult the hon. Member in the next year.

(b)—Rs. 10,210 in all is allotted to Mikir Hills in both Nowgong

and Golaghat Subdivision.

Localities :—

Nowgong District—

- (1) Namati Mauza at Akrengpathar (Nihar Ingtingaon).
- (2) Rangkhong—Barthal Kathiatoli, Kacharigaon.
- (3) Dwar Salonah—Kathalguri.
- (4) Lanka Mauza—Koi Ingti Gaobura village.

Golaghat Subdivision—

- (1) Barpathar.
- (2) Mohindijua—Borjan.
- (3) Dokhora—for Mikir villages only (East Rangma).
- (4) Sonapur—Donka Ching (Duardikharu).

Supply of Textile cloths to the Province

Srijut BHADRA KANTA GOGOI asked :

252. Will Government be pleased to state—

- (a) How many bales of textile cloths were supplied to the Province during the period from January, 1946 to December 1947, Subdivision by Subdivision ?
- (b) On what basis these were supplied ?
- (c) How many bales were allotted for the town areas and how many for the village people and how many for the tea garden labourers ?
- (d) What kind of cloths were supplied to the villagers and to the garden labourers ?
- (e) How many bales of *saris* and *dhutis* were allotted for Dibrugarh subdivision during this period ?
- (f) How many of these were supplied for the village people and garden labourers ?

The Hon'ble Srijut OMEO KUMAR DAS replied :

252. (a)—A statement containing the relevant information is placed on the table*.

(b)—The distribution is on a population basis in accordance with the census report of 1941.

(c)—The ratio of urban to rural allotments is in accordance with the Government directive for distribution, a copy of which is placed on the table.* The quotas for garden labourer is also on a population basis.

(d)—All available varieties were supplied including dhutis, saris, shirting, coating, Markin and Longcloth.

(e) & (f)—Information have been called for from the Deputy Commissioner concerned and will be supplied to the hon. Member when received.

*The Statement being too big has been placed on the Library Table as it could not be printed due to want of time.

Number of cases detected by Mr. Bagshee, officer-in-charge of Moran Thana

Srijut BEJOY CHANDRA SAIKIA asked :

253. Will Government be pleased to state—

- (a) The number of theft cases detected by Mr. Bagshee the present officer-in-charge of Moran Thana in the Lakhimpur District ?
- (b) How long and how many times he has been posted at Moran Thana ?
- (c) How many cases detected by him have ended in acquittal of the accused ?
- (d) In how many cases detected by him the accused have been convicted ?
- (e) Are Government aware that there is a gang of thieves at the Sisughat area in Lakhimpur District ?
- (f) How many times the raiyats of Sisughat area have applied to the Moran Thana for enquiry into the matter ?
- (g) Whether Government have received complaints to the effect that he has got monthly business with some selected persons ?
- (h) If so, do Government propose to have the matter enquired through Criminal Investigation Department and inform the House, the result thereof ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

253 (a), (c) & (d)—A statement is given below:—

LAKHIMPUR DISTRICT

A Statement showing the number of theft cases, etc., in Moran Police Station during the periods shown below.

From 21st March 1940 to 5th June 1940

	Detected	Convicted	Acquitted	Pending at Court
Theft	1	...	1	...
Burglary	1	...	1	...
411, I. P. C.	...	...	...	...
Robbery	...	...	...	...
Dacoity	...	...	...	...

From 12th September 1940 to 30th March 1942

Theft	15	12	3	...
Burglary	3	2	1	...
411, I. P. C.	4	4	...	...
Robbery	1	...	1	...
Dacoity	...	...	...	...

From 10th April 1945 to 23rd November 1945

Theft	8	6	2	...
Burglary	...	...	...	...
411, I. P. C.	...	...	...	...
Robbery	1	...	1	...
Dacoity	...	...	...	...

From 6th February 1946 to 29th February 1948

			Detected.	Convicted	Acquitted	Pending at Court
Theft	...	...	28	10	5	13
Burglary	...	...	14	2	3	9
411, I. P. C.	...	...	8	4	...	4
Robbery	...	...	3	...	1	2
Dacoity	...	...	2	...	1	1
<i>Total</i>						
Theft	...	...	52	28	11	13
Burglary	...	...	17	4	4	9
411, I. P. C.	...	...	13	8	1	4
Robbery	...	...	4	Nil	2	2
Dacoity	...	...	3	Nil	2	1

(b)—(i) From 21st March 1940 to 5th June 1940.

(ii) From 12th September 1940 to 30th March 1942.

(iii) From 10th April 1945 to 23rd November 1945.

(iv) From 6th February 1946 till now.

(e)—There is not enough material so far to hold that thieves have organised themselves into a gang. There was only one case sent up in 1946; no crime against property was reported in 1947.

(f)—No petition or representation about the alleged gang at Sisughat was recieved by Moran Police.

(g)—No.

(h)—If a complaint is recieved from a responsible source and appears *prima facie* well founded, Government will have it investigated.

Number of dacoity cases filed in the Dibrugarh subdivision

Srijut BEJOY CHANDRA SAIKIA asked :

254. Will Government be pleased to state—

(a) The number of dacoity cases filed in the Dibrugarh subdivision in the year 1946-47 (figures to be shown Thana by Thana) ?

(b) How many such cases have ended in (i) acquittal and (ii) conviction of accused persons and (iii) how many such cases are still pending (figures to be shown Thana by Thana) ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

234. (a) & (b)—A statement is given below :

Comparative Statement of Dacoity cases of Dibrugarh subdivision for the year 1946-47

Name of Police Station	Reported 1946-47	Charge sheet 1946-47	Convicted 1946-47	Acquitted 1946-47	Final report 1946-47	Pending trial 1946-47
Dibruarh P. S.	4 ..	1 ..	.. ..	1 ..	3 ..	.. ..
Moran P. S.	1 2	1 1	.. ..	1 ..	.. 1	.. 1
Tinsukia P. S.	.. 6	.. 2	.. ..	.. 1	.. 4	.. 1
Doom Dooma P. S.	3 ..	2 ..	1 ..	1 ..	1 ..	.. ..
Sadiya P. S.	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..
Digboi P. S.	1 ..	1 ..	1 ..	.. ..	.. ..	.. ..
Margherita P. S.	2 ..	.. ..	.. ..	.. ..	2 ..	.. ..
Jaipur P. S.	2 5	2 3	1 ..	1 ..	.. 2	.. 3
Bordubi P. S.	4 2	1 ..	1 ..	.. ..	3 2	.. ..

Maintenance expenditure for Government Buildings etc.**Mr. BINODE KUMAR J. SARWAN** asked :

255. Will Government be pleased to state the annual maintenance expenditure for the last five years of the following buildings—

- (i) Government House with its annexes ;
- (ii) Commissioner's Bungalow with its out-houses ;
- (iii) Deputy Commissioners' Bungalows (total of all Districts) ;
- (iv) Executive Engineers' Bungalows (total of all Districts) ; and
- (v) Big Bungalows of other district heads (total of all Districts) ?

256. Is it a fact that these big 4 bureaucratic bungalows have several out-houses such as Stables, Fowl sheds, Syces' sheds, Fuel sheds, etc., and a big Compound ?

257. (a) Do Government propose to maintain these Bungalows in the old style under the present political status of India and considering the general standard of living of the Indians as a whole ?

(b) If not, do Government propose to take immediate steps to cut down all these expenses and reduce the size of the buildings and compound to the barest necessity and thus reduce the large amount of Government money spent in their maintenance ?

258. (a) Are Government aware that Government quarters provided to the Subordinate Officers of various departments are very small and against all principles of hygiene ?

(b) Do Government propose to improve the Government quarters given to the subordinate staffs and make them sufficiently commodious and hygienic ?

The Hon'ble Rev. J. J. M. NICHOLS-ROY replied :

255.—A statement is laid on the Library table.

256.—Yes.

257. (a)—Yes, the *status quo* of the standard of maintenance will be kept up by Government, which is necessary to ensure a proper hygienic standard and also a reasonable economic life of the structures, depending upon the type of construction.

(b)—Does not arise.

258. (a)—Accommodation in residential quarters as provided by Government are in accordance with the permissible outlay fixed by Government in consideration of the pay-scale and status of the officers concerned. Principles of Hygiene are always considered by the Public Works Department when designing and constructing such quarters.

(b)—Does not arise.

Distribution of the latest Consignment of C. I. Sheets at Jorhat**Dr. EMRAN HUSAIN CHAUDHURY** asked :

259. Will Government be pleased to state the names of persons to whom the latest consignment of C. I. sheets was distributed, at Jorhat ?

The Hon'ble Srijut OMEO KUMAR DAS replied:

259.—A statement showing the distribution of the latest consignment is given below—

Statement showing the distribution of the latest consignment of 86 bundles of C. I. Sheets on 20th January 1948 by M/S Doss & Co., Jorhat.

75 per cent. to be issued by the Deputy Commissioner, Sibsagar=64 bundles.

Serial No-	Name of person	Date of issue	No. of bundle issued	Remarks
1	Srijut Bhubaneswar Goswami.	23rd February 1948	1 Bundle. 3 sheets.	
2	Srijut Annada Phukan (Mrs. Srijut Chandranath Phukan).	Ditto	5 Bundles.	
3	Srijut Lokenath Bordoloi and others.	8th March 1948 ...	8 Bundles	For Namghar.
4	Srijut Dimbeswar Bora and others.	29th February 1948	8 Bundles	Ditto.
5	Srijut Mihiram Bora and others.	23rd February 1948	3 Bundles	Ditto.
6	Srijut Ch. Dewari and others.	Ditto	7 Bundles	For School building.
7	Mr. J. Dempray ...	6th March 1948 ...	3 Bundles.	
8	Khorse Jarina Begum. (Mrs. Firdosh Ali Hazorika).	28th February 1948	3 Bundles 6 sheets.	
9	Maulavi Syed Sam-sul Huda.	23rd February 1948	2 Bundles 6 sheets.	
10	Debeswar Kalita ...	3rd March 1948 ...	1 Bundle.	
11	Goda Chaprasi ...	2nd March 1948 ...	2 Bundles.	
12	Maulavi A. Ahmed	4th March 1948 ...	2 Bundles.	
13	Srijut Cheniram Barua.	2nd March 1948 ...	1 Bundle.	
14	Srijut Kuladhar Phukan.	10th March 1948 ...	1 Bundle.	
15	Srijut K. N. Bhuyan	14th February 1948	5 Bundles.	
16	M/S Barkataki and Co.	6th March 1948 ...	10 Bundles	Vide Deputy Commissioner's Good's permit No.1, dated the 10 h February 1948.

25 per cent. to be issued by the Government=22 bundles.

1	Srijut Rameswar Barua, Bahona Middle English, School.	25th February 1948 (In part)	12 Bundles	} Vide No.SDB.73/48/35, dated the 3rd February 1948 from Under-Secretary to the Government of Assam, Supply Department.
2	Srijut J. C. Gogoi...	19th February 1948 (In part)	10 Bundles	

Government Servants opted for Rest of India

Shri SATINDRA MOHAN DEV asked :

260. Will Government be pleased to state—

- (a) The total number of Government servants of all Departments opting for service in the "Rest of India" released from the part of the Sylhet District separated from Assam ?
- (b) The total number of such Government Servants absorbed upto date ?
- (c) Whether it is a fact that Government decided on the 1st December, 1947 that the released personnel from Sylhet could only be absorbed in vacancies caused by the transfer of personnel to East Bengal and the rest should be compelled to retire on proportionate pension or gratuity ?
- (d) Whether at the time of asking for option, the Government Servants concerned were given to understand that those who could not be absorbed in the resultant vacancies in Assam would be forced to retire ?
- (e) Whether Government tried to have the rest of the released personnel absorbed in other provinces of India before coming to the decision to force them to retire ?
- (f) Whether Government propose to ascertain how the West Bengal Government has managed to absorb the large number of Government servants opting for "Rest of India" and released from so many districts of East Bengal and whether the Assam Government propose to adopt similar measures to absorb all the released personnel from Sylhet ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

260. (a)—1496 including temporary employees.

(b)—The information has been called for but replies from all Departments have not been received (if, however, replies are received, the reply to this question would be given by quoting the actual number).

(c)—Yes. Those considered excess to requirements will be dealt with under the normal rules appertaining to retrenched personnel.

(d)—No.

(e)—Yes. The facts were represented to the Government of India which circulated to all their departments, lists of released personnel furnished by the Assam Government.

(f) Government will try to get the information suggested ; but what action Government may be able to take will depend on the information received and nature and number of vacancies existing.

Vacancies in all Departments due to released personnel who opted for Pakistan

Babu KAMINI KUMAR SEN asked :

261. (a) Will Government be pleased to state the number of vacancies Gazetted and Non Gazetted that occurred in all Departments of the Government of Assam, including the Secretariat and offices of the Heads of Departments and also in District Offices, since 14th August 1947 by release of employees who opted for 'Pakistan' (The non gazetted vacancies to be shown under the following categories viz. (i) Superior Grade, (ii) Upper Division (iii) Lower Division and (iv) Fourth Grade ?

(b) Will Government be pleased to show in the above statement how many of these vacancies have been filled up by (i) the released personnel from Sylhet who opted for 'Rest of India' (ii) by fresh recruits and (iii) by office promotion ?

(c) How many of the appointees shown under items (ii) and (iii) of question (b) above have been confirmed in the same appointments and when ?

(d) Do Government propose to take necessary steps for making all the vacancies under question (a) above available to the released personnels of Sylhet ?

262. (a) Will Government be pleased to state how many of the released employees of Sylhet who opted for Rest of India have so far been absorbed in Assam and how Government propose to deal with those who have not yet been absorbed ?

(b) Will Government be pleased to state the number of released employees from Sylhet who have not yet been absorbed showing the number under different classification of service ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

261. (a)—The hon. Member is referred to the statement laid on the table in reply to a similar question No.219 (i) and (v) by Sri Satindra Mohan Dev, M.L.A.

(b) and (c)—The information has been called for.

(d)—Government are doing that.

262. The information has been called for.

Provincialisation of Hailakandi Girls' High School

Babu BIDYAPATI SINGHA asked :

262-A.(a) Do Government propose to provincialise the Hailakandi Girls' High School ?

(b) If not, do Government propose to allot substantial grants for opening classes for Vocational training and domestic science in the said Girls' High School ?

(c) Are Government aware that Lala Kalicharan Memorial Girls' Middle Vernacular School is the only institution of this type in the Hailakandi Subdivision ?

(d) If so, do Government propose to provincialise the said school or allot a substantial grant this year for its efficient maintenance ?

Srijut MAHENDRAMOHAN CHOUDHURY (Parliamentary Secretary) replied :

262-A.(a)—No.

(b)—A recurring grant of Rs.40 a month for entertaining a teacher for introduction of vocational subject, viz., Weaving in the school and a non-recurring grant of Rs.300 for purchasing yarns, weaving apparatus, etc., were already sanctioned last year. Again, non-recurring grants of Rs.2,000 for construction of building, for introduction of domestic science and Rs.250 for purchasing science apparatus have been sanctioned this year for the Hailakandi Girls' High School.

(c)—Yes.

(d)—No. A recurring grant of Rs.25 a month has already been sanctioned for the school this year for giving pay to the staff.

Spread of adult education in North Lakhimpur

Srijut HEM CHANDRA HAZARIKA asked :

263. Will Government be pleased to state—

- (a) What substantial works have been done in the matter of spreading adult education in the North Lakhimpur Subdivision ?
- (b) The number of schools started up till now through attempts under this Scheme ?

Srijut MAHENDRAMOHAN CHOUDHURY (Parliamentary Secretary) replied :

263. (a) & (b)—A report is laid down on the library table.

Textile Wholesalers in Dibrugarh

Srijut BHADRA KANTA GOGOI asked :—

264. Will Government be pleased to state—

- (a) How many Textile Wholesalers were recommended by the Liaison Committee of Dibrugarh for being approved by Government ?
- (b) When the names were sent to Government for approval ?
- (c) How many of these have been approved by Government ?
- (d) The names of Companies and Firms which were not approved by Government and the reasons for their disapproval ?

265. Will Government be pleased to state—

- (a) How many bales of cloths were supplied to each Subdivision of the Province from January 1947 to December 1947 ?
- (b) On what basis the supplies were made ?

The Hon'ble Srijut OMEO KUMAR DAS replied :

264. (a)—Twenty seven.

(b)—On eighth July, 1947.

(c)—Fourteen.

(d)—1. M/s Ronglal Rameswar.

2. M/s Huda & Friends' Ryots Welfare Society.

3. M/s Gohain Bros.

4. M/s Bisturam Doley.

5. M/s Hussain Bros. & Co.

6. M/s Jamal and Hoque.

7. M/s Mohim Ch. Paul, Md. Mongro & Dharmeswar Hazarika & Co.

8. M/s Ahmed & Co.

9. M/s Friend & Co.

10. M/s Chowkhan Gohain, Joychandra Gohain, & Chandra Kanta Gohain & Co.

11. M/s Eastern Assam Traders & Co.

12. M/s Tingkhong Friend & Co.

13. M/s The new Assam Trading Co., Ltd.

These firms were not approved as Government did not consider them suitable as they were new concerns.

