

**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 11 A. M., on
Thursday, the 11th March 1948.

P R E S E N T

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

OATH OF ALLEGIANCE

The Hon'ble the SPEAKER: Are there any hon. Members here who
have not taken the new oath?

(Voices:—Yes.)

The following hon. Members were sworn in:—

1. Maulavi Md. Nazmal Haque.
2. Srijut Purandar Sarma.
3. Srijut Harinarayon Barua.
4. Srijut Santosh Kumar Barua.
5. Babu Ramesh Chandra Das Choudhury.
6. Mr. P. M. Sarwan.

Panel of Chairmen

The Hon'ble the SPEAKER: I nominate the following Panel of Chairmen
for the Budget Session, 1948:—

1. Maulavi Abual Majid Ziaosh Shams.
2. Srijut Siddhi Nath Sarma.
3. Babu Kamini Kumar Sen.
4. Mr. Larsingh Khyriem.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(to which oral answers were given)

Repatriation of Professional Beggars

Srijut DANDESWAR HAZARIKA asked :

*1. (a) Are Government aware that due to recent communal disturbances
and political changes in India the number of professional beggars has greatly
increased in Assam?

(b) If so, do Government propose to stop the inroad of such beggars into
Assam by some methods and make early arrangements to repatriate them?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

1. (a)—An increase in begging is reported only from the towns of Dibrugarh,
Jorhat and Gauhati. It is doubtful how far this is due directly to disturbances
and how far to economic causes.

(b)—Government realise the desirability of preventing such inroads, but
do not think that repatriation on a large scale is either feasible or will be
practicable.

Srijut DANDESWAR HAZARIKA: Is it not desirable, Sir, that steps should be taken by Government to prevent these beggars from coming to Assam in huge numbers?

The Hon'ble Srijut GOPINATH BARDOLOI: I do not know, Sir, what is the position after the 1st of March, but previous to that there could not be any prevention by external means.

Srijut GAURI KANTA TALUKDAR: Could not something be done to have these beggars brought under control and to make them work and earn their livelihood?

The Hon'ble Srijut GOPINATH BARDOLOI: This problem is new to Assam, Sir, and it will be necessary to tackle it in some appropriate manner.

Srijut NILMANI PHOOKAN: Is it not possible to have these vagrants, who have no employment, rounded up so that they can be segregated somewhere or made to work, or repatriate them to their country of origin? Would it not be possible to do this?

The Hon'ble Srijut GOPINATH BARDOLOI: I have already said that the hon. Member's question involves two factors: One is the question of repatriation about which I have already told the hon. Members and the other is the question of finding out some asylum for these beggars. But as I said just now, I could give for the information of the House that Government is trying to get more accurate information about the number of beggars and the extent to which the problem of beggars is affecting the society and that after receipt of this information Government may consider what measures will be necessary to meet the problem in the best manner possible.

(Starred Question No. 2 standing in the name of Srijut Rajendra Nath Barua was not put and answered as the hon. Questioner was absent.)

Discontinuance of procurement of standard cloth by Government

Srijut DANDESWAR HAZARIKA asked:

- *3. Will Government be pleased to state—
- (a) Since when procurement of standard cloth by the Government of Assam has been discontinued?
 - (b) What the Government have done with the posts of the two Superintendents of Standard Cloth?
 - (c) Whether it is a fact that one of the Superintendents of Standard Cloth has been absorbed in the Textile Department?
 - (d) If so, whether Government propose to furnish a detailed statement of actual works he has performed since his appointment in the Textile Department?

The Hon'ble Srijut OMEO KUMAR DAS replied:

3. (a)—Since December 1946.
 (b)—One of the Superintendents has been absorbed in the Supply Directorate and the other continued his services as Superintendent of Supply (Standard Cloth) upto the 14th August 1947 when the post was abolished.

(c)—No, but he was given textile work in addition to his own duties as his services were placed at the disposal of the Textile Commissioner.

(d)—He was engaged in working out the rationing scheme in Habiganj Karimganj, Maulavibazar and Sunamganj subdivisions. He also helped the 2nd Assistant Provincial Textile Commissioner in working out the rationing scheme for the Dhubri Subdivision. Besides he had to tour in various subdivisions for general inspection and in connection with removal of cloggings of cloth and yarn bales in different centres.

†Srijut DANDESWAR HAZARIKA : Is he still working under the Assam Government ?

The Hon'ble Srijut OMEO KUMAR DAS : I want notice of that question.

Stopping of immoral profession by Legislation

Srijut DANDESWAR HAZARIKA asked :

*4. (a) Are Government aware that there are hundreds of prostitutes in every big towns of Assam ?

(b) Do they hold any license for this immoral profession either from the Government or from the Municipalities ?

(c) If so, will Government be pleased to state the figures of such prostitutes in Assam, district by district ?

(d) If the reply to Question (b) above is in the negative, do Government propose to make some early arrangements to find out their strength in the Province ?

(e) Do Government propose to stop this immoral profession by legislation and make some arrangements for the maintenance of these unfortunate women ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

4. (a)—Government believe that the statement is exaggerated, and that the number only exceeds a hundred in Shillong.

(b)—No.

(c)—Since the registration system is not in force, Government cannot supply precise figures.

(d)—Government are advised against a system of formal registration.

(e)—Government fear that legislation would not in itself stop the practice. Their medical advisers consider that the provision of treatment and education through clinics (which has been successfully adopted when venereal disease was serious during the war), and general social betterment are the most effective means of dealing with this problem.