265. (a)—A statement is furnished below :—

							Bales
1. Shillong	...	...	...	...	...	...	2,353
2. Silchar	...	...	...	...	...	...	2,345
3. Tura	...	...	...	...	...	...	552
4. Kohima	...	...	...	...	...	...	310
5. Dhubri	...	...	...	...	...	...	2,406
6. Gauhati	...	...	...	...	...	...	6,477
7. Nowgong	...	...	...	...	...	...	3,298
8. Tezpur	...	...	...	...	...	...	2,173
9. Jorhat	...	...	...	...	...	...	2,439
10. Dibrugarh	...	...	...	...	...	...	4,990
11. Aijal	...	...	...	...	...	...	144
12. Jowai	...	...	...	...	...	...	255
13. Hailakandi	...	...	...	...	...	...	420
14. Haflong	...	...	...	...	...	...	130
15. Karimganj	...	...	...	...	...	...	2,070
16. Barpeta	...	...	...	...	...	...	2,505
17. Goalpara	...	...	...	...	...	...	1,291
18. Mangaldai	...	...	...	...	...	...	1,436
19. Sibsagar	...	...	...	...	...	...	2,290
20. Golaghat	...	...	...	...	...	...	1,393
21. Lakhimpur North	...	...	...	...	...	...	925
22. Mokokchung	...	...	...	...	...	...	Nil.
23. Lungleh	...	...	...	...	...	...	143
24. Sadiya	...	...	...	...	...	...	274
25. Balipara (Lokra)	...	...	...	...	...	...	148
26. Margherita (Tirap)	...	...	...	...	...	...	117

(b)—On population basis.

Purchase of Printing Press Machinery

Srijut NILMANI PHOOKAN asked :

266. (a) Is it a fact that the Government of Assam have decided to purchase some printing press machinery ?

(b) If so, have Government invited tenders for quotations for the printing press machinery required by them ?

(c) Have Government received quotations for any press machinery during the last few weeks ?

(d) If so, will Government be pleased to state the name of the party offering the quotations ?

267. (a) Is it a fact that the Superintendent of the Assam Government Press and Babu Hamendra Gupta, the Head Assistant of the General Department of the Assam Secretariat went to Sylhet sometime ago to negotiate the purchase of the machinery of the Bani Press Limited, Sylhet, in partnership with one Lokenath Joshi, Managing Proprietor of a newly started Printing press at Ferndale Hotel compound situated near the Assam Government Press ?

(b) If so, was it done under the orders of the Provincial Government ?

The Hon'ble Maulana MAHOMED TAYYEBULLA replied :

266. (a)—If the Government is to cope with its work efficiently it may be necessary to purchase some machinery. No decision has yet been taken.

(b) & (c)—No.

(d)—Does not arise.

267. (a)—No.

(b)—Does not arise.

Number of saw-mills in Assam

Srijut PURNA CHANDRA SARMA asked :

268. Will Government be pleased to state—

(a) The number of saw-mills in Assam and the names of the owners ?

(b) Whether there have been any contractual agreements with any of them with the Government and if so, with which of them ?

(c) The terms of any lease, if any, with Messrs. Bird and Company in respect of the Assam Saw-Mills ?

(d) When the lease, if any, granted to the Assam Saw-Mills is due to expire ?

The Hon'ble Srijut RUPNATH BRAHMA replied :

268. (a)—Information regarding the total number of Saw-Mills in Assam and their ownership in each case is not available but the attached statement will show the number of Saw-Mills and their location. Ownership even in some of these cases is not known.

Division	Ply-wood	Name of Factory	Wood Distillation	Other wood wares	Location	Address	Arrangement with the Forest Department
1. Rangapahar	..	Saw Mills Rangapahar Saw Mills.	..	..	Within the Rangapahar Reserve in the District of Naga Hills, Assam, about 4 mile from Rangapahar crossing Railway Station (Assam Railway) on the Bank of Dhansiri River.	Rangapahar crossing station, P. O. Manipur Road, Assam.	1. The mill belongs to Mr. M. Rahman, 53 Bentinck Street, Calcutta. The Forest Department is supplying him with logs at mill site and he is responsible to saw the timber according to sizes and specifications given by the Forest Department, from time to time. The mill owner gets payment at the sawing rates fixed by the Forest Department per cu.ft. of timber cut and passed by diesel oil also supplied by the Forest Department. Medical treatment, free quarters for the workers are also given. The seed of the Saw Mill is also belonged to Forest Department. Sale of timber done by the Forest Department. In short the Mill owner is only responsible for cutting timber.
2. Goalpara West	..	Nil	Nil	One Factory, using about 10,000 tons of Simul for all over the Province.	Match At Dhubri	P. O. Dhubri, District Goalpara.	..
3. Nowgong	..	1. Dhansiri Saw Mills	..	..	Railway station, Dhansiri.	P. O. Manipur Road, District Nowgong, (Assam).	3. They are bound to supply timber against any contract which may be accepted by the Forest Department at such rate as considered responsible by the Forest Department.
		2. Chaparmukh Saw Mills.	..	..	Railway Station Chaparmukh (Assam Railway).	P. O. Chaparmukh, District Nowgong, (Assam).	..

Division	Ply-wood	Name of Factory	Saw Mills	Bobbin Distillation	Wood Distillation	Other wood wares	Location	Address	Arrangement with the Forest Department
4. Sadiya	The Assam Saw Mills (Combined) and timber Co., Ltd.	plywood & Saw Mills.	Tea chest factory.	..	At Murkongsellek	P. O. Murkongsellek, Abor Hill, District North-East Frontier.	4. Certain Forests have been leased out to the Assam Saw Mills for 30 years and they are at present paying royalty @ 0-5-0 per cu.ft. in the log for all species worked out by them. Generally they work out Hollock and Hollong for Vener and Simul for corner pieces of Tea Boxes.
Goalpara East..	nil	..	..	..	..	..	..
5. Kamrup	..	1. Jewan Singh, Saw Mills.	..	..	..	..	Fancy Bazar, Gauhati.	P. O. Gauhati, District Kamrup.	..
6. Khasi and Jaintia Hills.	..	2. Chengulia Mills.	..	..	..	..	Barpeta Road ..	District Kamrup.	..
..	..	1. The Don Industrial Saw Mills.	..	..	..	..	Laitumkhrab ..	P. O. Shillong, District Khasi and Jaintia Hills.	6. These mills are of private concern and the Forest Department has got nothing to do with them.
..	..	2. U Drickshon Saw Mills.	..	..	..	..	Mawlai ..	P. O. Shillong, District Khasi and Jaintia Hills.	..
7. Sibsagar	Runoo Saw Mills	..	..	..	Golaghat	Messrs. Bhuyan Friends & Co., P. O. Golaghat.	7. Private concern.
8. Lakhimpur	..	1. Margherita Mills.	..	..	..	..	P.O. Margherita.	Messrs. A. T. Traders Association, Margherita.	8. They are to supply timbers to Forest Department. They have got contractual agreement with Forest Department.
9. Cachar	..	2. Jeypore Saw Mills	..	..	..	..	P. O. Jeypore ..	Rameswar Lal Saharia.	..
..	..	1. Surma Valley Saw Mills.	..	..	..	..	Bhanga Bazar, District Cachar.	..	9. Private concern.

(b)—The main points of the contractual agreements in regard to the mills in the list attached herewith are indicated in column 9 of the attached list.

(c)—The principal terms are as follows :

The following areas of the Sadiya Frontier Tract have been leased out to the Assam Saw Mills and Timber Company, Limited in July 1921 for a period of 30 years namely :—the areas known as (1) the plain portion of the Sadiya Frontier Tract (including Unclassed State forests and Unclassed State Forests afterwards notified as Reserved Forests) except those areas which have been notified or will hereafter be notified as Fuel Reserves and (2) so much of the hill portions of the Sadiya Frontier Tract as may from time to time be decided by the Political Officer, Sadiya.

The lessee under the terms of the lease can (a) for his own use, get top and branches of trees felled by him, any timber of the 5th class as classified in the schedule of royalty for the time being in the district of Sadiya Frontier Tract, bamboo, cane, grass and other produce required for making rafts or for building huts or shelters as may be necessary for the convenience of work, (b) have free grazing for all elephants and other animals employed in the company's work (c) have free timber for the construction of sheds, workshop, buildings and other conveniences as may be deemed necessary for the purpose of the work, (d) the lessee is bound to fell all trees marked by the Forest Officer and will fell no other trees except those prescribed as free of royalty, (e) no tree shall be cut for felling higher than 3' from the ground unless they are hollow or have large buttresses, (f) each block shall be properly worked over to the satisfaction of the Forest Officers before felling is begun in any other block, (g) the lessee will pay the cost of clearing all floating streams and of making, erecting and maintaining Saw Mills, aerial ropeways, roads and bridges as he may require, (h) the lessee cannot prevent a settlement holder exercising his right nor prevent owners of tea gardens situated in the Sadiya Frontier Tract, extracting building timber and fuel for their own use under permit granted by the Forest Officer. (i) A duly authorised sleeper contractor can cut sleepers for the Dibru-Sadiya Railway within the area bounded by the Lohit River on the north, Noa Dehing on the east, the Dhola-Hakati rivers in the south and on the west by a line drawn north and south at a distance of eight miles west of the Saikhowa Bazar. (j) Royalty was fixed at 6 pies per c.ft. in the log during the period of the first five years on all marketable timbers which would be revised at the expiry of each period of 5 years. (k) When measuring logs for the calculation of royalty, hollow, rotten, unmarketable log or logs impossible to extract or such portion of the logs as are hollow or rotten, shall not be included in the measurements. In measuring timber, the cubical contents of a log shall be calculated by multiplying the length by the square of the quarter girth. The girth will be taken at the middle point between the two ends without the removal of bark and in calculating the length, fractions of a foot, will be ignored. (l) The lessee will extract annually from the leased areas and pay royalty on not less than 3 lakhs c.ft. of timber in the log felling which the lessee is bound to pay the sum of Rs.10 in respect of each ton of 50 c.ft. by which the total quantity falls short of the minimum (m) The lessee if required by the Governor-in-Council must convert and supply to owners or Managers of gardens, being members of the Assam Branch, Indian Tea Association, not less than 3 lakhs boxes, failing which he will have to pay to Government Rs.10 in respect of each 100 boxes by which total quantity supplied falls short of the said minimum.

(d)—The 8th July, 1951.

Co-ordination between the Employment Exchange and the Public Service Commission

Babu BIDYAPATI SINGHA asked :

269. Will Government be pleased to state—

- (a) Whether there is any close co-ordination between the Employment Exchange and the Public Service Commission ?
- (b) Whether Government are aware that the Employment Exchange is a very useful institution for selecting suitable candidates for Government jobs to the elimination of undesirables and for having the statistics of unemployed persons ?
- (c) Whether Government generally abide by the recommendations of the Employment Exchange in having recruits for various services ?

The Hon'ble Srijut OMEO KUMAR DAS replied :

269. (a)—There is no specific co-ordination between the Employment Exchanges and the Public Service Commission as their functions are different. The Public Service Commission however give due consideration to applications submitted through Employment Exchanges, as to all others.

(b)—The Employment Exchange is a very useful institution for the purposes for which it is established, *i. e.*, registering persons in search of employment and recommending them to the appropriate employing authorities.

(c)—The whole question of the policy of recruitment through Employment Exchanges is under the consideration of Government. It may be mentioned however that the Employment Exchanges cannot be allowed to usurp the function of the Public Service Commission.

Allotment of bales of Blankets to Dibrugarh Subdivision

Srijut BHADRA KANTA GOGOI asked :

270. Will Government be pleased to state—

- (a) How many bales of blankets (Kambal) were allotted to Dibrugarh Subdivision during the period from January to December 1947 ?
- (b) How many of these blankets were supplied to Tea gardens and to rural areas during this period ?

The Hon'ble Srijut OMEO KUMAR DAS replied :

270. (a)—30,976 pieces.

(b)—11,464 pieces to Tea gardens and 9,425 pieces to Rural areas.

Muslim officers of all ranks re-opted for service in Assam or rest of India

Maulavi ABUAL MAJID ZIAOSH SHAMS asked :

271. Will Government be pleased to state—

- (a) How many Muslim officers of all ranks and grades belonging to the Province of Assam re-opted for their service in Assam or Rest of India after they were given the chance of revising their decision ?
- (b) Whether the persons who re-opted as above for Assam have been retained in Assam ?
- (c) If so, what is their number ?
- (d) If not, how many have been released for service in Pakistan ?
- (e) Whether a memorandum has lately been submitted to the Government of Assam by the Muslim officers who are natives of the Province and who have revised their option for service in Assam ?
- (f) What steps have been taken by Government on the said memorandum ?
- (g) Whether Government propose to retain or bring back those Muslim officers to Assam who were allowed to revise their option ?
- (h) Whether Government are aware that due to their delay in retaining the Muslim officers who were not to be retained in Assam, it is now too late for many of them to get any service in Pakistan ?
- (i) Whether Government propose to consider the desirability of appointing other Muslim officers in the vacancies caused by Muslim officers going to Pakistan ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

271. (a)—Government gave an opportunity to all their employees to revise their choice pending agreement with East Bengal Government but had to cancel that in view of the policy adopted by the Government of East Bengal who decided to recognise options as they stood on 14th August 1947 only.

(b)—For reasons stated in (a) they cannot be retained.

(c)—Does not arise, *vide* (a).

(d)—465.

(e)—No, although individuals done so.

(f)—Does not arise.

(g)—As stated in (b) Government are not in a position to bring back the officials already released.

(h)—The Government have no information. This Government requested the Government of East Bengal to see that these persons were not made to suffer in any way.

(i)—This is a matter of policy and Government will follow the usual policy when the absorption of the Sylhetee released personnel is completed.

Onrush of people from Eastern Pakistan

Maulavi ABUAL MAJID ZIAOSH SHAMS asked :

272. Will Government be pleased to state—

- (a) Whether Government are aware that in the different places in the district of Goalpara—such as Motherghar area of Gulukgunj Police Station, Tamarhat area of Gosaigaon thana, Dharmasala and Gaunpur area of Dhubri thana, Bilashipara and Bongaigaon side, etc., a large number of people have recently come and a large number is daily pouring in ?
- (b) Whether Government are aware that these people are coming from Eastern Pakistan ?
- (c) Whether in the other districts of Assam, people from Eastern Pakistan are similarly pouring in ?
- (d) Whether Government are keeping any record to give a rough idea of the number of such people who have already come to the Province up to the time of supply of information by the Local Authorities ?

273. Will Government be pleased to state—

- (a) Whether it is a fact that in different places of the South Salmara, Dhubri and Golukganj thanas, Assam Rifles men and Police have been stationed ?
- (b) Whether Government have received reports to the effect that of late in some places in the South Salmara Thana of the Dhubri Subdivision, the Police in some cases are terrorising the people because of the fact that in some houses White Flags were hoisted ?
- (c) Whether Government are aware that the people who have hoisted flags generally give out that as a preventive against epidemic diseases they had hoisted the flag after some religious ceremony ?
- (d) Why the Police took exception to the hoisting of the White Flags ?

The Hon'ble Srijit GOPINATH BARDOLOI replied :

272. (a), (b) and (c)—Government are aware that a certain number of evacuees (non-Muslim) have come into Assam; Government also understand that during recent months Muslims from East Pakistan have entered Assam and are entering Assam even now. They are believed to be accommodated by the Bengal immigrants who had previously settled down in Assam and by Goalpara Muslims on the border.

(d)—Government will consider the question of making a record of evacuees. As regards the others, Government have no records. All immigrants previously in the Province and those who may have come lately know that there is no more land available for settlement with outsiders and the responsibility of Government in regard to the protection of the vital interests of the indigenous people. Government see no purpose in keeping record of persons coming in as floating population. Where such persons are nationals of Pakistan and there is reason to believe that any of them are likely to contravene law or become a menace to public peace, Government will have to deal with them in a suitable manner.

273. (a)—Owing to the activities of Pakistan and pro-Pakistan people on the border, the loyal colleagues of Assam on the border were in need of support. The Police strength has been increased.

(b)—No.

(c)—The hoisting of flags by Muslims alone on the borders, on alleged propitiation of a Hindu Goddess—when much political activity and planning

was suspected to be going on—is a phenomenon which will tax the credulity of normal persons. The phenomenon is being studied.

Fishery Development Scheme

Babu BIDYAPATI SINGHA asked :

274. (a) Is it a fact that for several times Fishery Development schemes were put forward by the Director of Industries to the Government but every time these were turned down ?

(b) If so, why ?

(c) Is it a fact that some candidates were sent by Government for training in inland fishery ?

(d) If so, how many of them have passed and how many have been appointed by Government ?

(e) Do Government propose to include fishery development in the Rural Development Scheme ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

274. (a)—Yes ; because they were not acceptable to the Government of India.

(b)—The schemes so far drawn up were found to be incomplete. The last scheme was forwarded to the Government of India who returned it with the remark that the scheme was incomplete.

(c)—Yes.

(d)—Five candidates passed the Fishery Training course. Two of them have been appointed as Fishery Officers.

(e)—It will be dealt with in the Industries Department. The Rural Development Scheme co-ordinates all such forms of development.

Re-employment of Superannuated Officers

Babu KAMINI KUMAR SEN asked :

275. (a) Is it a fact that in spite of their declared policy of not employing superannuated officers, Government have recently granted extension or re-employed a number of superannuated officers ?

(b) If so, will Government be pleased to state the names and designations of such officers, the terms of their extension along with the reasons for the same ?

(c) Do Government propose to stop such practice ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

275. (a)—Yes, Government had to re-employ a number of superannuated officers owing to the exigencies of public service.