†Srijut DANDESWAR HAZARIKA : Is there any such Government clinic to advise those women who suffer from the venereal disease ?

The Hon'ble Srijut RAMNATH DAS : Yes, Sir.

†Srijut DANDESWAR HAZARIKA: Is there any record?

The Hon'ble Srijut RAMNATH DAS: Yes, Sir.

Production and requirement of Pulses, Mustard oil and Gur

Srijut GAURI KANTA TALUKDAR asked:

*5. Will Government be pleased to state—

- (a) Whether Assam is a deficit province as regards production of pulses, mustard oil and Gur?
- (b) What proportion of its total annual requirements of these commodities is produced in this Province?
- (c) What proportion of its total annual requirements of these articles is imported from other Provinces of India and which Province supplied this Province with these commodities (i) before the war and (ii) at the present time?

The Hon'ble Srijut OMEO KUMAR DAS replied:—

5. (a)—Yes.

(b) & (c)—

Pulse.—Our total annual requirement of pulses is 40,000 tons (3/5 in Masur dal, 1/5 in Arhar and 1/5 in Moong) excluding local production and the portion of Sylhet district tagged to East Bengal.

The aforesaid quantity of 40,000 tons is imported from other Provinces of India, viz., the United Provinces, the Central Provinces and Berar, Bihar, the Punjab and certain other States according to allotments made by the Government of India. Before the war it is general knowledge that supplies were made mainly (if not exclusively) from Bihar and the United Provinces.

Gur.—The indigenous production of Gur is about 8,000 tons against the approximate annual requirement of Assam excluding the ceded portion of Sylhet of about 25,000 tons. The deficit of about 17,000 tons is partly met by import from the United Provinces at present and from the United Provinces and Bihar before the war.

Mustard oil.—The indigenous product of mustard oil is about 13,789 tons against the approximate annual requirements of 30,000 tons. The deficit was partly met by imports from the United Provinces and Rajputana during the period of control and from the United Provinces and Bihar before the war.

† Maulavi ABDUL HALIM: What proportion of Gur goes to the distillery for the preparation of liquor?

The Hon'ble Srijut OMEO KUMAR DAS: That is a new question; it does not fall within the scope of this question.

Srijut NILMANI PHOOKAN: May I ask one question regarding these things in respect of which our province is deficit? Could it be possible to raise these crops to the requirement by a scheme of collective farming and through co-operative basis?

†Speech not corrected.

The Hon'ble Srijut OMEO KUMAR DAS: That is a new question; still I can reply to it. We have taken a production drive regarding these deficit crops.

Srijut NILMANI PHOOKAN: There is a definite scheme then?

The Hon'ble Srijut OMEO KUMAR DAS: Certainly.

Members of the Dibrugarh Local Board

Srijut BIJOY CHANDRA SAIKIA asked:

*6. Are Government aware—

- (a) That Srijut Chidananda Das has been sitting as a member of the Dibrugarh Local Board for the last two years or over in spite of the fact that he is a salaried servant of Government being an employee of the Bengal and Assam Railway?
- (b) Are Government aware that Khan Bahadur Lutfur Rahman who was elected in the last General Election as a Member of the Dibrugarh Local Board and serving in the same Bengal and Assam Railway was declared by the Election Tribunal as a Government servant and as such his election was declared to be null and void?
- (c) Is it a fact that the Government directed the Deputy Commissioner, Lakhimpur to request the said Srijut Chidananda Das to vacate his seat from the said Local Board subsequent to the decision of the said Election Tribunal?
- (d) Will Government be pleased to state whether the said Chidananda Das has since vacated his seat?
- (e) If not, what steps Government propose to take in the matter?

The Hon'ble Maulavi ABDUL MATLIB MAJUMDAR replied:

6. (a)—Yes.

(b)—Yes.

(c)—Yes.

(d)—No.

(e)—The matter is under the consideration of Government.

†Srijut BHADRA KANTA GOGOI: মই মাননীয় মন্ত্রী মহোদয়ৰ পৰা জানিব পাৰোনে কেতিয়া ডিপুটি কমিছনাৰক এই direction দিয়া হৈছিল?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: The answer is already there in (c) "Yes."

†Srijut BHADRA KANTA GOGOI: কেতিয়া দিয়া হৈছিল?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: The exact date cannot be given but it is after the general election.

†Maulavi ABDUL HALIM: Was any report received from the Deputy Commissioner?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: Yes, the report was that the direction of the Deputy Commissioner was not complied with.

Srijut BHADRA KANTA GOGOI: ডিপুটি কমিশ্যনাৰৰ request comply নকৰাত গবৰ্ণমেণ্টে কি ব্যৱস্থা কৰিলে? তেওঁ যেতিয়া গবৰ্ণমেণ্টৰ ডকুমেন্ট নামানিলে, তেতিয়া গবৰ্ণমেণ্টৰ পক্ষৰ পৰা তেওঁৰ ওপৰত কি শাস্তিমূলক ব্যৱস্থা লোৱা হৈছে?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: It was just a few months back we thought that the term should be terminated and later it was found that the term should be extended. Now again we have thought it advisable to tell the Deputy Commissioner to request the member to resign, if not, legal action would be taken.

Srijut NILMANI PHOOKAN: Sir, it involves a great principle. If a man is duly elected under certain statutory provision to certain Government institution and if Government think that he illegally occupies the seat now and does not vacate, will Government go to the civil court for damage to get rid of him from that position?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: That is included in my answer that legal action is contemplated.

Srijut NILMANI PHOOKAN: It seems Government have no executive power to see that he does not interfere with the working of the institution. Anybody can trespass any Government office and if he by some means occupies a seat of Government, possibly Government have no way out.

The Hon'ble the SPEAKER: This is a discussion.

†Maulavi ABDUL HALIM: I think the member is not elected but nominated.

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: I am not in a position to reply to this question. He may be a nominated member.

†Babu KAMINI KUMAR SEN: If he is a nominated member, has not Government the right to remove him?

The Hon'ble the SPEAKER: Yes, I think there is a provision for removal of members under Local Self-Government Act.

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: There are certain conditions under which only Government can remove a member.

†Babu KAMINI KUMAR SEN: Disobedience of the orders of the Government will certainly be a condition which is contemplated by the Act.

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: Government will follow the condition made in the Local Self-Government Act. I suppose the present disobedience of the order of the Government does not come within the purview of the section that provides for removal.

†Speech not corrected.

Srijut NILMANI PHOOKAN: Can not a nominated member be removed from the Committee and the appointment notified by Government ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: So far as I remember, there is no such provision in the Local Self-Government Act.

†**Babu KAMINI KUMAR SEN:** Do we understand that Government is helpless in this matter ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: Not helpless, but as I have said Government is considering legal action.

†**Babu KAMINI KUMAR SEN:** By legal action does the Hon'ble Minister mean that Government will go to Civil Court to remove the member.

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: On the advice of the Legal Remembrancer a Civil suit will be instituted.

†**Mr. P. M. SARWAN:** Should not Government be consistent with the rule that they have themselves made ? Whether Government is not acting in the right way in taking steps in the manner under the provisions of the law ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: I have already stated that all possible steps are being taken and have been taken. If they do not bear any fruit, Government will take further steps so that the gentleman may be removed from the Board.

†**Sri SATINDRA MOHAN DEV:** Can not a nominated member be removed from the Local Board without going to the Court ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: The provision is there. We have been advised by the Legal Remembrancer to that effect.

The Hon'ble the SPEAKER: This Question has been sufficiently thrashed out.

(Starred Questions Nos.7-9 were not put and answered as the hon. Questioners were absent.)

Number of Criminal Convicts in Sylhet Jail

Srijut DANDESWAR HAZARIKA asked :

*10. Will Government be pleased to state—

- (a) The total number of criminal convicts in Sylhet Jail hailing from Assam after the separation of Sylhet from Assam ?
- (b) Whether those prisoners also get the benefit of the Independence Day ?
- (c) If so, what is the total number of such prisoners released on that day ?

- (d) (i) The names of the Assam prisoners still in Sylhet Jail ?
 (ii) Their home address,
 (iii) The offence or offences for which they were convicted,
 (iv) The terms and years of imprisonment,
 (v) The year in which they will be released,
 (vi) Terms of imprisonment, if any, reduced due to Independence of India ?
 (e) Whether any steps have been taken by Government to transfer those convicts from Sylhet jail to some other jails in Assam ?
 (f) If so, what are they ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

10. (a)—241 (including those released on Independence Day).
 (b)—Yes.

(c)—126. 15 more were released later.

(d)—70 Assam prisoners are still confined in Sylhet jail. The descriptive rolls of the convicts in which their home address, the offence or offences for which they were convicted, the terms and years of imprisonment, the year in which they will be released, terms of imprisonment, if any, reduced due to Independence of India, etc., are placed in the custody of the Secretary, Assembly, and may please be seen by the hon. Member.

(e) and (f)—Already 28 prisoners have been transferred from Sylhet jail to Assam jails. Two prisoners were made P. R. T., to Shillong and Silchar Jail. Inspector General of Prisons has been in correspondence with the Inspector General of Prisons, East Bengal, for effecting the transfer as early as possible. A reply from East Bengal is awaited.

N.B.—P. R. T.—Police Register Transfer.

(Starred Question No. 11 was not put and answered as the hon. Questioner was absent.)

Jorhat-Neamati Railway Line

Mr. J. S. HARDMAN asked :

- *12. Will Government be pleased to enquire and state—
 (a) Whether an assurance was given when the Railway Board of the Government of India took over the Jorhat-Neamati Line, that this line would not be closed down without the concurrence of the Government of Assam ?
 (b) Whether the Assam Railways published in December last a notice to the effect that this Branch line was to be closed ?
 (c) Whether the prior concurrence of the Provincial Government was obtained ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

12. (a)—No.
 (b)—Yes. Since then the Ministry of Railways, Government of India, have agreed to keep the Jorhat-Neamati Section open for traffic for the present.
 (c)—Does not arise.

Mr. J. S. HARDMAN: Is it not a fact that Sir Kenneth Mitchell at a meeting in Jorhat gave an undertaking that this line would not be closed without the concurrence of the Assam Government?

The Hon'ble Srijut GOPINATH BARDOLOI: Actually it was not an agreement between the Government of Assam and the Government of India, but there was some kind of talk between two officers in which the officer of the Government of India, on behalf of the Government of India, said that they would consult the officer concerned before they took any such step.

Mr. J. S. HARDMAN: If this question of closure should recur in future, will Government agree to consult the public of Jorhat and the industries concerned?