(b)—A statement is furnished below—

Statement showing the names, designations etc., of officers who have been re-employed or given extension of Service after superannuation

Serial No.	Names	Designation	Name of the Department / Office	Re-employment or extension of service	Period of retention	Reasons for retention
1	2	3	4	5	6	7
1	Rai Sahib Dilip Chandra Das.	Under Secretary, Finance and Revenue Departments.	Finance Department	Service extended	.. Upto 30th September 1948.	Extreme dearth of experienced officers.
2	Rai Sahib Indreswar Sarma.	Special Officer, Finance Department.	Ditto	.. Service extended for one year.	Upto 15th March 1949.	Ditto.
3	Rai Sahib Rajendra Lal Uzir.	Extra Assistant Commissioner.	Tezpur	.. Service extended for one year and six months.	Upto 3rd September 1948.	Ditto.
4	Mr. A. K. Barua	Secretary, Legislative Assembly.	Assam Legislative Assembly.	Re-employed for one year.	Upto 31st January 1949.	Ditto.
5	Rai Bahadur Hariblah	Temporary Additional District Magistrate.	Shillong	.. Re-employed from time to time.	Upto 30th September 1948 for the present	Ditto.
6	Maulavi Majidur Rahman	Temporary Additional Subdivisional Officer.	Golaghat	.. Re-employed	.. For 4 months ..	Ditto.
7	Babu Promode Chandra Datta, Retired Accountant.	Head Clerk in the office of the Commandant, Railforce.	Inspector General of Police's office.	Ditto	.. 5th April 1944 to 1st June 1948.	Ditto.
8	Babu Ram Gopal Chaudhury, Retired Accountant.	Accountant in the office of the Commandant, Railforce.	Ditto	.. Ditto	.. 20th October 1947 to 30th September 1948.	Ditto.
9	Babu Mahim Chandra Sen, Retired Head Clerk.	Lower Division Assistant for separation of records for Pakistan.	Ditto	.. Ditto	.. 16th August 1948 to 31st March 1949.	Ditto.

					Re-employed		Extreme dearth of experienced officers.
10	Mr. G. A. Small, Retired Director of Public Instruction.	Adviser to Government for Basic Education.	....	..	....	..	....
11	Srijut Gopal Ch. Goswami, Retired Personal Assistant to Director of Public Instruction.	Head Clerk, office of the Adviser for Basic Education.	....	..	....	..	....
12	Srijut Mithura Nath Barua, Retired Upper Division Assistant, Director of Public Instruction's office.	Lower Division Assistant, office of the Adviser for Basic Education.	....	..	....	..	....
13	Mr. A. Lyngdoh, Retired Lower Division Assistant, Director of Public Instruction's office.	Ditto	....	..	....	..	....
14	Srijut Girish Chandra Sarma, Retired Assistant Director of Industries.	Special Officer, Transport and Industries.	Transport Department	Ditto	..	..	One year from 17th June 1947.
15	Mr. K. M. De ..	Deputy Director, Supply Accounts.	Supply Accounts Department.	Ditto	..	..	Upto 31st August 1948.
16	Srijut Abani Mohan Roy	Accounts Clerk	Ditto	Ditto	..	..	Upto 30th April 1948.
17	Srijut Sudhendu Mohan Roy.	Accounts Clerk	Ditto	Ditto	..	..	Ditto
18	Srijut Upendra Kr. Datta	Ditto	Ditto	Ditto	..	..	Ditto
19	Srijut Jogendra Kr. Chanda Choudhury.	Ditto	Ditto	Ditto	..	..	Ditto
20	U Peary Mohan Roy	Section Assistant	Office of the Director of Supply (P).	Ditto	..	..	Upto 9th June 1948.
21	Srijut Kamini Kumar Chakravarty.	Record Keeper	Ditto	Ditto	..	..	Upto 30th June 1948.
22	Mr. H. Pasah ..	Nazir	Ditto	Ditto	..	..	Ditto
23	Mr. F. Smith ..	Typist	Office of the Director of Supply, Assam.	Ditto	..	..	Upto 31st December 1948.
24	Srijut Surendra Chandra Chakravarty.	Lower Division Assistant	Office of the Director of Consumer Goods, Assam.	Ditto	..	..	Retention after 29th February 1948 is under consideration.

Serial No.	Names	Designation	Name of the Department / Office	Re-employment or extension of service	Period of retention	Reason for retention
1	2	3	4	5	6	7
25	Mr. H. H. Creed, Retired Deputy Director of Surveys.	In-charge of Director of Surveys.	Office of the Director of Surveys.	Re-employed	For 2 years from July 1947.	Extreme dearth of experienced officers.
26	Babu Ram Tarak Deshmukhya.	Sub-Registrar	Silchar	Ditto	4 months from 7th June 1947.	Ditto.
27	Mr. Upendra Nath Dutta, Retired Assistant Engineer.	Assistant Engineer	Public Works Department.	Ditto	One year from 6th December 1947.	Ditto.
28	Babu Jnanada Charan Gupta, Retired Overseer.	Computer	Ditto	Ditto	From 13th August 1945.	Ditto.
29	Babu Aswini Kumar Gupta, Retired Tracer.	Draftsman	Ditto	Ditto	From 1st April 1945.	Ditto.
30	Babu Nava Kumar Das, Retired Overseer.	Computer	Ditto	Ditto	One year from 1st March 1948.	Ditto.
31	Babu Priyanath Roy, Retired Forest Ranger.	Forest Ranger	Forest Department	Ditto	One year from 22nd November 1947.	Ditto.
32	Babu Jogendra Kumar Bhattacharyya, Retired Forest Ranger.	Ditto	Ditto	Ditto	One year from 20th November 1947.	Ditto.
33	Mr. Jamison Sangma, Retired Forest Ranger.	Ditto	Ditto	Ditto	One year from 3rd November 1947.	Ditto.
34	Srijut Gopal Ch. Barkaktaki, Retired Forest Ranger.	Ditto	Ditto	Ditto	One year from 16th January 1948.	Ditto.
35	Srijut Nandeswar Das, Retired Sheristadar.	Sheristadar	Judicial Department	Extension and Re-employment.	Granted extension of service from 16th July 1946 to 15th April 1947 and re-employed from 16th June 1947 to 31st December 1947.	Ditto.
36	Srijut Jagadish Das.	Stationary, Veterinary Assistant Surgeon.	Silchar	Re-employed	....	Ditto.
37	Babu Surendra Mohan Sen Gupta.	Reserved Veterinary Assistant Surgeon.	Silchar	Ditto	....	Ditto.

(c)—Government are reluctant to re-employ Superannuated Officers except where it is unavoidable in the interest of public service.

Promotion of Forest Rangers to Gazetted Rank

Srijut BEJOY CHANDRA SAIKIA asked :

276. Will the Hon'ble Minister-in-charge of Forest Department be pleased to state—

- (a) How many Forest Rangers are being promoted to the Gazetted Rank ?
- (b) How the selection has been made ?
- (c) Whether it is on basis of seniority or on the recommendation of Divisional Forest Officers ?
- (d) Whether all the Rangers selected for promotion are from Assam Valley or from Hill Districts alone and whether the qualification of each has been considered in making selection for promotion ?
- (e) Whether there is any distinction between I. F. S. Officers and Assistant Conservator of Forests ?

277. Will the Hon'ble Minister in charge of Forest Department be pleased to state how many coupes in the Lower Assam Districts have been settled with Contractors and how many of them are Assamese ?

278. Will the Hon'ble Minister-in-charge of Forests be pleased to state—

- (a) The amount surrendered from his Budget in the year 1946-47 ?
- (b) The reason for surrendering the amount ?
- (c) Why the amount was not utilised in the Forest Development Scheme ?
- (d) What amount is contributed to the Forest Department for the work of forest development and how the amount is distributed in every district ?
- (e) Whether there is any proposal to increase the Junior Forest staff in the Development Scheme ?
- (f) Whether it is a fact that the Dehing Reserve, Gorudharia Reserve and Talpani Reserve have been destroyed by the neighbouring Raiyats ?
- (g) If so, what steps have been taken to protect those Reserves from destruction ?

279. Will the Hon'ble Minister-in-charge of Forests be pleased to state—

- (a) The number of Gazetted Officers in the Forest Department selected from the Plains Tribal People ?
- (b) The percentage of Gazetted appointments the Plains Tribal People are entitled to ?
- (c) The number of non-Gazetted officers in the Forest Department in the Province ?
- (d) How many families are residing in the forest villages in the Forest Reserves ?
- (e) What facilities they have got from the Forest Department ?
- (f) How many Bighas of land are allotted to each such family for cultivation ?

- (g) Whether the Hon'ble Minister is aware that these families are removed from one place to another in the Reserve after 4 to 5 years and that they have got no facility of getting education at all ?
- (h) Whether it is a fact that the Hill people are not getting any contract in Forest Department in their respective neighbouring Reserve ?

The Hon'ble Srijut RUPNATH BRAHMA replied :

276. (a)—Proposed to promote 6 Forest Rangers to Gazetted Rank.

(b)—A list of 12 Rangers was proposed by the Conservator after due consideration of their ability, merit and seniority and also after scrutiny of the confidential reports of the individuals concerned. The final selection will now be made by the Assam Public Service Commission.

(c)—On the basis of seniority, merit and record.

(d)—Assam Valley	...	...	...	...	6
Surma Valley	...	...	...	...	4
Hill Tribes	...	...	...	...	1
Domiciled Assam Valley	...	...	...	...	1
					<hr/> 12

Second part—Yes.

(e)—The Question is not understood. The terms "Assistant Conservator" was previously applied to the lowest grade of the I. F. S. but is now applied to the Junior scale of the Assam Forest Service.

277.—286 coupes have been settled with the contractors and out of them 174 are Assamese.

278. (a)—Final grant for 1946-47	...	...	...	11,51,154
Expenditure	...	...	...	8,25,098
Savings (surrendered)	...	...	...	3,26,056

(b)—Foresters' school buildings could not be started in due time as there was unavoidable delay in the selection of site. There was also shortage of labour both skilled and unskilled, and non-availability of materials and stores for buildings. Also the proposed extension of Goalpara Tramway could not be taken up due to objections from local people.

(c)—The Question is answered *vide* (b) above.

(d)—(i) Amount contributed to Forest Department for Post-War Reconstruction Schemes during 1947-48 is Rs. 16,71,490.

(ii) How distributed to districts—Allotment to Divisions is based on the estimates prepared by them and on the amount of grant sanctioned by Government.

(e)—Due to loss of trained and experienced personnel in the Junior Cadres caused by the transfer of Sylhet to Pakistan, proposals for recruitment of 4 Evacuee Rangers of such juniority that they can be absorbed at the bottom of the cadre on a permanent basis has been recently submitted to Government. But immediately after the new Constitutional changes came into existence steps were taken to absorb all suitable temporary staff, some of whom had been serving in the Department for many years and so had gained considerable experience, in all vacancies in the Assistant Forester Grade after making promotions to all available vacancies in the Ranger, Deputy Ranger and Forester Grades from those below them. Thus the full impact of the blow was partly averted, though the need for Dehra Dun trained Ranger personnel is very acute.

(f) & (g)—Report has been called for from the local Divisional Forest Officer.

279. (a)—1.

(b)—3·71 Posts in all (2·71 deficit).

(c)—Present permanent existing cadres in subordinate service (after separation of Sylhet)—

Rangers Grade I	...	...	...	12
Rangers Grade II	...	...	...	26
Rangers Grade III	...	...	...	39

				77
Deputy Rangers	...	...	...	100
Foresters	...	...	...	122
Assistant Foresters	...	...	...	91
Forest Guards...	...	...	...	402

(d) to (g)—The information has been called for from the Divisional Forest Officers but have not as yet been received.

(h)—Except in exceptional circumstances contracts for work are disposed of on the basis of tenders. As far as possible attempts are made to give work to Hill people in the Forest Reserves in their vicinity.

Srijut Golap Chandra Sarma Khaund, formerly S. I. of Schools

Dr. EMRAN HUSAIN CHAUDHURY asked :

280. Will Government be pleased to state—

- (a) Whether one Srijut Golap Chandra Sarma Khaund, formerly stenographer to the Director of Public Instruction, Assam, was subsequently appointed to be a Sub-Inspector of Schools in Class III of the Assam School Service by the Director of Public Instruction, and was posted at Jorhat ?
- (b) If so, what was the date of his first appointment to the Assam School Service ?
- (c) Whether he was confirmed in Class III of the Assam School Service by order No. 15-C, dated the 12th September 1945, of the Director of Public Instruction, after he was put on an officiating basis and then on probation ?
- (d) Whether the said Srijut Khaund out of his own accord applied for the Sub-Inspector of Schools or the Director of Public Instruction, on his own judgment appointed him to the Assam School Service ?
- (e) Whether the case of Srijut G. C. Khaund was a case of promotion to the Assam School Service ?
- (f) Who is the appointing authority in respect of post in Class III of the Assam School Service and whose orders are final ?
- (g) Whether it is necessary to take into account, in case of promotions to the Assam School Service Class III the academical qualification of candidates ?
- (h) Whether Government propose to lay on the table a copy of rules for recruitment to the Assam School Service ?

281. Will Government be pleased to refer to their No. ESS.24/47/5, dated the 2nd May 1947 ordering reversion and re-transfer of Srijut G. C. Khaund to ministerial service from that of the Assam School Service and state—

- (a) Whether the question of reversion or re-transfer can arise after his confirmation in Class III of the Assam School Service ?
- (b) Whether any grounds or reasons were assigned by Government in the above-mentioned Government order for his reversion or re-transfer ?
- (c) If not, what were the reasons for his reversion ?

282. Will Government be pleased to state—

- (a) Whether they received an appeal petition, dated the 27th May 1947 from Srijut G. C. Khaund addressed to the Hon'ble Premier detailing his grievances ?
- (b) If so, what was its result ? —
- (c) Whether Government received another appeal petition, dated 28th August 1947 from the said Srijut Khaund praying for reconsideration and review of the previous Government orders in the light of rules ?
- (d) If so, whether any decision has since been made ?
- (e) Whether Government are aware that the person concerned has been hard-hit and the action of the Government in passing such an order has gone quite contrary to the Government rules in force ?
- (f) Whether Government propose to redress his grievances ?

Srijut MAHENDRAMOHAN CHOUDHURY (Parliamentary Secretary)
replied :

280. (a)—Yes.

(b)—June 1944.

(c)—Yes.

(d)—At his request.

(e)—It is a case of transfer.

(f)—Director of Public Instruction.

(g)—Since no appointments are made to Class III, Assam School Service by promotion the question does not arise.

(h)—A copy is laid on the Library table.

281. (a)—Yes.

(b)—No.

(c)—He was considered unsuitable as Sub-Inspector of Schools.

282. (a)—Yes.

(b)—It was rejected.

(c)—Yes.

(d)—No.

(e)—No, he was given a higher scale of pay without any reduction in the pay he drew as Sub-Inspector of Schools and order was passed with due regard to the rules in force.

(f)—Yes, so far as they are admissible under the rules.

Number of officers appointed in all Departments of Government

Maulavi ABUAL MAJID ZIAOSH SHAMS asked :

283. Will Government be pleased to state—

(a) How many Extra Assistant Commissioners and Sub-Deputy Collectors, temporary or permanent, have been appointed in course of the last five months commencing from September 1947 to January 1948 ?

(b) How many of those officers are Muslims ?

(c) How many officers have been appointed (i) in all classes of the Education Department, (ii) in all ranks of the Supply Department, (iii) in all ranks of Procurement Department, (iv) in all ranks of Police Department, (v) in the rank of Sub-Registrars, (vi) in the Medical Department as Doctors and Public Health Officers in course of the last five months commencing from September 1947 to January 1948 ?

(d) How many of these persons are Muslims, showing the figures Department by Department ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

283. (a) to (d)—The information required is furnished below :

Name of Department	Rank	Number of officers employed from September 1947 to January 1948	Number of Muslim officers
I.	Extra Assistant Commissioners.	10—by promotion—permanent.	2
		6—temporary—recruited from the Bar.	1
	Sub-Deputy Collectors.	22—appointed on probation.	4
	(i) Education Department.	Assam Educational Service (Class II).	4 ... Nil
		Assam School Service (Class III).	5 ... Nil
(ii) Supply Department.	Superintendent ...	1 ...	Nil
	Inspectors ...	2—by promotion ...	Nil
	Sub-Inspectors ...	1—released man from Sylhet.	Nil
	Ministerial Staff (Directorate).	9—released men from Sylhet.	Nil
(iii) Procurement Department.	Controllers ...	3—of which 2 were appointed by promotion.	1
	Inspector ...	1—by promotion ...	1
	Sub-Inspectors ...	4 ...	1
	Assistant Sub-Inspectors.	1 ...	1
	Ministerial Staff (Directorate).	7—released men from Sylhet.	Nil
(iv) Police Department.	Chaprasis ...	6 ...	1
	Constables ...	116 ...	8
(v) Registration Department.	Sub-Registrars ...	Nil ...	Nil

Name of Department	Rank	Number of officers employed from September 1947 to January 1948			Number of Muslim officers
(vi) Medical Department.	Civil Assistant Surgeons.	4	...	...	1
	Assistant Superintendent of the Reid Chest Hospital.	1	...	...	Nil
	Sub-Assistant Surgeons.	3	}	Public Health Department.	Nil
	Health Visitors ...	2			Nil
	Special Medical Officer for Child Welfare and Maternity.	1			Nil

Alleged highhandedness by certain Congressmen in Dhubri Subdivision

Maulavi ABUAL MAJID ZIAOSH SHAMS asked :

284. (a) Are Government aware that recently at Baniatary, a place under Dhubri Thana near Gauripur, some Congressmen snatched away 50 heads of cattle from the owners ?

(b) Are Government aware that the said cattle were sold at a ridiculously low price under the orders of the Congress President of Dhubri ?

(c) Will Government be pleased to state whether they have empowered any political organisation such as the Congress or Muslim League to take away the cattle of the people and sell the same ?

(d) Are Government aware that the incident stated above has created a sense of insecurity in the minds of the Muslims ?

(e) Are Government aware that some of the cattle were milch cows and some were full grown bullocks and bulls ?

(f) Are Government aware that the cattle in question are worth at least Rupees two thousand or more ?

(g) Did any Government servant authorise the Congress President or Congress people to seize others cattle and sell them ?

(h) What action the police have taken in the matter ?

(i) Is it a fact that the police did not send any charge sheet in the matter ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

284. (a) to (i)—Information has been called for from the Deputy Commissioner, Goalpara, which has not yet been received.

Establishment of Vagrant Homes

Dr. JINARAM-DAS asked :

285. (a) Are Government aware of the great menace created by vagrants roaming about in the streets and roads to the great annoyance of the public ?

(b) If so, do Government propose to launch a drive against vagrants after establishing vagrant homes ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

285. (a) & (b)—Reports received from Superintendent, Lushai Hills and Deputy Commissioner, Garo Hills indicate that there are no vagrants in those districts. Replies of other Deputy Commissioners are awaited. Government will take action if on receipt of full information any action is justified.

Opening of Public Health Dispensaries in Cachar

Babu BIDYAPATI SINGHA asked :

286. (a) Will Government be pleased to state the names of various places in Cachar where Public Health Dispensaries should be started according to the recommendation of the District Medical Officer of Health, Cachar ?

(b) Do Government propose to start such dispensaries this year ?

The Hon'ble Srijut RAMNATH DAS replied :

286. (a) —One *Kala-azar* treatment centre at Dalu, one Out Centre at Sealtek Bazar, one treatment centre at Jirighat and one Public Health Department Dispensary at Loharband. As the number of *Kala-azar* cases is very small—only eleven, the opening of a Public Health Dispensary there is not justified.

(b)—Does not arise.

North Lakhimpur High School Building

Srijut HEM CHANDRA HAZARIKA asked :

287. (a) Will Government be pleased to state if any plan and estimate for reconstruction of the North Lakhimpur High School building has been prepared ?

(b) Are Government aware that the Students' Hostels of the said School are also to be extended for both Hindu and Muslim students ?

Srijut MOHENDRAMOHAN CHAUDHURY (Parliamentary Secretary) replied :

287. (a)—Yes.

(b)—Government have no information. An enquiry will be made to this effect.

Berry-White Medical College Board

Babu BIDYAPATI SINGHA asked :

288. (a) Will Government be pleased to state the total number of members of the Dibrugarh Berry-White Medical College Board ?

(b) Whether there is any member in the said Board from the district of Cachar ?

(c) If not, do Government propose to take at least one member from Cachar in the said Board ?

The Hon'ble Srijut RAMNATH DAS replied :

288. (a)—There are at present 10 members in the Governing Body of the Assam Medical College, Dibrugarh.

(b)—No.

(c)—It is not the policy of the Government to select members to represent districts.

Principle of appointing Extra Assistant Commissioners by promotion from Sub-Deputy Collectors.

Babu BIDYAPATI SINGHA asked :

289. (a) Will Government be pleased to state whether Government propose to follow the principle of appointing Extra Assistant Commissioners from the cadre of the Sub-Deputy Collectors by promotion?

(b) What were the reasons which guided Government in appointing Extra Assistant Commissioners recently from among the members of the Bar brushing aside the legitimate claims of the Sub-Deputy Collectors?

(c) How many Sub-Deputy Collectors were appointed in 1947-48 and among them how many were appointed from the district of Cachar?

(d) Is there any quota of appointment for people of Cachar district in Provincial services and in other higher services of Government?

(e) If the reply is in the negative, do Government propose to fix the quota of Cachar on the basis of population?

(f) If not, why not?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

289. (a)—Government's policy on the reorganisation of the Provincial Service will be found in the draft Resolution—a copy of which is placed on the Library Table.

(b)—Though the Sub-Deputy Collectors would make good revenue officers and in course of time Magistrates, Government was faced with the situation after the Transfer of Power of having less officers to do the civil and criminal work then were needed. This gap could only be filled adequately by members of the Bar.

(c)—Twenty-two places have been filled during 1947-48. None from Cachar.

(d) to (f)—There is no quota allotted districtwise in Provincial and Higher Services.

***Babu BIDYAPATI SINGHA :** Sir, it will be seen that more than one-third of the total question set in this session of the Assembly has been answered to-day, i.e., in a single day. Therefore,.....

The Hon'ble the SPEAKER : You want extension of time? That cannot be.

***Srijut BHADRA KANTA GOGOI :** মাননীয় সভাপতি মহোদয়, মই কব খুজিছো যে যোৱা বছৰ প্ৰধান মন্ত্ৰী ডাঙৰীয়াই প্ৰশ্নবোৰ যথার্থ ভাবে উত্তৰ দিবলৈ আশ্বাস দিছিল কিন্তু এতিয়া কিজানি ৬ বা আধা প্ৰশ্নৰ হে উত্তৰ দিয়া হৈছে। এই প্ৰশ্ন বিলাকৰ বহুতখিনি জানুৱাৰী-ফেব্ৰুৱাৰী মাহৰ ভিতৰতে দিয়া হৈছিল কিন্তু উত্তৰ পোৱা নাই। আজি ২১টা প্ৰশ্ন আলোচনা কৰিবলৈ থাকিল আৰু এনেকুৱা কিছুমান উত্তৰ দিছে যে গৱণ মেণ্টে উত্তৰৰ কাৰণে লিখা লিখি কৰিছে। এই বিলাক কাৰণে আমাৰ বহুত কথা আলোচনা কৰিবলৈ থাকি গৈছে। গতিকে যোৱা বছৰ প্ৰধান মন্ত্ৰীয়ে যি দৰে আশ্বাস দিছিল সেইদৰে আগলৈ ঠিক ভাবে উত্তৰ দিব বুলি আশা কৰিলো।

The Hon'ble the SPEAKER: এই কথা যোৱা Session ত ওলাইছিল যে বহুত প্রশ্নৰ উত্তৰ নিদিয়াকৈ বৈ গৈছে। এইবাৰ March Session ত প্রশ্নবোৰৰ উত্তৰ পঠিয়াবৰ কাৰণে মই প্রত্যেক সপ্তাহে তাগিদা দি আছো। এতিয়ালৈকে দেখা যায় যে এইবাৰ উত্তৰ দিয়া একেবাৰে অসন্তোষজনক নহয়। Short Notice Question ২টাৰ ভিতৰত ২টাৰ উত্তৰ দিছে। Starred Question ৬৭টাৰ ভিতৰত ৬৪টাৰ উত্তৰ দিছে—মাত্ৰ ৩ টাৰ উত্তৰ দিবলৈ বাকী আছে। Unstarred Question ৩৫৯টাৰ ভিতৰত ২৯০টাৰ উত্তৰ দিছে, মাত্ৰ ৬৯টা বাকী আছে। ইয়াৰ পৰা দেখা যায় যে এইবাৰ বহুত উন্নতি হৈছে।

The Hon'ble Srijut GOPINATH BARDOLOI: এই Session আৰু ৭ দিন থাকিবৰ কথা আছিল; তেতিয়াহলে প্রশ্নবোৰৰ উত্তৰ দিব পৰা গলহেঁতেন। কিছুমান এনেকুৱা প্রশ্ন এই Session ত দিয়া হৈছে যি বিলাকৰ উত্তৰ দিয়া সহজ নহয়—এইটো বোধকৰো আমাৰ বন্ধুবৰে জানে।

Srijut SARAT CHANDRA SINHA: মোৰ এটা জৰুৰী প্রশ্ন আছিল। এই প্রশ্ন কেইটা দিয়া হৈছিল smuggling case সম্বন্ধে। সোনৰহাট, মটেৰখাৰ আৰু সপটগ্ৰাম এই কেই ঠাইত এই smuggling case বিলাক হৈছিল আৰু এই case বিলাকত ওপৰৰ পৰা তললৈকে বহুত অফিচাৰ জড়িত আছে। মই বিশ্বস্তসূত্ৰে জানিব পাৰিছো যে বিভাগীয় অফিচাৰ সকলে ইচ্ছা কৰি এই প্রশ্নবিলাক lapse কৰাইছে। সেই বিলাক প্রশ্ন ফেব্ৰুৱাৰী মাহতে দিছিলো, কিন্তু এতিয়ালৈকে উত্তৰ দিয়া নাই।

The Hon'ble the SPEAKER: Smuggling of what? Of rice?

Srijut SARAT CHANDRA SINHA: Smuggling of cloth. মই গম পাইছো যে department এ যেতিয়া দেখিছে যে এইবিলাক প্রশ্নৰ উত্তৰ দিব লাগিলে তেওঁ বিলাক মস্কিলত পৰিব, তেতিয়া তেওঁ বিলাকে ভাবিছে যে, যেনে তেনে এই বিলাক প্রশ্ন lapse কৰাব লাগিবই।

The Hon'ble Srijut OMEO KUMAR DAS: With regard to the Question about these smuggling cases, Sir, the papers were sent to the Deputy Commissioner, Dhubri, but the information supplied was found to be inadequate and more details are being sought. That is why they have been referred back to him.

The Hon'ble the SPEAKER: The Hon'ble Minister will kindly furnish the information to the hon. Member.

The Hon'ble Srijut OMEO KUMAR DAS: That I can do, Sir.

Condolence Motion on the death of Srijut Taraprasad Chaliha, Ex-M. L. C. (Assam)

The Hon'ble Srijut GOPINATH BARDOLOI: Mr. Speaker, Sir, before other matters in the agenda are taken up, I desire to mention about the sad death of Srijut Taraprasad Chaliha which event took place a month ago. To-day is his Sradha Ceremony and I thought it proper to make mention of it before this House. It is known,—I suppose it is very well-known to the Hon'ble the Leader of the Opposition—that he was a Member of the old Council in pre-1935 Act days, and, for all I know and heard about him he discharged his responsibilities as a Councillor with full sense of responsibility as a Member and as a Representative of the public. He was a very unassuming gentlemen. He was adorned with academic qualifications both in India

as well as abroad ; and in his public life, he was always ready to help those who required help. *It may be known* that he is also the brother of our Parliamentary Secretary, Srijut Bimala Prasad Chaliha. I have lost a class fellow in him. We deplore his death and propose to convey our condolences to the family in their bereavement.

Maulavi Saiyid MUHAMMAD SAADULLA: Mr. Speaker, Sir, I associate myself with every word which has fallen from the lips of the Hon'ble the Leader of the House. But my surprise is that this matter has come before the House at such a late stage. The death of Srijut Taraprasad Chaliha took place before the Session began. As a matter of fact, I saw it in the Press and on the very first day of our meeting I approached his brother, our Parliamentary Secretary, Srijut Bimala Chaliha to learn the names of the heirs to send my sympathy and condolence. However, better late than never.

My relation with Srijut Taraprasad Chaliha was three-fold. He was a student under me for the one year I held an Education post in the Cotton College, Gauhati. Then he went to England, qualified for the Bar and for a very short period he was in the Calcutta Bar when I was practising as an Advocate in the Calcutta High Court. Later on, for about 3 years he was a Member of the old Legislative Council. Therefore, he was my colleague. He was a very unassuming gentleman and a perfect gentleman at that and it is meet and proper that one who adorned the Council, the precursor of the present Assembly, we should mourn his death and a letter of sympathy be sent to the bereaved family.

Mr. J. S. HARDMAN: Though, Sir, I had not the privilege of knowing the late gentleman, I request on behalf of my Group that we may be associated with the sentiments so ably expressed by the Hon'ble Premier and the Leader of the Opposition.

Srijut NILMANI PHOOKAN: Mr. Speaker, Sir.....

The Hon'ble the SPEAKER: No this is not the convention to speak after the Leaders of the Parties have spoken.

I associate myself whole-heartedly with the condolence Motion moved by the Hon'ble Premier. To me, it is a personal loss, because we read together from school days and we were also together in our college days. I was working along with him in the Assam Legislative Council from 1926—1928. He was an honest and unassuming gentleman. I had been expecting much from him in the political sphere of Assam, but that was not possible owing to his suffering from illness for about 20 years.

With these words I associate myself with what has been said by the Hon'ble Leaders of all Parties of this House. I hope the Resolution will be sent to the bereaved family.

Result of election to the Provincial Advisory Board for Primary Education

The Hon'ble the SPEAKER: I shall now announce the result of election to the Provincial Advisory Board for Primary Education.

The following hon. Members having secured the largest number of votes are hereby declared duly elected:—

1. Srijut Sarat Chandra Sinha,
2. Srijut Bijoy Chandra Bhagavati,
3. Babu Bidyapati Singha.

Motion *re* opening of a Police Outpost at Dawki

The Hon'ble Srijut GOPINATH BARDOLOI: If you would permit me, Sir, I would like to move my Motion—item No.3—first.

The Motion is this:

“With a view to meet the exigencies of the present situation resulting from the secession of Sylhet from Assam, it has been found essential to open a temporary outpost with a staff of 1 Sub-Inspector, 1 Assistant Sub-Inspector and 8 Constables at Dawki which is on the border of the Khasi and Jaintia Hills District in the Indian Union and Sylhet District in East Pakistan.

Consideration involved—

- (i) Law and order.
- (ii) Control of traffic.
- (iii) Prevention of smuggling.
- (iv) Security, etc.

The expenditure will be met from savings in the Police Budget but to meet the approval of the Assembly, the proposal is placed on the table and may accordingly be approved.”

With these words, Sir, I move my Motion.

The Hon'ble the SPEAKER: Motion moved:

“That with a view to meet the exigencies of the present situation resulting from the secession of Sylhet from Assam, it has been found essential to open a temporary outpost with a staff of 1 Sub-Inspector, 1 Assistant Sub-Inspector and 8 Constables at Dawki which is on the border of the Khasi and Jaintia Hills District in the Indian Union and Sylhet District in East Pakistan.

Consideration involved—

- (i) Law and order.
- (ii) Control of traffic.
- (iii) Prevention of smuggling.
- (iv) Security, etc.

The expenditure will be met from savings in the Police Budget but to meet the approval of the Assembly, the proposal is placed on the table and may accordingly be approved.”

I find no hon. Member is taking part in the discussion. I am putting it as a question.

The question is:

“That with a view to meet the exigencies of the present situation resulting from the secession of Sylhet from Assam, it has been found essential to open a temporary outpost with a staff of 1 Sub-Inspector, 1 Assistant Sub-Inspector and 8 Constables at Dawki which is on the border of the Khasi and Jaintia Hills District in the Indian Union and Sylhet District in East Pakistan.

Consideration involved—

- (i) Law and order.
- (ii) Control of traffic.
- (iii) Prevention of smuggling.
- (iv) Security, etc.

The expenditure will be met from savings in the Police Budget but to meet the approval of the Assembly, the proposal is placed on the table and may accordingly be approved."

The question was adopted.

Motion *re*: consideration of the Report of the Public Accounts Committee on the Appropriation Accounts for 1945-46

The Hon'ble Srijut BISHNURAM MEDHI: Mr. Speaker, Sir, I beg to move that the Assembly do proceed to consider the report of the Public Accounts Committee on the Appropriation Accounts for the year 1945-46 and that the Assembly do approve the expenditure of Rs. 26, 92, 953 as recommended by the Public Accounts Committee on the Accounts for 1945-46.

In moving this Resolution, Sir, I may draw the attention of the excess expenditure that is noted at page 6 of the Audit Report. There the details of the excesses that have been incurred were given. Beside this there are excesses over charged appropriations the details of which are also given at paragraph 9. In connection with this Report there are some other recommendations which require the consideration of the House. If the House accepts these recommendations the Government will take steps in accordance with the recommendations of the Public Accounts Committee. Instead of taking the time of the House, I like to refer the hon. Members to the details of the recommendations given at pages 1, 2 and 3 of the Report of the Public Accounts Committee. One of the recommendations of the Committee is that: "This Committee is of opinion that there was no justification on the part of Government to order payment of Rs.7 lakhs to the Agents, the Eastern Bengal and Assam Commercial Syndicate, while there was stock in their possession alleged to be worth Rs.60 lakhs without verification, and taking over of the unverified stock when the contract was terminated", and that "This Committee recommends to Government that an enquiry committee composed of Srijut Siddhinath Sarma, M.L.A. and Babu Kamini Kumar Sen, M.L.A., as members, and the Finance Secretary, as Secretary to the Committee should be formed in order to investigate and determine responsibility in the following cases:—

- (i) The purchases made by the Civil Supply Agency at rates higher than the market rates without regard to the demand for the articles so purchased.
- (ii) The purchase of Ghee when there was no demand for it resulting in a loss of Rs.1,99,817 to Government.
- (iii) The delay in the disposal of stocks as noticed in Note 9 on page 177 of the Audit Report for 1947, resulting in big losses to Government."

There is another recommendation of the Committee. It runs as: "The Committee also recommends immediate action as indicated below in the following cases:—

- (i) Not being satisfied with the explanations given in regard to section (ii) of sub-paragraph (i) of paragraph 5 of last year's Report of the Committee, this Committee recommends that the Anti-Corruption Branch of the Criminal Investigation Department should be asked to find out if anybody can be held responsible."