The Hon'ble Srijut GOPINATH BARDOLOI: This question has taken quite a new shape. But I can say for the information of the House that in the meantime the Chief Commissioner of Railways and the Chief Engineer of Railways had come to Assam and had discussed this question regarding policy and taking up of new lines sponsored by Government and maintenance of some old lines. As new policy is involved and certain alternative proposals of various nature have been suggested by Government of India (in the Borpathar), they will have to be examined and it will take some time. Assam Government have these questions before them and will take decisions on them in consultation with Government of India. I can tell the hon. Member for his information that the main principle which has guided the Government of India in this is that if the province wants a particular railway which according to the Government of India may not be of importance which the province would like to attach or economically profitable, there must be some kind of understanding between the Provincial Government and the Government of India in regard to its maintenance, running, etc. and profits.

Srijut NILMONI PHOOKAN: In this regard, public opinion at Jorhat is very strong. This is a connecting line between Jorhat and Kokilamukh and from there to Tezpur and other places. Will Government please move the proper authorities to connect this line again with the Kokilamukh steamer ghat? Otherwise the public of Jorhat is suffering in every way. Is it not the duty of Government to see that this connection is made again?

The Hon'ble Srijut GOPINATH BARDOLOI: It is because the Government had moved in the meantime that the line has to be maintained as it is; otherwise it was proposed to be discontinued. Government moved in the matter as soon as the notice was issued and as a result of that the Government of India have agreed to retain this line, but as I explained to the House just now, the policy in regard to this matter has yet to be determined between the Government of India and the province of Assam. It is after that determination that final decision in regard to this railway line and other new lines which we are thinking to open for the purpose of development of the province, will be taken. I can also tell the House that this line was actually a losing concern and that is why the Railway Board decided to discontinue it.

Mr. J. S. HARDMAN: Are Government aware that this line is losing because sufficient trains are not run on it. It is impossible to get wagons for this line. It is therefore not possible to get any profit. This line has been deliberately starved of wagons.

The Hon'ble Srijut GOPINATH BARDOLOI: Government will take this factor into consideration.

Srijut NILMANI PHOOKAN: Will Government also take into consideration the fact that parallel bus services are running on this route which adversely affects the earning of the railway? There is competition between the Railway and the bus services.

The Hon'ble Srijut GOPINATH BARDOLOI: That is quite a new matter, Sir.

UNSTARRED QUESTIONS

(to which the answers were laid on the table)

Report on Police Administration, 1940

Mr. C. W. MORLEY asked :

1. (a) Will Government be pleased to refer to the form used in Statement "G" of the Report on Police Administration for the year 1940 (pages 46 and 47 of the Appendix) and supply the corresponding information in respect of the Lakhimpur District for—

(i) the year 1946, and

(ii) the first quarter of 1947?

(b) What measures, if any, have Government taken in the district of Lakhimpur to combat the crime wave?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

1. (a)—A Statement is given below :—

STATEMENT 'G'

Abstract for Plains District of the result of Police enquiries into certain classes of cognizable crime with the strength of Police employed in the prevention and detection of crime, 1946

Section	Offences	Lakhimpur		
		Investigated	True	Detected
1	2	3	4	5
143, 153, 157, 158, and 159.	(I) Rioting or unlawful assembly ..	41	29	16
	(II) Other offences against the state public tranquillity, etc.	56	40	5
302, 303, 304, 307, 308 and 396.	(III) Murder, attempt at murder culpable homicide and murder by dacoits.	63	54	31
	(IV) Grievous hurt and hurt by dangerous weapon.	332	246	182
324, 325, 326, 329, 331, 333 and 335.	(V) Serious criminal force ..	27	22	8
353, 354, 356 and 357.	(VI) Other serious offences against person.	65	44	19

Section	Offences	Lakhimpur		
		Investigated	True	Detected
1	2	3	4	5
392, 393, 394, 395, 397 and 398.	(VII) Robbery and dacoity	28	22	3
270, 281, 282, 428, 429, 430, 433, and 435-440.	(VIII) Serious mischief including mischief by killing poisoning, or maiming any animal.	60	52	8
449, 452, 454, 455, and 457-460.	(IX) House breaking and serious house trespass.	611	568	81
341, 342, 343, and 344.	(X) Wrongful restraint and confinement.	8	7	5
379, 380, 381 and 382.	(XI) Theft	881	747	172
411, 412, 413 and 414.	(XII) Receiving stolen property ..	67	58	26
453, 456, 457 and 458.	(XIII) Lurking and criminal house trespass	62	45	30
Total ..		2,301	1,934	586
Percentage to detected cases to true cases			30.29	

Number of police engaged on prevention and detection of crime—

Inspectors	4
Sub-Inspectors	24
Assistant Sub-Inspectors and Head Constables.	29
Constables	206
Total ..	263

	True	Detected
Crime per head of Police engaged on prevention and detection of crime.	7.36	2.22

STATEMENT 'G'

Abstract for the plains district of the result of Police enquiries into certain classes of cognizable crime with the strength of police employed on the prevention and detection of crime for the first quarter of 1947.