There are also other recommendations, but I need not take the time of the hon. Members in referring to them in detail. But if these recommendations are accepted, Government will try to give effect to them.

The Hon'ble the SPEAKER: Motion moved:

"That the Assembly do proceed to consider the Report of the Public Accounts Committee on the Appropriation Accounts for the year 1945-46 and that the Assembly do approve the expenditure of Rs.26,92,953 as recommended by the Public Accounts Committee on the Accounts for 1945-46."

Mr. J. S. HARDMAN: Mr. Speaker, Sir, I rise to raise a point of order. You will remember that last week I raised a point of order in regard to the validity of the Report of the Public Accounts Committee and I have not yet received any decision on that point of order. If you turn to the Legislative Assembly Manual at page 6, paragraph 14 you will find that the Speaker shall decide on all points of order. For your convenience, Sir, I will refresh your memory with a statement on the point of order which I raised. You will find at page 1 of the Public Accounts Report that 7 names were given and it was stated that the last named member had resigned his seat before the Committee met and his place was not filled up. Sir, there is a mandatory provision under rule 102 which provides that as soon as a vacancy occurs it shall be filled up as soon as possible. Sir, a vacancy occurred on August 15th. It is now the third April and that vacancy has not been filled up. The attention of the Hon'ble Finance Minister was drawn during the last November session of this Assembly. I draw the attention of the Hon'ble Speaker to the undertaking which was given at that time, that the vacancy would be filled up. That undertaking, Sir, was not implemented.

The Hon'ble the SPEAKER: When the undertaking was given?

Mr. J. S. HARDMAN: It was 8th November last, Sir.

The Hon'ble the SPEAKER: May I know from the hon. Member when that session was prorogued?

Mr. J. S. HARDMAN: I presume on the very same date, Sir. But, Sir, there is no provision in the Rules providing for any specified method of holding any election except that the single transferable vote must be exercised. It is, therefore, possible for an election to be held without the House being in session. This can be done by means of calling for candidates to fill up the casual vacancy and by circulating forms to Members to fill up. I admit, Sir, that in the case of one Member it would be difficult if the forms were sent by post.

The Hon'ble the SPEAKER: May I know from the hon. Member what method is adopted in the House of Parliament?

Mr. J. S. HARDMAN: That I cannot tell, Sir, without notice.

The Hon'ble the SPEAKER: You should have come prepared to cite a precedent when you raise a point of order.

Mr. J. S. HARDMAN: I am only stating, Sir, that under our Rules the vacancy has got to be filled up, but how Government or how the House decide to fill it up is left to the scope of other rules. The mandatory provision is that the vacancy has to be filled up as soon as possible; but how it is to be filled or whether it is necessary to convene a special session of this House to hold the election, or whether it can be held by means of postal votes, is not a matter for you, Sir, to decide now but it is mandatory that this vacancy should be filled up as soon as possible, and we find that from the 15th of August to the 3rd of April, this vacancy has not been filled up.

The second point I would like to urge, Sir, is that there is nothing in these Rules requiring that the Report of the Public Accounts Committee shall be presented in the Budget Session before the close of the financial year or before the commencement of the next financial year. I opened my morning paper today, Sir, and I found it stated that in the Central Legislature the Public Accounts Committee Report has not yet been prepared and hon. Mr. Ranga had raised objection on this ground. Sir, it is, therefore, competent for us to postpone consideration of this Resolution until we have a Report of the Public Accounts Committee which we have not got before us today.

The Hon'ble the SPEAKER: I want to know certain things from hon. Mr. Hardman. What is the maximum number of the Public Accounts Committee in the House of Commons?

Mr. J. S. HARDMAN: I am sorry, Sir, I cannot tell it off-hand. I want notice. However, my point is that whenever a casual vacancy occurs, it has got to be filled up as soon as possible. If you hold that six months is too short a period in which to fill up the vacancy, it is nevertheless your obligation to do so as soon as possible. There can be no Public Accounts Committee Report until such vacancy has been filled up. We may have the spectacle of having to deal with the Public Accounts Committee Report even ten years in arrears but still before any Public Accounts Committee Report can be presented casual vacancies have to be filled up.

The Hon'ble the SPEAKER: I may inform the hon. Member that the maximum number of members of the Public Accounts Committee is 15 in the House of Commons where there are about 640 Members.

Mr. J. S. HARDMAN: I would respectfully urge, Sir, that this is irrelevant here when this House has framed definite and precise Rules on this point.

The Hon'ble the SPEAKER: What then is the mandatory provision in the House of Commons?

Mr. J. S. HARDMAN: I must plead ignorance of that, Sir. We have our own Rules which are precise and clear and I would submit, Sir, that there is no necessity for us to refer to the practice in the House of Commons or other Legislatures where other conditions may obtain.

The Hon'ble the SPEAKER: It is a practice that when there is no ruling in India, the ruling in the House of Commons is resorted to. Everybody knows that.

Mr. J. S. HARDMAN: I admit that Sir, where there is the question of interpretation of the law, but if there is specific provision in our Rules, then, Sir, our duty is to apply our minds to the Rule as it stands, and only if there is any obscurity, then, Sir, can we resort to the practice in other Legislatures including the Houses of Parliament.

The Hon'ble the SPEAKER: May I know from the hon. Member whether there is similar provision in the Government of India Act, 1935? About the composition of the Provincial Legislature there is a mandatory provision that the House shall consist of so many Members in this Province and so many Members in that Province and so on.

Mr. J. S. HARDMAN: Yes, Sir, but there is also mandatory provision for filling up casual vacancies. This has got to be followed. If there is any failure in filling up the vacancy there are certain liabilities. There have been historic cases, Sir, on this question of unfilled vacancies which fill pages of histories of Constitutional Law. The Government has no right and the Hon'ble Speaker has no right to withhold the issue of writs of election otherwise, Sir, the rights of the electorates will be completely defeated.

The Hon'ble the SPEAKER: In spite of mandatory provision in the Government of India Act that a Provincial Legislature of India should consist of a certain number of Members and in spite of the fact that a vacancy occurs at any time, does the hon. Member mean to say that the Assembly will not sit and if it sits, the proceedings of the House are invalid?

Mr. J. S. HARDMAN: You will recognise, Sir, that the law of analogy is extremely dangerous. At the same time there are statutory safeguards in regard to the sitting of this House notwithstanding a casual vacancy; any decision taken therein is fully covered by statutory rules whether you have a House of 100 or more Members, or any specified number at the point of time when a single vacancy occurs, the proceedings continue to be perfectly valid because this contingency is governed by statutory provisions and statutory rules. If, Sir, we had a similar safeguard or provision in the present case, I would have no ground for objection.

The Hon'ble the SPEAKER: Before I give my Ruling, I would like to request the hon. Advocate General to give his opinion on this matter.

*** Mr. FAKHRUDDIN ALI AHMED (Advocate General):** Mr. Speaker, Sir, as far as I have been able to understand from the statement made by hon. Mr. Hardman, his grievance is that this vacancy was not filled up as contemplated under rule 102 of the Assembly Rules, and very likely, his next

point is that because this vacancy was not filled up, therefore the work done by the Public Accounts Committee was not regular. As far as his first contention is concerned, it will not be competent for me to say anything, because it is for the Government to say when the first opportunity occurred to bring the matter to the notice of the House and whether they actually took steps for the purpose of having the vacancy filled up at the earliest opportunity. This matter was referred to me by the Government a few months ago and at that time it was brought to my notice on a ruling given by you. Sir, that the election of the member could not be proceeded with in the last November Session. So, I took that fact into consideration and I said that because of the ruling given by the Hon'ble Speaker the Government could not be blamed for not taking action and proceeding with the work of the Public Accounts Committee. Therefore, they were perfectly justified in finishing the work which remained unfinished and presenting the report before the House.

Sir, I find no precedent under the Assembly Rules that unless and until a casual vacancy which occurs is filled, the Public Accounts Committee cannot function. There is no precedent and you have rightly referred the hon. Member to the procedure of the House of Commons where the House consists of about 600 Members. The number of elected members on the Public Accounts Committee is 11 and in certain circumstances it can be raised to 15. Here in this House we have about 70 Members. Now comparing the number of Members in the Public Accounts Committee in the House of Commons and the number of Members here, there is no justification that this figure is not proportionate to the number of Members in this Assembly. In any way, the procedure in the House of Commons is that the Members of the Public Accounts Committee are elected at the beginning of every Session of the Parliament. But as far as this Assembly is concerned the procedure laid down is that the Members of the Public Accounts Committee should be elected when the Assembly meets for the first time, that is to say, the Members are elected when the Assembly meets for the first time and then if any casual vacancy occurs, this is filled up as soon as possible. I think, Sir, there is no precedent in this House when a vacancy was filled when the House was not in session. My hon. Friend cannot cite any instance that such a vacancy was filled up when the Assembly was not in session. On account of the transfer of a portion of Sylhet to Pakistan, a Member who happened to be a Member of the Public Accounts Committee had to resign his membership and he ceased to be a Member with effect from the 15th August. After that because there had been no parts of the Province but a part of a district has gone to Pakistan, I am of opinion that the continuity of the Province has remained and in view of that fact the vacancy which occurred on account of one hon. Member not remaining as a Member of this Assembly is nothing more than a casual vacancy. As laid down, the casual vacancies should be filled up as soon as possible. I do not know the circumstances under which the Government was prevented from filling up this vacancy till this Session but on account of the fact that this vacancy was not filled up earlier the work done by the Public Accounts Committee cannot be said to be irregular or against the procedure of any precedent. My hon. Friend has not been able to cite any precedent and when the matter was referred to me I looked carefully into it and found there was no precedent to support that on account of the failure of Government to elect a Member in the casual vacancy the work of the Public Accounts Committee would be stopped or postponed.

Babu KAMINI KUMAR SEN: May I add a word, Sir ? Supposing for argument's sake that a vacancy was not filled up in due course, how can that invalidate the proceedings of the Public Accounts Committee ? Government might not have taken timely steps for filling the casual vacancy, may be through oversight or for other reasons, but that cannot invalidate the proceedings that were gone through by other Members of the Committee. I do not find any provision in the rules even prescribing a quorum for this Committee. Supposing one Member of the Committee is absent or has not got the notice to attend the meeting, does that mean that the proceedings of the meeting by the other Members are invalid ? As there is no provision even for a quorum, I think, Sir, if two Members out of eight attend the meeting, and do the work, the proceedings would be quite legal.

Maulavi MUHAMMAD ABUL KASHEM: Sir, I think the contention of my Friend, Mr. Kamini Kumar Sen, holds no good. His analogy of holding a meeting with less than the total number of Members cannot be accepted. In such cases quorum is the minimum limit of the Members to be present. But, Sir, in this case there is a mandatory provision for holding election to the Public Accounts Committee and as such any meeting of the same Committee pre-supposes filling up any casual vacancy that might have occurred.

Mr. J. S. HARDMAN: Sir, may I be permitted to comment on the main point which has been raised.....

The Hon'ble Srijut BISHNURAM MEDHI: I think, he has no right of reply.

Mr. J. S. HARDMAN: They have misrepresented my arguments. So I want to explain.....

The Hon'ble the SPEAKER: If the hon. Member thinks that his point has been misrepresented he can explain.

Mr. J. S. HARDMAN: My argument was not on the question of filling up the full number of seats, but the question of filling up of the casual vacancy. There is an essential difference between a casual vacancy and a member's temporary absence. That is one point and the second point is that the words "shall be filled up" contemplate that the House is entitled to see that the vacancy is filled up and no person is to be deprived of his right to take part in the proceedings.

The Hon'ble the SPEAKER: Can you cite a precedent ?

Mr. J. S. HARDMAN: I stand on the rule.

The Hon'ble Srijut BISHNURAM MEDHI: Mr. Speaker, Sir, I need not go into the details regarding the validity or regularity of the proceedings as raised by the hon. Member. Mr. Hardman's contention, if accepted, will lead to absurd results. For argument's sake let us assume that while the Public Accounts Committee consisting of 8 members was sitting, one of the members either dies or submits resignation, according to the contention of Mr. Hardman, the proceedings of the meeting continued after the vacancy or the report submitted by the rest of the Members will be invalid.

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Is it the intention of the Legislature that the meeting should be postponed in case a member dies? If the meeting is continued and its deliberation completed and report submitted, the report cannot by any stretch of imagination be said to be invalid due to the death or resignation during the continuance of the meeting. It has been clearly stated by the Hon'ble the Speaker that the House consisted, before August, of 108 Members and now it consists of 71 Members only. There is nothing in the law that those persons who opted for Pakistan cannot be members of a Committee. Even for argument's sake, if those persons have not formally resigned and their seats may not be considered to be vacant as they may be presumed to continue to be members of the Public Accounts Committee, how does it affect the proceedings of the Public Accounts Committee? In this particular case whether Government was justified in not filling up the vacancy is quite a different matter which does not affect the validity of the report.

I am, however, placing the facts for the consideration of the House why the Government could not fill up the vacancy but had to complete the deliberation for presentation of the report in this Session.

In the matter of filling up the vacancy, there was some doubt in our minds and as a result a letter was written to the Government of India and also to the Auditor General and we received the reply towards the end of October, *i. e.*, about 29th October. It reads thus, "I have the honour to state that it has been decided that the Appropriation Accounts and the Audit Report of the Government of Assam whose continuity as a Province is not affected by transfer of Sylhet to Pakistan Dominion, should be compiled and dealt with in the ordinary course". This letter was received towards the end of October and the Hon'ble Mr. Hardman raised the point of order for the first time on 10th of November, and I requested the Hon'ble Speaker if it would be feasible to hold the election to fill up the vacancy. I was told by the Hon'ble the Speaker that it was not possible. On 11th November I wrote a note like this, "The question was raised in the Assembly by Mr. Hardman yesterday. I requested the Hon'ble Speaker if it be feasible to get the vacancy filled up by the members of the Assembly in the present Session under Assembly rule 102(2) & (3). The Hon'ble the Speaker, however, says that it will not be feasible to get the vacancies filled up by election in the present Session. Under the circumstances, I think, we can finish the deliberation of the Committee on the adjourned date, *i. e.*, on the 28th November, 1947. It will, however, be better to get the views of the Advocate General in the meantime." I got the views of the Advocate General in the meantime. His view is that, "the failure to fill up a few vacancies cannot hold up the meeting of the Public Accounts Committee and stop the functioning of the Committee. The Committee, therefore, is entitled to take up the unfinished business on the 28th as has already been arranged". Under the circumstances, on the 28th November the Public Accounts Committee completed their deliberation and submitted the report. The report has been placed before the Hon'ble House. Under the circumstances the House will fully appreciate why the vacancy could not be filled up and that Government were justified in completing the report of the Public Accounts Committee for presentation to this House in this Session of the Assembly.

The Hon'ble the SPEAKER: Mr. Hardman the other day raised this point of order and I said that the whole matter should be considered under rule 102 of the Assembly Rules, read with sub-rules (2) and (3). I stated that the mandatory provision in sub-rule (2) is taken away by the provision

of sub-rule (3) which states that casual vacancy should be filled in as soon as possible. To-day he has raised that point of order and I asked him whether he could cite any precedent to show that the proceedings of the Public Accounts Committee carried on without filling in the casual vacancy are invalid. I also tried to find out a precedent either of the House of Commons or Indian Legislature, but I failed. Mr. Hardman has not been able to cite any precedent.

Mr. Hardman has referred to Rule 102. Sub-rule (2) of rule 102 of the Assam Assembly Rules provides for the number of members that should constitute the Public Accounts Committee and sub-rule (3) of the same provides that casual vacancies shall be filled "as soon as possible". There were eight members of this Committee elected according to sub-rule (2) of rule 102 last year. But after partition of Sylhet one member of this Committee could no longer be a member of this Assembly and hence the vacancy remained unfilled. The vacancy occurred in last August, and there were two sessions thereafter—one in September, 1947 and another in November 1947. Hon. Mr. Hardman's contention is that the Finance Minister should have filled the vacancy either in September or in November; as he has not done so the Hon'ble Finance Minister has transgressed the rule. The Hon'ble House may remember this point of order was raised by the hon. Member first on 10th November, 1947, and the sitting of the Assembly was prorogued on the 11th November, 1947 and as such I ruled that there was hardly any time to take that step that the vacancy in question should be filled as soon as possible. The delay for not filling in the vacancy in September has now been sufficiently explained and as there was hardly any time after 10th November, to take steps to fill the vacancy in November, it could not be done. The Public Accounts Committee has been constituted in this Session. I must say that the Finance Minister should have filled in the vacancy either in September or in November. But I think, the omission has been satisfactorily explained.

Issue has been raised whether the proceedings of the Public Accounts Committee of last year which sat with one member less is in order. I asked the hon. Member, Mr. Hardman, whether he could cite any precedent either of the House of Commons or Indian Legislature where it has been held that the proceedings gone into under such circumstances were not in order.

I endeavoured also to find such a decision, but I failed. In the House of Commons it has been provided that the maximum number of members of the Public Accounts Committee shall be 15. There are, I think, 640 members or thereabout in the House of Commons and 15 has been the maximum number to represent 640.

The Assembly rules of the Indian Provincial Legislatures are generally framed *mutatis mutandis* on the analogy of the standing orders of the House of Commons. My opinion is eight is the maximum number for the Public Accounts Committee of the Assam Legislative Assembly. In other words, the mandatory provision is this that the number should not exceed 8, and as such there will be no breach of any rule if the Committee is constituted or proceeds to do business with a lesser number than 8. In this connection, I invite the attention of the House to the fact, that section 61 of the Government of India Act, 1935, in which mandatory provision regarding the maximum number of members that should compose the different Provincial legislatures is to be found. Vacancies do occur frequently owing to death, resignation, etc., and the legislative bodies do sit and carry on business in spite of the vacancy. If the line of argument advanced by Mr. Hardman is to be applied it would not be possible for Provincial and Central Legislatures to carry on any business.

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In such circumstances, I am of opinion that if the proceedings of the Public Accounts Committee were gone into with a lesser number of members under circumstances stated by Government they are not out of order.

Mr. J. S. HARDMAN: May I speak on the Motion now, Sir? I was speaking previously on the point of order and I think I can now exercise my right to speak on the Motion.

The Hon'ble the SPEAKER: Yes, most certainly.

Mr. J. S. HARDMAN: There are a number of features in the Report of the Public Accounts Committee which are significant; some of these are not the responsibility of the present Government. It will be seen that the Public Accounts Committee was reviewing the accounts of the year 1945-46. There are, however, certain features in the Report which, in my opinion, relate to the administration of the present Government and these are somewhat disquieting. I would refer first of all to the vague explanations given by the controlling officers. This, Sir, has been going on for a number of years. This question was raised, I understand, in the previous year but there has been no improvement at all in the present year. It is time, Sir, that Government exercised their authority and gave necessary assistance to the Public Accounts Committee and to this House in maintaining public control over expenditure. It is little use for the Public Accounts Committee to sit or this House to arbitrate on reports of the Public Accounts Committee unless there is a greater measure of compliance by Government servants in submitting their explanations which are necessary both for the Public Accounts Committee and for this House.

There is also another disquieting feature in the apparent laxity of control which is still going on. The method by which the reports of the Departments are placed before the Public Accounts Committee is not entirely satisfactory. The practice, I understand in the Government of India and in several other Provinces, is for all explanations submitted by the Departments to the Public Accounts Committee to go through the Finance Department. The Finance Department therefore are responsible for seeing that adequate explanations are furnished and a great deal of the time of Committee can be saved if this necessary safeguard is carried out. We have long reference to the inadequate handling of audit notes and to the delay in replying to these. We must suspect, when there are attempts to conceal facts, that there is something very undesirable. In many cases occurring in this Report it seems impossible to believe that many months and years should elapse before simple facts can be placed before a Committee of this House.

These, Sir, are questions which, I hope, the Hon'ble Finance Minister will take into consideration. It is necessary for the Finance Department to exert greater influence on the form and method of preparation of these accounts. Much of the work of the Committee will be lightened and instead of having matters deferred from year to year we will be able to deal promptly with the accounts while they are reasonably fresh in our mind.

The Hon'ble Srijut BISHNURAM MEDHI: Mr. Speaker, Sir, these accounts relate to the year 1945-46 and we assumed office in February of that year. And in one month during our office no transaction worth the name took place. Whatever that may be, the Government are now trying to implement all these recommendations of the Public Accounts Committee. As regards failure of Departments to supply all the replies, steps have already been taken. The

Departmental Heads have been warned to supply them as soon as possible. I have already asked the Comptroller that in case he does not receive the replies in time or he is not satisfied with them he should draw the attention of the Finance Department to expedite matters. Sir, all possible steps are being taken with regard to these matters. This is a legacy of the war and its after effects. During war-time a large number of Departments were created and there was laxity in all directions. The war broke out in Europe, and if anybody is responsible for this state of affairs most probably it is Europe. As a matter of fact, we, as Congressmen, were opposed to the war and were imprisoned on account of that.

The Hon'ble the SPEAKER : The question is :

"That the Assembly do approve the expenditure of Rs.26,92,953 as recommended by the Public Accounts Committee on the Appropriation Accounts for 1945-46."

The question was adopted.

Adjournment

The Hon'ble the SPEAKER : The Assembly was then adjourned for lunch till 1 P. M.

After lunch

The Assam *Adhiars* Protection and Regulation Bill, 1948

The Hon'ble the SPEAKER : We may continue the discussion of the Assam *Adhiars* Protection Bill. We did upto Amendment No.9 and begin with Amendment No.10.

Maulavi MUHAMMAD ABUL KASHEM : Mr. Speaker, Sir, I beg to move that after sub-clause (i), of clause 5, the following be added as a proviso :—

"Provided that he (Land-lord) does not possess economic holding as prescribed under this Act".

Sir, in placing this Amendment for the acceptance of the House I would explain the object with which I move it. Sir, already there are provisions for evicting *adhiars* from the land if the land is required by the landlord *bonafide* for different purposes and subsequently by the acceptance of another Amendment of my Friend, Mr. Beliram Das, further provisions have been made for eviction of *adhiars* from the land. Sir, as this Bill is for the protection of the *adhiars* we must also make provision to protect them from eviction. To prove the *bonafide* there should be some prescribed rules and that shall be prescribed by Government afterwards. In the rules a maximum should be fixed for having an economic holding by the landlord, say, for example, if a landlord who has got say, 100 Bighas of land and still wants that a person cultivating only 5 Bighas of land on *adhi* system whom he does not like can according to present Bill ask the Revenue Officer to evict him by issue of a notice as provided. To give protection to the *adhiars* there should be a limit of the land that a landlord should hold. Say, a man having 5 persons in the family shall not be allowed to evict an *adhiar* from his land which he cultivates if that man has got say 20 or 25 Bighas of land for his economic holding. So if this barrier is created, at least the *adhiars* will get some sort of protection from the oppression of these landlords. If there

will be no limit then there will be no limit of eviction because one having even thousand Bighas of land will still insist evicting a person taking recourse to the provision already added under clause 5. So I request all the Members of the House to consider the matter and see whether they should make some limit of land that should be held by a particular landlord. Sir, in Goalpara District a man can evict a person if only he has got insufficient land for his own cultivation. This saves the under-tenants from constant eviction. Had there been no such provision the *jotdars* would have taken all land. So there should be a limit of land of each landholder who will be entitled to approach the Revenue Officer for issue of an order of eviction on any *adhiar*. If he has got insufficient land then and then alone he should be allowed to evict an *adhiar* and if he has got enough land he should not be so allowed. So a limit should be fixed by Government under the rules. Why I do not fix any maximum here is due to the fact that Government has not come to any definite decision as to the economic holding. So when the Government will fix up a definite limit for economic holding, then they will prescribe it under the rules. So with these words, Sir, I commend the Amendment for the acceptance of the House.

The Hon'ble the SPEAKER: Amendment moved :

"That after sub-clause (1) of clause 5, the following be added as a proviso :

'Provided that he (Landlord) does not possess economic holding as prescribed under this Act'."

Mr. P. M. SARWAN: Sir, I beg to support this Amendment. I have noted how systematically the process of whittling down the good provisions of this Bill has been carried on. My hon. Friends, Srijut Beliram Das, Srijut Harinarayan Barua and Srijut Motiram Bora tabled a motion enabling landlord to eject *adhiars* for multifarious reasons. Now this Amendment seeks to prevent a landlord from making undue use of the previous Amendments which put forward multifarious excuses for ejection. Now if the Government really intend to protect and give relief to the *adhiars* and not to protect and give relief to the landlords this Amendment which is most harmless and which seeks in a way to prevent too much hardship being felt by the poor *adhiars*, I request the Congress Party which rules this House to have some consideration for the Amendment which has been tabled.

The Hon'ble Srijut BISHNURAM MEDHI: Mr. Speaker, Sir, it is known to my hon. Friend who moved this Amendment that it will take some time before we can actually define what are economic holdings and that also will depend on the number of members of families of those holdings and also on the way in which the cultivation of those areas is carried on. If it is mechanised cultivation then the area will have to be greater than that in which cultivation is carried by ordinary method. If the Government is required to define such areas or economic holdings then it will not be possible to give effect to this Bill immediately. So, is it the intention of the hon. Member, who wants to protect the interest of the *adhiars*, to delay the effect of this Bill? If he does so, Sir, it will be only dilatory tactics on his part to delay the enforcement of this Bill. So, Sir, I would request the hon. Member to withdraw this Amendment.

Babu KAMINI KUMAR SEN: Sir, may I point out that if this Amendment is accepted then it will be inconsistent with the Amendment which was moved by Srijut Beliram Das and which the House accepted yesterday. The Amendment that was accepted before states that the landlords may get possession if they require lands for purposes of residential, or horticultural

or piscicultural and such other purposes. Even if a landlord has an economic holding he might require the land for residential and other purposes. So this Amendment, if accepted, will take away those rights of the landlords, though the House has already agreed to confer those rights on him.

Maulavi MUHAMMAD ABUL KASHEM: This Amendment would not affect that Amendment in anyway. Any way, Sir, I beg leave of the House to withdraw my Motion.

The Hon'ble the SPEAKER: Has the hon. Member leave of the House to withdraw his Amendment ?

The Amendment was, by leave of the House, withdrawn.

Srijut DANDESWAR HAZARIKA: I do not want to move my Amendment* No.11, Sir.

Srijut GAURI KANTA TALUKDAR: Sir, I beg to move that in the first line of sub-clause (iii), of clause 5, after the word "deliver" the words "within prescribed time", be added.

In the Bill, Sir, there is no mention as to the period of time within which an *adhiar* is to deliver to his landlord the share of his crop. It is desirable that there should be certain definite time specified for this purpose. But a uniform time cannot, and I think should not, be laid down for all localities and in respect of all kinds of crops because the time of harvest and the time that is required for delivery of crops to the landlords differ according to different localities. Besides that other circumstances and local practices are also to be taken into account. It is therefore desirable to give the Government some discretion to prescribe the time for delivery of crops by their rule-making power. To fix some time after the date of harvest, as suggested by some hon. Members, will not be, I believe, convenient, as the time of harvest will always remain a disputable matter difficult to ascertain and the time of harvest varies according to different localities.

I therefore request the House to accept my Amendment.

The Hon'ble the SPEAKER: Amendment moved.

"That in the first line of sub-clause (iii) of clause 5, after the word 'deliver' the words 'within prescribed time', be added".

Dr. EMRAN HUSAIN CHAUDHURY: Sir, I beg to support whole heartedly the Amendment moved by my esteemed Friend, Mr. Talukdar, in spite of the fact that he opposed our Amendments, Motions and Resolutions and that he belongs to the Government Party and we to the Opposition Party. Here it appears that a Member of the Government Party has thought fit to give a time limit to the *adhiars* regarding the delivery of the produce to the landowners.

* 11. Srijut DANDESWAR HAZARIKA to move:—

- (1) That in the first line of sub-clause (i) of clause 5, after the word "land", the words "to the extent of actual requirement" be added.
- (2) That in the second and third lines of sub-clause (ii), after the word "cultivation", the words "deteriorate the productivity", be added.

It is quite proper that one should not harass the landlords or Zemindars like my hon. Friend, Srijut Beliram Das, who is well known to the House as such. In order not to harass the landlords or Zemindars like him this sort of provision is necessary. Therefore, Sir, I whole-heartedly support this Amendment.

✓ **Maulavi MUHAMMAD ABUL KASHEM:** Mr. Speaker, Sir, I rise to oppose the Motion moved by my hon. Friend Mr. Talukdar (*laughter*). Although I appreciate the object with which he has moved his Motion, I cannot but oppose it because I find that it will be difficult to fix a time limit within a prescribed time. There cannot be any prescribed time by which harvesting could be done.

The Hon'ble Srijut BISHNURAM MEDHI: I don't see any relevancy to his objection, Sir.....

✓ **Maulavi MUHAMMAD ABUL KASHEM:** It is quite relevant, Sir, because he says "deliver within prescribed time"—I say that it is not possible to prescribe a time limit for delivering the produce. So my opposition is quite relevant, Sir.

The Hon'ble Srijut BISHNURAM MEDHI: I am glad to find that the House support the Amendment proposed by my Friend, Mr. Talukdar. It is a reasonable Amendment and it should be accepted. As a matter of fact the reply that has been given that it should not be accepted is rather self-contradictory. There is no date fixed for harvesting. Is it possible to fix a definite date as the date of harvesting? Various crops are harvested at different times and more harvesting continues for days.

✓ **Maulavi MUHAMMAD ABUL KASHEM:** On a point of information, Sir. May I ask the Hon'ble Minister whether he wants that the *Adhiars* should pay his produce to the landlords before he has completed his harvesting?

The Hon'ble Srijut BISHNURAM MEDHI: No, Sir. I fail to understand how the hon. Member makes that assumption that the *Adhiar* will deliver his produce before harvest. There is no definition about the date of harvest. That will have to be prescribed under the Act. I have already stated that different crops are harvested at different times and the harvesting continues for several days and sometimes about a month. In view of this I hope the Amendment proposed by Mr. Talukdar may be accepted.

The Hon'ble the SPEAKER: The question is:

"That in the first line of sub-clause (iii) of clause 5, after the word 'deliver' the words 'within prescribed time' be added."

The question was adopted.

Srijut GAURI KANTA TALUKDAR: Mr. Speaker, Sir, I beg to move that after sub-clause (iii) of clause 5, the following be added as a new sub-clause (iv):—

"(iv) that the *Adhiar* kept the land fallow for one year or sublets to others."

Sir, the object of this small Amendment is quite clear. It is meant to give the landlord some remedy in getting rid of such negligent *Adhiar* who may allow the land to lie fallow instead of cultivating himself and thereby makes the landlord suffer and deprives him of his dues. It is also meant to serve as a warning to those indolent *Adhiars* who instead of cultivating the land themselves indulge in the luxuries of subletting it to others. With these objects, Sir, this Amendment has been proposed and I hope the hon. Members will accept it.

The Hon'ble the SPEAKER : Amendment moved :

"That after sub-clause (iii) of clause 5, the following be added as a new sub-clause (iv) :—

'(iv) that the *Adhiar* kept the land fallow for one year or sublets to others'."

Dr. EMRAN HUSAIN CHAUDHURY : I have some misgivings with regard to the Amendment, proposed by my hon. Friend, Mr. Talukdar. The main clause reads, "A Revenue Officer may on application from a landlord, order an *adhiar* to cease to cultivate an *adhi* land after due notice as may be prescribed, and evict such *adhiar* in the manner prescribed, on one or more of the following grounds"—One of these grounds is that the *adhiar* kept the land fallow for one year (A voice—Is there any harm?) Yes, but so far as the first part is concerned, there is no harm. In regard to the second part, I have certain misgivings. It is possible that the *Adhiar* may fall ill or for some other reasons he may not be able to cultivate the land, in that case do you think that he should not be allowed to sublet it to others so that it may be cultivated and a part of the produce therefrom be delivered to the landlord? On that ground some harm will be done to the *adhiars* in whose interests this Bill stands. That is why I beg to oppose Mr. Talukdar's Amendment and I think the House will accept it in view of my acceptance of his previous Amendment.

✓ **Maulavi MUHAMMAD ABUL KASHEM :** I beg to oppose this Amendment, Sir (A voice—On different grounds?) Yes, on a different ground. I ask the hon. Mover of this Amendment as also other Members of the House to consider whether the wordings of his Amendment are correct—"that the *adhiar* kept the land fallow for one year....."—If the *Adhiar* kept it fallow for more than one year there is no penalty for that. The landlord has no time to look after these *adhiars* at all times. Suppose the landlord is dead and the widow of the landlord gets no information that for the last year the land was kept fallow by the *adhiar* and for that year she still hopes to get her dues from the land but when she knew that the land was kept fallow she will not be in a position to cultivate it nor can she make an application to the Revenue Officer that the *adhiar* had kept the land fallow for one or more years. In that sense if this Amendment is accepted it will have dangerous consequence. So I would request the hon. Member to withdraw his Amendment.

The Hon'ble Srijut BISHNURAM MEDHI : I am glad to accept this Amendment, Sir, because I see it is an important clause. At the same time I

find that my Friends who opposed this Amendment are divided amongst themselves.

As regards this Amendment, there should be no misgiving. The idea of this Bill is to give protection to the *adhiars* by conferring on them a sort of occupancy right. Before the Act comes into force occupancy right in a rayotary area is acquired by the tenant, when he occupies the land for 30 years. We have made provision in this Bill conferring occupancy right so that he may not be liable to eviction except under the provisions of this Bill. We want that the land should remain with the actual cultivator who is expected to cultivate and not to let out. In case it is kept fallow the landlord should have the option of taking the possession of the land. With this idea I accept the Amendment.

The Hon'ble the SPEAKER: The question is:

"That, after sub-clause (iii) of clause 5, the following be added as a new sub-clause (iv):—

'(iv) that the *adhiar* kept the land fallow for one year* or sublets to others'."

The question was adopted.

The Hon'ble the SPEAKER: Amendment No.13.

Maulavi MUHAMMAD ABUL KASHEM: I am not moving the *first Amendment but I am moving the second one.

Sir, I beg to move that at the end of the proviso to sub-clause (iii) of clause 5, after the words "Revenue Officer" the "full stop" be deleted and the following be inserted:—

"when such extension of time does not cause the land to remain fallow for any term of cultivation due to unsettled claim'."

Sir, the object with which I have moved this Amendment is clear. The Revenue Officer has been authorised to extend time for the delivery of agricultural produce to the landlord. He may extend it for a long time and as a result neither the cultivator nor the landlord will be in a position to cultivate that land. So, Sir, just to restrict his power of extending the time to a certain limit, I have brought this Amendment which runs "that at the end of the proviso to sub-clause (iii) of clause 5, after the words 'Revenue Officer' the 'full stop' be deleted and the following be inserted:—

'when such extension of time does not cause the land to remain fallow for any term of cultivation due to unsettled claim.'"