Section	Offence	Lakhimpur District		
		Investigated	True	Detected
1	2	3	4	5
143/153, 157, 148 and 159.	(1) Rioting and unlawful assembly ..	15	12	7
	(2) Other offences against the state public tranquility, etc.	..	..	..
302, 303, 304, 307, 308 and 396.	(3) Murder, attempt at murder, culpable homicide and murder by dacoity.	20	20	15
324, 325, 326, 329, 331, 333 and 335.	(4) Grievous hurt and hurt by dangerous weapon.	80	57	47
353, 354, 356 and 327.	(5) Serious criminal force ..	9	6	5
	(6) Other serious offences against person	9	6	6
392, 393, 394, 395, 397, and 398.	(7) Robbery and dacoity ..	9	8	3
270, 281, 282, 428, 429, 430-433 and 435-470.	(8) Serious mischief including mischief by killing, poisoning or maiming any animal.	22	17	6
449, 452, 454, 455 and 457-460.	(9) House breaking and serious house trespass.	127	119	35
341, 342, 343 and 344.	(10) Wrongful restraint and confinement ..	..	..	..
379, 380, 381 and 382.	(11) Theft	312	276	89
453, 456, 447 and 448.	(12) Lurking and criminal house trespass..	18	17	15
Total		652	567	256
Percentage to detected cases to true cases.		45.14		
Number of Police engaged on prevention and detection of crime.				
Inspectors		4		
Sub-Inspectors		33		
Assistant Sub-Inspectors and H. Cs.		54		
Constables		372		
Total		463		
Crime per head of Police engaged on prevention and detection of crime.			True 1.22	Detected .55

(b)—The number of investigating staff has been increased and patrol posts have been established in crime centres to combat the crime.

Present Assistant Surgeon at Jowai

Mr. LARSINGH KHYRIEM asked :

2. Will Government be pleased to state—

(a) When was the present Assistant Surgeon posted at Jowai ?

(b) Whether is it a fact that the Assistant Surgeon is not allowed by the Welsh Mission to work and associate in the Welsh Mission Hospital ?

(c) If so, why ?

(d) What steps Government have taken to enable him to work and associate in the said Hospital ?

(e) Whether Government propose to open a Hospital of its own at Jowai ?

The Hon'ble Srijut RAMNATH DAS replied :

2. (a)—With effect from the 17th July 1947.

(b) to (d)—Yes, at the beginning but on the intervention of Government the Mission Authorities have since permitted the Assistant Surgeon to work and associate himself in the hospital. The Mission Authorities did not allow the Assistant Surgeon, to associate in their hospital on a plea that they had not been consulted previously on this matter.

(e)—Not at present. If any necessity for a Government hospital arises in future, the matter will be considered in due course.

Realisation of Sales Tax by unregistered Dealers

Mr. J. S. HARDMAN asked :

3. (a) Will Government be pleased to state whether unregistered dealers are entitled to recover the sales tax from a person who makes a purchase from them ?

(b) If so, will Government be pleased to state if the amount of such recovery on account of sales tax payable is limited to the amount of the sales tax to Government ?

(c) Are Government aware that unregistered dealers are realising from the public on account of sales tax sums in excess of the sanctioned rate of tax, i.e., 3 pice in the rupee on luxuries and 2 pice in the rupee on other articles ?

(d) Do Government propose to adopt necessary measures to prevent such exactions ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

3. (a) & (b)—As unregistered dealers pay the tax at the time of purchasing their stock-in-trade from a registered dealer, they are naturally entitled to reimburse themselves by increasing the sale-price to that extent.

(c)—Government have no information beyond what is stated in the question.

(d)—Unless unregistered dealers recover the tax as such and, as distinguished from an increased sale-price and beyond the statutory limit, Government cannot intervene. Government will take note of possible abuses with a view to providing a remedy.

Tezpur Municipal Board

Mr. BINODE KUMAR J. SARWAN asked :

4. Will the Hon'ble Minister-in-charge of Local Self-Government be pleased to state—

- (a) Whether it is a fact that no Kachari Tribal, Indian Christian, or any one from Labour was elected to the Tezpur Municipality in its last election held in 1947 ?
- (b) Whether the Hon'ble Minister is aware that these communities, viz., Kachari Tribal, Indian Christian and Labour remain unrepresented in the present Tezpur Municipal Board ?
- (c) If so, why no nomination has been given to persons from these communities to represent themselves in the Tezpur Municipal Board ?
- (d) Whether the Hon'ble Minister is aware that the Caste Hindus were fully represented in the Tezpur Municipality during the last election held in 1947 ?
- (e) If so, why two more Caste Hindus have been added as members of the said Board by nomination ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

4. (a)—Yes.
- (b)—Yes.
- (c)—Because these communities have no claim to representation on the Board on the basis of population.
- (d)—Yes.
- (e)—As the principal communities were fully represented by the elected members in the Tezpur Municipal Board, other factors had to be taken into consideration in making the nominations.

Rice and Paddy confiscated at Dhubri

Maulavi ABUAL MAJID ZIAOSH SHAMS asked :

5. Will Government be pleased to state—

- (a) What total quantity of paddy and rice were confiscated and handed over to the Procurement Department at Dhubri since its establishment ?
- (b) How they have been disposed of ?

The Hon'ble Srijut OMEO KUMAR DAS replied :

5. (a)—The total quantities of paddy and rice confiscated since the establishment of the Procurement Department at Dhubri are 4,524 maunds 19½ seers and 335 maunds 26 seers respectively. No paddy or rice were handed over to the Procurement Department but the confiscated paddy and rice were kept in the custody of the Procurement Department as this Department has Godown.