I think, I have explained my object and hope it will be accepted by the House.

*Maulavi MUHAMMAD ABUL KASHEM: to move:—

(1) That in last line of sub-clause (iii) of clause 5, after the word "deliver", the "full stop" be deleted and the words "within a month from the date of harvest", be inserted there-after,

The Hon'ble the SPEAKER: Amendment moved:

"That at the end of the proviso to sub-clause (iii) of clause 5, after the words 'Revenue Officer' the 'full stop' be deleted and the following be inserted:—

'when such extension of time does not cause the land to remain fallow for any term of cultivation due to unsettled claim'."

†**The Hon'ble Srijut BISHNURAM MEDHI:** Mr. Speaker, Sir, I am really sorry that I cannot accept this Amendment. In moving this Amendment, it appears that my learned Friend has forgotten that there is a provision in the Bill in clause 12, thus, "The Provincial Government may by notification make rules for carrying out the provisions of this Act". So, I think, this should be left to the rule making power of Government to decide what time is to be given. Even if this Amendment which is like this, "When such extension of time does not cause the land to remain fallow for any term of cultivation due to unsettled claim", is accepted then the rules will have to be prescribed which will clarify the position. But in my opinion this will simply be confusing and complicated. It will be very difficult for the *Adhiars* as well as the landlords to come to settlement amongst themselves regarding the time. So this should be left to the rule making power of Government to decide. I hope, my hon. Friend will agree to leave the matter to the rule making power of Government and withdraw his Motion.

†**Maulavi MUHAMMAD ABUL KASHEM:** On the assurance given by the Hon'ble Minister that he will incorporate this in the rule, I beg leave of the House to withdraw my Amendment.

The Hon'ble the SPEAKER: Has the hon. Member leave of the House to withdraw his Amendment?

The Amendment was, by leave of the House, withdrawn.

The Hon'ble the SPEAKER: Amendment No.14.

Maulavi MD. NAZMAL HAQUE: I do not want to move my Amendment No.14, as an identical Amendment was moved and accepted.

Dr. EMRAN HUSAIN CHAUDHURY: I also do not want to move my Amendment.

The Hon'ble the SPEAKER: No.16.

Maulavi MD. NAZMAL HAQUE: Mr. Speaker, Sir, I beg to move that after clause 5, the following be added as sub-clause (2) and the original clause be renumbered as sub clause (1):—

"(2) The standard quantity of produce of an *adhi* land shall be determined by comparison with the yield of the adjoining cultivated land of the actual cultivator."

My intention of moving this Amendment is to give some warning to the *adhiar* that he should not neglect in cultivating the *adhi* land as sometime it happens that *adhi* land is cultivated badly and very late with the result that the produce is very small. Sir, we are giving protection to the *adhiar* in this Bill, but, at the same time, we should see that we should not leave any loophole in the Bill,

by taking advantage of which the *adhiar* can cheat the landlord. With this idea I have brought this Amendment. I hope, the House will accept it.

The Hon'ble the SPEAKER: Amendment moved :

"That after clause 5, the following be added as sub-clause (2) and the original clause be renumbered as sub-clause (1) :—

'(2) The standard quantity of produce of an *adhi* land shall be determined by comparison with the yield of the adjoining cultivated land of the actual cultivator'."

***The Hon'ble Srijut BISHNURAM MEDHI:** Mr. Speaker, Sir, I am sorry, I cannot accept this Amendment as according to the statement that he has made it appears that he is more anxious to protect the interest of the landlords although he in his earlier speeches advocated the cause of the *adhiar*. Any one living in adjoining cultivated land knows what the consequence will be if this Amendment is accepted. There are different classes of tenants living in the area adjoining the plot, so it will be really difficult to determine the yield in the plot in question.

***Maulavi MD. NAZMAL HAQUE:** I meant land of the same class.

***The Hon'ble Srijut BISHNURAM MEDHI:** Whether it be same class or not, we know it would be difficult to determine the yield as there might be high land, low land and other classes of land.

In view of all this, I hope, my hon. Friend will withdraw his Amendment.

***Maulavi MD. NAZMAL HAQUE:** I beg leave of the House to withdraw my Amendment.

The Hon'ble the SPEAKER: Has the hon. Member leave of the House to withdraw his Amendment?

The Amendment was, by leave of the House, withdrawn.

The Hon'ble the SPEAKER: Amendment No.17.

Srijut LAKSHMIDHAR BORAH: Sir, I beg to move that after the proviso to clause 5, the following two new provisos be added :—

- (1) "Provided further that if the landlord does not cultivate the land within one year as provided under sub-clause (i) above or sublets it to others the evicted *adhiar* shall be resorted to possession.
- (2) Provided also that any *adhiar* who acquires any right of occupancy under any other law shall not be evicted except under the provisions of that law or deprived of any right acquired under any other law."

Sir, implications of the provisos are quite clear and I commend this to the acceptance of the House.

The Hon'ble the SPEAKER: Amendment moved :

"That after the proviso to clause 5, the following two new provisos be added :—

- (1) 'Provided further that if the landlord does not cultivate the land within one year as provided under sub-clause (i) above or sublets it to others the evicted *adhiar* shall be restored to possession.

- (2) Provided also that any *adhiar* who acquires any right of occupancy under any other law shall not be evicted except under the provisions of that law or deprived of any right acquired under any other law."

Babu KAMINI KUMAR SEN : Mr. Speaker, Sir, I am afraid that the wording of the Amendment does not carry the meaning that is sought to be put, because, it is provided in the Amendment that if the landlord does not cultivate the land within one year as provided under sub-clause (i), though there is no mention even of one year in the sub-clause (i). If you permit, Sir, and if the hon. Mover agrees to accept I beg to submit a fresh draft so that there may not be any ambiguity. Here there are two defects. In the first place "within one year as provided under sub-clause (i)" does not convey any meaning, because in sub-clause (i) there is no mention of one year. In the second place, with regard to the sub-letting, it is not clear what is the time limit. So I think the better wording will be this. If you permit and hon. Mover agrees, I think the wording may be like this "Provided further that if the landlord does not cultivate the land or utilise the same for the purposes contemplated in clause (i) or sublets it to others within one year from the date he gets possession of the land by virtue of the said clause (i), the evicted *adhiar* shall be restored to possession."

Srijut LAKSHMIDHAR BORAH : I accept this.

Mr. J. S. HARDMAN : Mr. Speaker, Sir, I had no intention to intervene if the House had not accepted an Amendment to clause 5 which runs thus: "That in the first line of sub-clause (i), after the word 'landlord' the words 'for residential or horticultural or piscicultural or poultry farming or dairy farming or similar other purposes or' be added". Surely this has to be taken into consideration when framing this Amendment. If the land is taken for residential purpose the landlord will not cultivate it and if this Amendment is accepted in this form then the landlord will be evicted after a year and that will be really hard on him.

Maulavi MUHAMMAD ABUL KASHEM : As for the Amendment revised by Mr. Kamini Kumar Sen, he says that if within one year the landlord does not cultivate the land or sublets it to others, the evicted *adhiar* will be restored to possession. That means he will exclude the operation of this restoration when the landlord will after two years sublet it to others. That is very unreasonable and in the name of the *adhiar* he is protecting the landlord, because here it will clearly distort the meaning.

***Babu KAMINI KUMAR SEN :** Sir, is it contemplated that under the clause as it stands the landlord will not be able to sublet this land even after five years ?

Maulavi MUHAMMAD ABUL KASHEM : Yes, Sir, we have already accepted some Amendments that the *adhiar* shall not be allowed to hold the land if it is kept uncultivated for one year. But why should we not make provision similarly that if even after five years it is found that this land is not used, for the purpose for which an *adhiar* is evicted, the land should be restored to the *adhiar* ? Why only one year should be limited ? Can this protect *adhiars* from eviction ?

The Hon'ble the SPEAKER : The hon. Member has made a specific suggestion that if the landlord does not cultivate or utilises the land for the purposes contemplated in sub-clause (i) within one year, it shall be restored to the *adhiar*.

* Speech not corrected.

The Hon'ble Srijut BISHNURAM MEDHI: Yes, that can be added.

The Hon'ble the SPEAKER: I want a consolidated copy of the corrections please.

Maulavi ABDUL HAI: Mr. Speaker, Sir, as regards the proposed amended proviso (2) which reads as "provided also that any *adhiar* who acquires any right of occupancy under any other law shall not be evicted except under the provisions of that law or deprived of any right acquired under any other law". I am to point out that if it is accepted, will it not affect also sub-clauses (ii) and (iii) under clause 5 where we have made provision that an *adhiar* can be evicted if he has used the land in a manner which renders it unfit for the purpose of cultivation or if he has failed to deliver to the landlord such share or quantity of the produce as he is bound subject to the provisions of this Act, by any express or implied agreement with the landlord to deliver. But in case of the *adhiar* who acquires the right of occupancy in regard to certain land, how those two sub-clauses will be acted upon in face of the proposed proviso (2).

The Hon'ble Srijut BISHNURAM MEDHI: That will be settled. We do not want to take away the right that has been acquired by any *adhiars* or tenants under any other law. As a matter of fact we want to give more right to the *adhiars* and we do not want to take away any right acquired by the *adhiars* under any other law. Supposing an *adhiar* acquires an occupancy right under some other law, he should not be evicted under the provision of this Bill. Of course if before acquiring the occupancy right the landlord wants possession for his own use the tenant will be liable to eviction. But if he acquires the occupancy right, under any other law, the landlord will not be permitted to evict the tenant under the present Bill.

Maulavi ABDUL HAI: But what is the definition of *adhiar* in the Bill? Here we have not included those who have already acquired the occupancy right. But the provisions of this *adhiars* Bill will include all those who acquired the right of occupancy as well as those who have not acquired the right of occupancy. Sir, we have defined *adhiar* in this Bill like this "*adhiar* means a person who under the system generally known as *adhi*, *barga*, *chukti*, *bhag* or *chukani* cultivates the land of another person on condition of delivering a share or quantity of the produce of such land to that person". Here no exception has been made.

The Hon'ble Srijut BISHNURAM MEDHI: The definition of a certain term does not confer any right. The right of occupancy acquired by an *adhiar* who gives rent in cash or kind under any other law will not be interfered with.

Maulavi ABDUL HAI: But the word *adhiar* has been used in the different clauses of the Bill in accordance to the definition laid down there.

The Hon'ble Srijut BISHNURAM MEDHI: That is only a definition. But which class will be affected and which class will not be affected will be found in the provisions that are laid down in the relevant clauses on the body of the Bill itself.

Dr. EMRAN HUSAIN CHAUDHURY: On a point of information, Sir, I am not clear, I should be clear on that.

The Hon'ble Srijut BISHNURAM MEDHI: Let the Motion be put by the Hon'ble the Speaker.

The Hon'ble the SPEAKER: Motion moved:
That after the proviso to clause 5, the following two new provisos be added:—

- (1) " Provided further that if the landlord does not cultivate the land or utilise the same for the purposes contemplated in clause (i) or sublets it to others within one year from the date he gets possession of the land by virtue of the said clause (i), the evicted *adhiar* shall be restored to possession.
- (2) Provided also that any *adhiar* who acquires any right of occupancy under any other law shall not be evicted except under the provisions of that law or deprived of any right acquired under any other law "

The Hon'ble Srijut BISHNURAM MEDHI: I think it is clear now. This is in line with the section of the Rent Control Act. If a landlord takes up a house on the plea that it will be for his residential purposes under Rent Control Act and subsequently he does not use it for that purpose, in such cases there is a provision for restoring possession to the original tenant. This is a safeguard and it is essentially necessary for the protection of the interest of the *adhiars*. I accept this Amendment.

Maulavi MUHAMMAD ABUL KASHEM: May I know from the Hon'ble Minister whether he intends that after taking possession of such land, if the landlord does not utilise it and sublets it after one year whether that will be restored to him or not?

The Hon'ble Srijut BISHNURAM MEDHI: Let us leave it for the interpretation of the lawyer in the court.

Maulavi MUHAMMAD ABUL KASHEM: If the landlord is allowed to sublet this land after one year then what is the necessity of bringing this *Adhiars* Bill?

The Hon'ble Srijut BISHNURAM MEDHI: This is a safeguard. *Adhiars* who had absolutely no right so long is given some right.

Maulavi MUHAMMAD ABUL KASHEM: The world will realise. You are giving more power to the landlord and the purpose of the whole Bill will be frustrated. I want that he should not sublet.

Babu KAMINI KUMAR SEN: That would have been illegal.

The Hon'ble the SPEAKER: The question is:
That after the proviso to clause 5, the following two new provisos be added:—

- (1) " Provided further that if the landlord does not cultivate the land or utilise the same for the purposes contemplated in clause (i) or sublets it to others within one year from the date he gets possession of the land by virtue of the said clause (i), the evicted *adhiar* shall be restored to possession.

- (2) Provided also that any *adhiar* who acquires any right of occupancy under any other law shall not be evicted except under the provisions of that law or deprived of any right acquired under any other law".

The question was adopted.

The Hon'ble the SPEAKER : The question is:

That clause 5, as amended, stands part of the Bill.

The question was adopted.

Maulavi MUHAMMAD ABUL KASHEM : I beg, Sir, to move that in clause 6, for the words "if any, paid by a landlord or person under whom an *adhiar* holds land" occurring in the seventh and eighth lines, the words "paid by a landlord or by an *adhiar*" be substituted.

Sir, my intention in bringing this Amendment is to make provision for the repayment of seeds if supplied by *adhiars*. Sir, here in clause 6 we find that "from gross crop the seed grains, if any, paid by a landlord or person under whom an *adhiar* holds land shall be repaid to him". Sir, the landlord will get back the seed which he supplies to the *adhiars*. Seed grains will have to be taken out of the gross crop and division will have to be made according to the quota fixed. But, Sir, in many cases we know that *adhiars* themselves supply the seeds, and it will be great injustice to the *adhiars* if no provision is made for return of the seeds to the *adhiars*. So, Sir, whoever might be the payer of seeds should get it back from the gross produce. Moreover there is no clause to bind the landlord to supply at all times seed grains. The landlord will generally abstain from it. So, Sir, the *adhiar* will be required to use his own seed. If the *adhiar* does not supply himself the land will remain fallow. So there should be some provision, so that at the time of division of the gross income, the seed grain supplied by the *adhiar* is also taken away from the gross produce.

With these words, I request the hon. Members to accept this Amendment.

The Hon'ble the SPEAKER : Amendment moved:

"That in clause 6, for the words 'if any, paid by a landlord or person under whom an *adhiar* holds land' occurring in the seventh and eighth lines, the words 'paid by a landlord or by an *adhiar*' be substituted".

The Hon'ble Srijut BISHNURAM MEDHI : Mr. Speaker, Sir, I am sorry I cannot accept this Amendment. It will appear that we have already reduced the share of the landlord to a great extent and Amendments propose to reduce their share further in the Cachar District as well. In Cachar at present the landlord takes about two-thirds of the gross produce when he supplies plough cattle, and when he does not supply plough cattle he takes half. The demand of the tenants there, as will appear from the *Tebhaga* movement, is to reduce the share to one-half and one-third respectively. If the Amendment is accepted the share of the landlord will be reduced to less than one-third and one-fourth. If the landlord's share is to be reduced further, there may be great hardship to the smaller and poorer landlords, e.g., widows, minors and disabled and they cannot be expected to manage their affairs if they do not get the maximum fixed in the Bill. In view of this, the Amendment proposed cannot be considered to be reasonable. As I have already said, Government's intention is ultimately to convert this rent in kind into cash rent. But before doing so the Government want to see the effect of working of this Act. But for the present

let us see the working of the Act instead of making Amendments here and there and thus complicate the matter. In view of this I would request the hon. Mover not to press his Amendment.

✓ **Maulavi MUHAMMAD ABUL KASHEM**: As I cannot be a party to the injustice the Hon'ble Minister is going to do to the *adhiars*, I want to press my Amendment.

The Hon'ble the SPEAKER: The question is:

"That in clause 6, for the words 'if any, paid by a landlord or person under whom an *adhiar* holds land' occurring in the seventh and eighth lines, the words 'paid by a landlord or by an *adhiar*' be substituted."

The question was negatived.

The Hon'ble the SPEAKER: We come to Amendment No.19.

Shri SATINDRA MOHAN DEV: Mr. Speaker, Sir, I beg to move that in sub-clause (a) of clause 6, the words "Assam Valley" in the second column and the words "Cachar" and "one-half" in the third column be deleted.

I move this Amendment for the acceptance of the House.

The Hon'ble the SPEAKER: Amendment moved:

"That in sub-clause (a) of clause 6, the words 'Assam Valley' in the second column and the words 'Cachar' and 'one-half' in the third column be deleted".

Srijut BIDYAPATI SINGHA: Mr. Speaker, Sir, I rise to support the Amendment moved by my hon. Friend, Mr. Dev. There should not be any sort of difference between the rights of *adhiars* in the Assam Valley and those in Cachar. The *adhiars* in Cachar are also suffering equally. Moreover, Sir, in Cachar, the Government know, in recent past *Tebhaga* movement has been launched by anti-social elements, and it is the bounden duty of this Government to prove that they really feel for the *adhiars* and think in terms of ameliorating their condition and do not subscribe to the cheap slogans raised by anti-social elements. Therefore, I hope, Government will accept the Amendment moved by Shri Satindra Mohan Dev.

The Hon'ble Srijut BISHNURAM MEDHI: Mr. Speaker, Sir, in view of the opinions expressed by the hon. Members—I take it to be the view of the House also—that no discrimination should be made between the *adhiars* of the Assam Valley and those of Cachar, I am prepared to accept this Amendment in order to give relief to the tenants of Cachar.