(b)—The confiscated paddy and rice were disposed of as per statement below :—

Statement showing delivery of Confiscated Rice and Paddy

Issue	Rice	Paddy	Remarks
1. Hanuman Rice Mill, Dhubri	3,644-3-8		Largest amount of paddy were released to the Mill at Dhubri. This was done against rice contracts with the mill which in turn went to feed the Dhubri rationed area.
2. Mohanlal Dungerehall, Superintendent District Jail, Dhubri.	155-16	242-35	
3. Ramgopal Agarwalla S. Salmon	117	...	
4. Surajmall Chandanmall Fakirganj	117	...	
5. Samser Ali Biswas	117	...	
6. Bahuluddin Sarkar	117	...	
7. Md. Sadot Ali	35	...	
8. Asmatulla Bepari	117	...	
9. Silghagu Co-Operative Stores	70	...	
10. Md. Sadot Ali	35	...	
11. B. K. Paul	...	26-11	
12. In auction	...	31-20	
13. D. C's Staff	...	35	
Total :	4,524-19-8	335-26	

Refund of excess amount paid under the Assam Sales of Motor Spirit and Lubricants Taxation (Amendment) Act, 1947

Mr. J. S. HARDMAN asked :

6. (a) Will Government be pleased to state whether an undertaking was given in an official communiqué, dated 1st May 1947, to refund any excess amount paid with effect from the 1st April 1947 under the Assam Sales of Motor Spirit and Lubricants Taxation (Amendment) Act, 1947 ?

(b) Is it a fact that the Assam Sales of Motor Spirit and Lubricants Taxation (Second Amendment) Act, 1947 has been passed approving a rate of tax calculated at 20 per cent. of the value or at the rate of 1½ annas per gallon whichever is less ?

(c) Are Government aware that no steps have yet been taken to make the refunds promised in the communiqué, dated 1st May 1947 ?

The Hon'ble Srijut BISHNU RAM MEDHI replied :

6. (a)—In the communiqué referred to by the hon. Member Government stated that they proposed to refund the excess over the amended rate of 20 per cent. of the value or one and a half anna per gallon whichever was less, to the persons paying the tax at three annas per gallon on diesel and other internal combustion oils. It

was discovered however that a further amendment to the Act was necessary as it contained no provision for a refund of the tax already paid. Government propose therefore to bring in shortly another amendment Bill to authorise the refund.

(b)—Yes, but the rate of tax mentioned in the question relates only to diesel and other internal combustion oil.

(c)—The answer to (a) above covers this, but Government wish to make it clear that the refund will be made to consumers only, when they apply.

Mr. J. S. HARDMAN: Would the Hon'ble Finance Minister very kindly interpret his reply to Question (c)? I do not appreciate the distinction which he makes between "consumers" and "others".

The Hon'ble Srijut BISHNURAM MEDHI: Consumers are those who actually consume diesel oil for their engines.

Mr. J. S. HARDMAN: Am I to take it that there may be some purchasers who did not use the oil?

The Hon'ble Srijut BISHNURAM MEDHI: The whole question will be considered when applications are made for refund. The difficulty is that we cannot take any action unless some provision is made in the Act authorising Government to make refund. The Comptroller and the Legal Remembrancer objected to refund in the absence of any provision in the Act.

Mr. J. S. HARDMAN: May I take it that if a receipt for purchase from the Burma Oil Company is submitted Government will agree to make payment on the basis of this?

The Hon'ble Srijut BISHNURAM MEDHI: That fact will be taken into consideration.

Mr. J. S. HARDMAN: There is one other point. May I enquire whether Government will agree to make refund to those consumers who were previously in Assam before 15th of August? I am referring to the portion of the Surma Valley which has been transferred to the East Bengal Province. There were consumers who paid this additional tax and they have not received any refund yet.

The Hon'ble Srijut BISHNURAM MEDHI: I think the Arbitration Tribunal decides these matters regarding allocation of assets and liabilities. The Sylhet portion got its share of the income which was credited to the Sylhet treasury. Therefore those who still reside there should apply to the authorities there and adjustments may be made by both the Governments afterwards if it is found necessary.

De-Control of Kerosene

Maulavi MD. MAKSED ALI asked:

7. (a) Are Government aware that Kerosene oil is now sufficiently available in the Province?

(b) If so, do Government propose to lift the control on Kerosene oil?

The Hon'ble Srijut OMEO KUMAR DAS replied :

7. (a)—Yes, but the product is under control of the Government of India and though it is produced in Assam, the Province can have only the quota allotted to it. Recently, the Government of India have imposed a cut of 10 per cent. due to the scarcity of tin plates to manufacture containers.

(b)—The decision rests with the Government of India.

Condition of Local Board Dispensaries in the Province

Mr. BINODE KUMAR J. SARWAN asked :

8. (a) Are Government aware that the conditions of the Local Board Dispensaries in the Province are far from satisfactory ?

(b) Are Government aware that in many places these dispensaries are not functioning properly for want of medicines and equipments ?

(c) Are Government aware that in many places the Medical Officers and the staff in Local Board dispensaries do not get their pay regularly and sometimes remain in arrear for 3 to 4 months ?

(d) If so, do Government propose to take up the question of provincialisation of all the existing hospitals and dispensaries of the Province ?

The Hon'ble Srijut RAMNATH DAS replied :

8. (a)—Yes, in some places.

(b)—Yes. Government have therefore been giving aid to these Hospitals and Dispensaries.

(c)—Government have no information.

(d)—Government have already provincialised the remaining five district headquarters hospitals and have come to the relief of the board in respect of the other hospitals and dispensaries by making extra grants for medicine and equipment. Question of provincialising all the hospitals and dispensaries will be examined in due course if funds permit.

Free and Compulsory Primary Education in Assam

Maulavi MD. MAKSED ALI asked :

9. Will Government be pleased to state—

(a) Whether they propose to introduce free and compulsory Primary Education in Assam ?

(b) If so, when ?

(c) Whether it is going to be introduced in all the parts of the Province simultaneously or part by part on an experimental basis ?

Srijut MAHENDRAMOHAN CHOUDHURY (Parliamentary Secretary) replied :

9. (a)—Yes

(b)—The rules are under final examination and it is expected that the Act will be brought into force in very near future.