The Hon'ble the SPEAKER: The question is:

"That in sub-clause (a) of clause 6 the words 'Assam Valley', in the second column and the words 'Cachar' and 'one-half' in the third column be deleted."

The question was adopted.

The Hon'ble the SPEAKER: Amendments Nos.20, 21, and 22 are same as No.19. We now come to Amendment No.23.

Shri SATINDRA MOHAN DEV: Mr. Speaker, Sir, I beg to move that in sub-clause (b) of clause 6, the word "one-third" in the third column be deleted.

Both of my hon. Friends, Mr. Singha and the Hon'ble Minister, have explained the reasons as to why this Amendment is necessary, and so I need not speak anything further.

The Hon'ble the SPEAKER: Amendment moved:

"That in sub-clause (b) of clause 6, the word 'one-third' in the third column be deleted."

The Hon'ble Srijut BISHNURAM MEDHI: Mr. Speaker, Sir, this is only a consequential Amendment following the acceptance of Amendment No.19, and I have no difficulty to accept it.

The Hon'ble the SPEAKER: The question is:

"That in sub-clause (b) of clause 6, the word 'one-third' in the third column be deleted".

The question was adopted.

The Hon'ble the SPEAKER: Amendments Nos.24, 25 and 26 are same as No.23. We come to Amendment No.27.

Srijut DANDESWAR HAZARIKA: I do not like to move this Amendment, Sir.

The Hon'ble the SPEAKER: We come to Amendment No.28.

Srijut HARESWAR DAS: Sir, I beg to move that at the end of clause 6, the following be added as a proviso:—

"Provided that where the quantity of share fixed by contract is less than the above maxima the *adhiar* shall be liable to pay only the quantity fixed by contract."

Sir, the Amendment is necessary in this way, that in the permanently settled tract of Goalpara District the Goalpara Tenancy Act is in vogue. In that Act the status of tenant has been given to those persons who cultivate land in *chukti* terms and in numerous cases the quantity of crop they pay are fixed by contracts which is below one-fourth of the gross produce.

Now, the first paragraph of clause 6, makes all contracts contrary to the provisions of this Bill, in a way, invalid, atleast it gives a handle to the landlord to avoid these contracts. This Amendment protects those contracts.

The Hon'ble the SPEAKER: Amendment moved:

"That at the end of clause 6, the following be added as a proviso:—

'Provided that where the quantity of share fixed by contract is less than the above maxima the *adhiar* shall be liable to pay only the quantity fixed by contract.'"

Srijut LAKSHMIDHAR BORAH: Sir, if three words are added to this Amendment, I think, it would have been better. In the second line of the Amendment the word "of" should be substituted by the word "or" and in the same line between the words "share" and "fixed" the words "of crop" be added.

The Hon'ble Srijut BISHNURAM MEDHI: It will read thus, Sir.

"Provided that where the quantity or share of crops fixed....."

Srijut HARESWAR DAS: Sir, as it better explains the Amendment I am prepared to accept the modification.

The Hon'ble the SPEAKER: I allow the modification.

The Amendment now moved as it will stand after modification is that : At the end of clause 6, the following be added as a proviso :—

"Provided that where the quantity or share of crop fixed by contract is less than the above maxima the *adhiar* shall be liable to pay only the quantity fixed by contract."

Maulavi MUHAMMAD ABUL KASHEM: Sir, this is an Amendment which is superfluous. Sir, the maximum share of crop has been fixed. Nobody is to pay more than the maximum and so where the contract is for less, they will pay less ; otherwise there was no need to fix a maximum. So it is useless in that sense. Moreover, in putting forward some arguments against my Amendment yesterday, you remember, Sir, that Mr. Sen said that the Bill when enacted would not be extended throughout the whole of Assam because in many places people are paying less than what is determined by this Bill. So if Government think that in the district of Goalpara or in certain areas people are paying less than the maximum fixed by this Bill, they will not extend it there. Moreover, Government has got the power in their hand whereby they can extend all or any of the provision in any area they like. The whole thing can be summarised by saying that Government may do whatever they like to do in the name of *Adhiars* Protection Bill. I do not know why my Friends bring any Amendment merely as eyewash. Already Government has been given immense power under this Bill and they have become a Hitler—I request, therefore, that my Friend, the Mover, will withdraw his Amendment.

Babu KAMINI KUMAR SEN: I am sorry, I cannot agree with the arguments advanced by my Friend because really the Amendment is not redundant. This will be evident if you look to clause 6, I read the first paragraph :—

"Notwithstanding anything to the contrary contained in any law for the time being in force or in any contract or agreement express or implied the portion or share of the crop payable by an *adhiar* to a person under whom he directly holds the land shall be determined and shall be subject to the maxima given below".

Sir, by this clause all the contracts are nullified. Determination of the portion or the share of the crop in all such cases will have to be made by this Act. Unless it is made clear by an Amendment, that if there is a contract providing for lesser share than the maximum, the landlord will be entitled to only that share, the landlord may say that there is no contract and the tenant will have to be guided by this clause.

Srijut HARESWAR DAS: Sir, so long my friend supported the cause of *adhiars*.....

The Hon'ble the SPEAKER: You cannot speak now except by way of personal explanation, if any.

The Hon'ble Srijut BISHNURAM MEDHI: Sir, I do not know why my Friend is nervous at this Amendment which only clears the position. Of course, he says that the Government has the discretion either to extend or not to extend the Act to any particular area or not. But he must know that in a particular area there may be a small pocket where rent in kind paid under an agreement is less than the maximum fixed. In all such cases the landlord may say that this tenant is liable to pay the maximum fixed in this Bill as will appear from the clause itself which runs as follows:—

“Notwithstanding anything to the contrary contained in any law for the time being in force or in any contract or agreement express or implied the portion or share of the crop payable by an *adhiar*.....” under this the landlord can claim the maximum provided here even if the tenants used to pay less. In view of this I hope, my Friend will not object to this Amendment. As for myself, Sir, I accept the Amendment.

The Hon'ble the SPEAKER: The question is:

“That at the end of clause 6, the following be added as a proviso:—

‘Provided that where the quantity or share of crop fixed by contract is less than the above maxima the *adhiar* shall be liable to pay only the quantity fixed by contract’.”

The question was adopted.

The Hon'ble the SPEAKER: Amendment No.29.

Maulavi MUHAMMAD ABUL KASHEM: I will not move this, Sir.

The Hon'ble the SPEAKER: Amendment No.30.

Maulavi MD. NAZMAL HAQUE: I will not move this, Sir.

The Hon'ble the SPEAKER: The question is:

“That clause 6, as amended, stands part of the Bill.”

The question was adopted.

✓ **Maulavi MUHAMMAD ABUL KASHEM:** Sir, I beg to move that clause 7 be deleted and the remaining clauses renumbered accordingly.

Sir, though I know it for certain that it will not be accepted still I move this to point out to this House the powers reserved by Government. The clause runs thus:—

“The Provincial Government may amend, vary or rescind any notification issued under sub-sections (2) and (3) of Section 2”.

Here in sub-clause (2) of clause 2 agricultural land means land used for agricultural purposes and in sub-clause (3) agricultural year means the year commencing on the first day of *Baishakh* or *Bahag*.

Sir, this Bill has been considered in the House on the acceptance of definitions given under sub-clause (2) and (3) of clause 2. If Government be given power to make any change or modification of those then they can change the whole Bill by changing definition that suits them. You know, Sir, and it is known also to all the hon. Members that already immense power has been given to the Government and it has in this respect made it a Hitler. I do not find, Sir, that there is any reason why any more power should be thrust on them.

So, Sir, I request the hon. Members of this House to consider the deletion of this Clause.

The Hon'ble the SPEAKER : Amendment moved :

"That clause 7 be deleted and the remaining clauses renumbered accordingly."

Babu KAMINI KUMAR SEN : Mr. Speaker, Sir, my hon. Friend Mr. Kashem has said that already we have made the Government a Hitler. But I think he has not yet forgotten that he was a member of the Select Committee of the Assam Rural Panchayat Bill. In that Bill, Sir, there is an exactly similar provision, but he not only agreed with that provision in the Select Committee but also did not raise any objection when the Bill was considered by the House, which has accepted that provision without any amendment. Therefore, Sir, I do not think he can now consistently take any objection to this clause. If the Government has been conferred the right to give effect to the Act in places where they think it desirable, they should also have the right to amend, vary or withdraw such notifications.

Mr. J. S. HARDMAN : Sir, am I correct in assuming that the reference to 'Section 2' in clause 7 is incorrect and is it not the intention of Government to refer to section 1? Judging by the remarks made by Mr. Sen it appears that by notification powers would be extended to District or such other areas under sub-sections (2) and (3) of section 1 whereas the sub-sections referred to in clause 7 apply to "agricultural lands" and "agricultural year" and contain no provision whatsoever for notification. The definitions in clause 2 contain no provision for notification and so I assume, possibly correctly, that Government's intention was to refer to section 1.

The Hon'ble Srijut BISHNURAM MEDHI : It will be proper if section 2 referred to is read as section 1.

Babu KAMINI KUMAR SEN : It should be Section 1, because section 2 is a definition clause. It should therefore be, "The Provincial Government may amend, vary or rescind any notification issued under sub-sections (2) and (3) of section 1."

The Hon'ble the SPEAKER : That is a clerical mistake.

The Hon'ble Srijut BISHNURAM MEDHI : Sir, I cannot accept the Amendment. Section 2 as referred to here is a clerical mistake. The manner in which the hon. Member shouted in his speech shows that he himself wants to be a Hitler.

✓ **Maulavi MUHAMMAD ABUL KASHEM :** Sir, I beg leave of the House to withdraw my Amendment.

The Hon'ble the SPEAKER : Has the hon. Member leave of the House to withdraw his Amendment?

The Amendment was, by leave of the House was, withdrawn.

Now the question is:

"That clauses 7 to 9, stand part of the Bill."

The question was adopted.

Dr. EMRAN HUSAIN CHAUDHURY : I do not want to move my Amendment in clause 10, Sir.

The Hon'ble the SPEAKER: The question is:

"That clauses 10 to 12 stand part of the Bill."

The question was adopted.

The question is:

"That the title and preamble of the Assam *Adhiars* Protection and Regulation Bill, 1948, do form part of the Bill".

The question was adopted.

The Hon'ble Srijut BISHNURAM MEDHI: Mr. Speaker, Sir, I beg to move that the Assam *Adhiars* Protection and Regulation Bill, 1948, as amended, be passed.

There was a great deal of heat during the discussion. But I congratulate every hon. Member as they have practically admitted that this Bill is for the protection of the interest of the tenants and it aims to bring about adjustments between the landlords and the tenants. We expect all co-operation from all hon. Members of the House for giving effect to this Bill. I hope this co-operation will be given to the Government in the due administration of this Bill.

The Hon'ble the SPEAKER: Motion moved:

"That the Assam *Adhiars* Protection and Regulation Bill, 1948, as amended, be passed".

Maulavi ABDUL HAI: Mr. Speaker, Sir, from this side of the House we fully co-operate with the Government in the two measures, namely, the Assam Panchayat Bill and the Assam *Adhiars* Protection and Regulation Bill. Sir, it should not be misunderstood that as some Amendments were brought in by Members of this side to these two measures, this side was opposing any helpful measures for the protection and betterment of the public. Our intention was not to hamper or to stand in the way of these measures. But our intention was that whatever we wanted to get passed in the shape of Amendments we did so as far as possible to help these measures and nothing were inconsistent therein. But the majority of the House decided not to accept those after having mooted them. We would now extend our full co-operation in enforcing these Bills as Acts of this Legislature.

Srijut NILMANI PHOOKAN: Mr. Speaker, Sir, in this Assembly we have passed two most important measures which will go a great way for the upliftment of the masses. The Rural Panchayat Bill which has been so thoroughly sponsored by a young Parliamentary Secretary with the direction of the able Premier and also, I believe, a very energetic director, has already become an Act (A Voice: It is not yet an Act). It is going to be an Act since this has been passed. However, that Bill will have a far-reaching effect. If we now translate every provision of this Bill in the actual field of action in our remotest rural side and in the midst of the poorest of the poor people of our country, the great faith with which Mahatma Gandhi breathed his last,—that is, the establishment of Ram Raj—will be an accomplished fact. If we give little help towards them, our real work that is, the service of the people will be fulfilled and the greatest of the souls will bless us. As such I have no misgiving about the outcome of that Bill which is going to establish our every village as a unit in the great scheme of the Indian Republic. Seven lakhs of such small republics will bring such a strength

to the people that there will be no question of division, no kind of communal ideology, no question of caste, creed, or anything, but one village—one life, which will ultimately solve the problem of multi-Government, multi-speech, multi-races of Indian States.

As regards the *Adhiars* Bill, I was not rather so much interested in its details, as I already expressed my view in this very Hall that we accepted this *Adhiars* Bill as an intermediary step, because the great ditch that is standing between people and their objective cannot be overcome in one jump. So, it is an intermediary step. As such, I am not so much concerned with all the details that have been placed before the House. But with this idea, I supported this Bill that would help us in arriving at the real point where every peasant family will stand like a rock in their own economic holding from which the greatest landlord of the country will not be able to drive them even by an inch. That is why, we are hastening this *Adhiars* Bill for the success of ultimate end. If not, the Government—the multi-Government—whatever might be, will fail in their objective if they cannot bring the country to that point where the mass people will have to stand and say, “this is the Ram Raj, where we shall no more be exploited by any landlord under whatever guise, whatever terrible power he exercises” (*Hear, hear.*) If that objective can be achieved by the enactment of this Bill, in our own humble way, we shall be contributing to the whole of India, the 40 crores of people, so to say, will march towards their inherited right of the God-gifted property—the land which is their own. Nobody has the right to deprive them of their right to the soil and of their living from the mother earth. (*Hear, hear.*) This is what we want and, I am sure, our Government in their earnestness have put these Bills on the legislative anvil and we shall have now to work them out. If the Government is sincere and if it is not camouflaged by interested persons then certainly it will do good to everybody. The Bills might not be perfect now, as nobody in this world can claim perfection. So if we perform the functions of these Bills rightly, surely great things will come out for the benefit of the people. I congratulate the Government side for bringing these two essential Bills.

(A Voice—Are you congratulating yourself?)

No. I am congratulating the Government for sponsoring the Bills. I belong to Congress party but I am myself not Government.

Dr. EMRAN HUSAIN CHAUDHURI: Mr. Speaker, Sir, might I be permitted to make a few observations? I whole-heartedly endorse the remarks made by my predecessors, both on my side as well as on that. In the course of discussion of these two Bills hon. Members perhaps might have seen certain opposition from this side. From this hon. Members should not infer that we were opposed to every measure brought before the House.

So far as the Rural Panchayat Bill is concerned, by proposing certain Amendment we wanted to bring to the notice of Government that if those Amendments were accepted they would benefit those for whom the Bill was intended. But from the speeches which have been made by hon. Members on the side opposite, we were satisfied that what they wanted to do was correct and also in the interest of the villagers. At times we felt Government were conferring large powers on villagers who are mostly illiterate and uneducated. The motive with which Government was actuated in introducing these measures was properly understood and we on this side of the House beg to offer our sincere congratulations. (*Applause.*)

As for the Bill which has just now been passed, namely the *Adhiars* Protection Bill, it is certainly in the interest of the *Adhiars* and the passing of this Bill was, as I said in my first speech, long overdue. If we moved certain Amendments to the Bill, all those were necessary, in our opinion, in the interest of the public. I don't think any of the speeches made by Members of the Opposition should be construed as giving some power to the landlords, although there are landlords in this House. We are sincere friends of the poor without being enemies of the honest rich. Whatever we said was meant to be in the interest of the *Adhiars*. We hope, Sir, we shall not be misunderstood or misrepresented by this House and the Press. We again from this side of the House congratulate the Government for the measures which they introduced and which have been passed.

The Hon'ble Srijut BISHNURAM MEDHI: I have already stated what I got to say.

The Hon'ble the SPEAKER: The question is:

"That the Assam *Adhiars* Protection and Regulation Bill, 1948, as amended, be passed".

The question was adopted.

The Hon'ble Srijut BISHNURAM MEDHI: I should not forget to convey our thanks to all the hon. Members for their co-operation. We are always appealing to them for their co-operation and we will be only pleased to avail of the co-operation offered by my Friends opposite.

Announcement re authentication of the Assembly Rules

The Hon'ble the SPEAKER: Under Rule 108 of the Assembly Rules, I hereby announce that I have signed a copy of the Amendments to the Assam Legislative Assembly Rules which were passed by the House at its meeting held on 1st April, 1948. From now, the Rules, as amended, will come into force.

Before reading the Prorogation Order of His Excellency the Governor, I take the liberty of offering my heart-felt thanks to the hon. Members of the House for their help and co-operation which they have extended to me in carrying through the proceedings in this long session and I wish them all a happy journey to their homes and well-earned rest.

Prorogation

"In exercise of the powers conferred by clause (b) of sub-section (2) of Section 62 of the Government of India Act, 1935, I, Muhammad Saleh Akbar Hydari, hereby prorogue the Assam Legislative Assembly at the conclusion of its sitting on the 3rd April, 1948.

SHILLONG:
The 1st April, 1948.

A. HYDARI,
Governor of Assam."

The Assembly was then prorogated.

SHILLONG:
The 19th May, 1948.

A. K. BARUA,
Secretary, Legislative Assembly, Assam.