(c)—It will be introduced in some selected areas first and then it will extend to the whole of the Province.

Babu BIDYAPATI SINGHA: With regard to (c), will Government enlighten us about the basis of selection of areas, and whether the educationally backward areas of the Cachar District will be given the benefit ?

Srijut MAHENDRAMOHAN CHAUDHURY: Selections will be made on the recommendation of the subdivisional school committees. Surely Cachar will get its due share.

Unstarred Question No.10 standing in the name of Mr. Prabhudayal Himatsingka was not put and answered as the hon. Questioner has resigned his seat.

Members of the Gauhati University Court.

Maulavi ABDUL HAI asked :

11. Will Government be pleased to state—

- (a) The names of members of the Gauhati University Court ?
- (b) The number of members in the Gauhati University Court taken from the minority communities including the Muslims ?
- (c) Whether there has been adequate representation of the Muslims and other minority communities in the Court and the Executive Council of the Gauhati University ?
- (d) If not, whether Government propose to nominate adequate number of members there from the Muslim and other minority communities ?

Srijut MAHENDRAMOHAN CHOUDHURY (Parliamentary Secretary) replied :

11. (a)—Besides the *ex-officio* members mentioned in Section 9 (1) of the Gauhati University Act, 1947 and paragraph 2(1) of the Schedule to the Act the following are members of the Court at present :—

- | | |
|-----------------------------|--|
| (1) Mr. Mayangnoksha. | (4) Mr. F. A. Ahmed, Barrister-at-law. |
| (2) Professor R. R. Thomas. | (5) Dr. Zakir Hussain. |
| (3) Kaka Saheb Kalelkar. | (6) Miss Lalziki Sailo. |

(b) & (c)—There is no provision in the Act that representation in the Court or the Executive Council shall be from any minority communities. Under paragraph 2(6) of the Schedule the Chancellor has power to appoint not more than nine members to the Court and the purpose of the appointments is "to secure the representation of interests not otherwise in his opinion adequately represented and to secure the advice of distinguished educationists of other provinces". From reply to 11(a) it will be seen that the Chancellor has already appointed two Muslims to the Court.

(d)—There are three more appointments to be made under paragraph 2(6) of the Schedule to the Act and Chancellor will surely consider the question of "representation of interests" not now adequately represented while making them.

Abolition of the Assam Transport

Maulavi MD. MAKSED Ali asked :

12. Will Government be pleased to state—

- (a) Whether it is a fact that Government formerly decided to abolish the Assam Transport because it was a losing concern ?
- (b) Whether it is a fact that subsequently Government again decided to retain the same ?
- (c) If so, on what ground ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

12. (a)—Government appointed a Committee to examine the means by which the organisation should be closed down.

(b)—Yes, Government very shortly after came to the decision to ask the Committee to examine the prospects of continuing it on a smaller scale.

(c)—For many reasons including the need for a nucleus of readily available transport, and the dislocation likely to be caused by an abrupt sale of the whole fleet.

Buses running to and from Niamati in Jorhat Subdivision

Dr. EMRAN HUSAIN CHAUDHURY asked :

13. (a) Are Government aware of the hardships of the people who have to travel in buses from and to Niamati in Jorhat Subdivision ?

(b) Are Government aware that these buses are always packed beyond their capacity ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

13. (a)—Government have no information. People might have suffered hardships. There was only the mail carrying bus. Recently two more buses have been placed there.

(b)—No report of overloading by stage carriages has been received.

***Dr. EMRAN HUSAIN CHAUDHURY** : With regard to the answer given to 13(a), that the Government have no information about the hardships suffered by the people who travel by buses from Jorhat to Neamati, will Government take it from me that people suffer a lot of hardship and trouble when travelling in buses from Jorhat to Neamati and back ? This will be testified to by other hon. Members of Jorhat who are here, viz., Srijuts Harinarayon Barua and Nilmani Phookan.

The Hon'ble Srijut GOPINATH BARDOLOI : Sir, since after the hon. Members tabled these Questions, two more buses have been added to that route. I can also tell the House that there were complaints by the old permit-holders for giving this increase.

***Dr. EMRAN HUSAIN CHAUDHURY** : But the question of hardship is still there. In view of that, will Government put pressure on the Railway Administration to start passenger trains from Jorhat to Neamati ?

The Hon'ble Srijut GOPINATH BARDOLOI : That is rather a difficult question in view of the fact that the present route upto Neamati only continues for a certain period of the year and not throughout the whole year ; but the Railway authorities will be approached.

Issue of permits on the Gauhati-Shillong Road

Dr. EMRAN HUSAIN CHAUDHURY asked :

14. Will Government be pleased to state—

(a) The total number of seasonal or temporary permits for lorries issued last month for Gauhati-Shillong Road ?

(b) The names of the parties to whom such permits were issued ?

(c) How many of those permits were issued to Muslims ?

(d) What is the basis of issue of these permits ?

(e) How many of those permits were issued to the indigenous people of the Province either Hindus or Muslims ?

(f) Whether it is a fact that the Head Assistant to the Secretary, Provincial Motor Transport Authority, received applications from parties for these permits ?

(g) Whether it is a fact that double running of lorries on the Gauhati-Shillong Road was allowed to the regular permit holders on application ?

- (h) Whether any Circular was issued to the permit holders giving them facilities and opportunities to apply for the double running?
- (i) Whether it is a fact that such double running was granted only for 15 days for which permit fee was realised and that after expiry of these 15 days the double running was again extended for another 15 days to the parties who applied?
- (j) Whether Government realised permit fees for the extended 15 days?
- (k) Whether the said Head Assistant issued a Circular to the permit holders that the renewal of the running will be done on application as there was a heavy congestion of potato traffic?
- (l) Whether it is a fact that the said Head Assistant did not point it out to Government that permit fees are to be realised from all parties including the B. O. C. Petrol Lorry?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

14. (a)—No seasonal or temporary permits were issued during the month of September 1947 on the Gauhati-Shillong Road.

(b) to (f)—Do not arise.

(g)—Yes.

(h)—No.

(i)—Yes, double running was permitted to clear accumulation of potato which is a perishable commodity.

(j)—Yes.

(k)—No, it is not a fact.

(l)—No. Permit fees were realised in full from all parties including the B. O. C. Petrol Lorry.

Number of Hospitals in Rural Areas

Mr. BINODE KUMAR J. SARWAN asked :

15. (a) Are Government aware that the number of Hospitals in rural areas falls far short of the needs of the people?

(b) If so, do Government propose to take immediate steps to provide more hospitals in rural areas?

The Hon'ble Srijut RAMNATH DAS replied :

15. (a)—Yes.

(b)—Yes. Government have already taken necessary steps to provide more dispensaries in rural areas

Publication of Britta Manjari

Srijut GAURI KANTA TALUKDAR asked :

16. Will Government be pleased to state—

(a) At what stage the proposal to publish the Britta-Manjari of Pandit Dhireswar Acharya stands at present?

(b) Who has been entrusted with the task of publishing the work?

(c) When the book is expected to be published?

(d) Whether the work of publication has been undertaken?

(e) If not, whether Government propose to expedite the matter?

Srijut MAHENDRAMOHAN CHOUDHURY (Parliamentary Secretary) replied :

16. (a)—Arrangements have been made to publish the book by the Director of Historical and Antiquarian Studies with the assistance of other reputed scholars.
(b)—The Director of Historical and Antiquarian Studies.
(c)—As early as possible
(d) to (e)—Do not arise.

Srijut GAURI KANTA TALUKDAR: Will Government be pleased to state whether the services of Pandit Gauri Datta Misra has been availed of in giving assistance to the Director of Historical and Antiquarian Studies ?

Srijut MAHENDRAMOHAN CHAUDHURY: No, Sir.

Srijut GAURI KANTA TALUKDAR: Do Government know that he was the prime mover for publishing this book ?

Srijut MAHENDRAMOHAN CHAUDHURY: The book is being published from Gauhati and as Shrijut Misra lives at Shillong, it was therefore found that he cannot render useful service in this behalf, but he has been entrusted with the charge of compiling the life of Mahamahopadhyay Dhireswar Bhattacharya which will be incorporated in the book.

Srijut GAURI KANTA TALUKDAR: Are Government aware that this gentleman is willing to go to Gauhati at his own expense and render necessary help.

Srijut MAHENDRAMOHAN CHAUDHURY: No, Sir.

Srijut GAURI KANTA TALUKDAR: Will Government be pleased to take his assistance if he is prepared to work gratis ?

Srijut MAHENDRAMOHAN CHAUDHURY: Yes, surely.

Srijut GAURI KANTA TALUKDAR: Will Government enquire and enlist his name as one of the assistants ?

Srijut MAHENDRAMOHAN CHAUDHURY: The whole charge of this work remains with the Director of Historical and Antiquarian Studies, Dr. Bhuyan and he will be requested to take necessary assistance from Shrijut Misra if and when necessary.

Srijut GAURI KANTA TALUKDAR: Do I understand that the assistants have been selected by Dr. Bhuyan and not by Government ?

Srijut MAHENDRAMOHAN CHAUDHURY: Government have selected them.

Srijut GAURI KANTA TALUKDAR: Then will it not be the duty of the Government to enlist his name ?

Srijut MAHENDRAMOHAN CHAUDHURY: At this stage the matter has been left with the Director and if anything is to be done now, he will have to be consulted.

Revision of list of Holidays

Maulavi ABUAL MAJID ZIAOSH SHAMS asked :

17. Will Government be pleased to state—
 (a) Whether they propose to revise the new list of Holidays ?
 (b) Whether they are aware that owing to the curtailment of Muslim holidays the new holiday list has created wide dissatisfaction ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

17. (a)—No.
 (b)—No.

The Assam Medical Service (Senior and Junior)

Mr. BINODE KUMAR J. SARWAN asked :

18. Will Government be pleased to state—
 (a) Whether they are at present giving promotion to Medical Graduates of 15 or 17 years of service in the vacancies caused by the withdrawal of I. M. S. officers ?
 (b) If so, do Government propose to take immediate steps to fill up the vacancies in the Provincial Cadre of Medical Service by promoting the Sub-Assistant Surgeons ?
 (c) Is it a fact that the Sub-Assistant Surgeons are given a scale of pay much inferior to the scale of pay of Inspectors of Excise, Supply, Police and the Overseers ?
 (d) If so, do Government propose to consider favourably the question of giving a decent pay and status to the Sub-Assistant Surgeons ?
 (e) Do Government propose to increase the percentage of promotion of Sub-Assistant Surgeons to selection grade to 25 per cent. and recognise the officers of the selection grade as Gazetted Officers ?
19. (a) Is it a fact that till the middle of the last war all appointments, transfers, etc., of Sub-Assistant Surgeons were published in the Assam Gazette ?
 (b) If so, do Government propose to continue the same now ?
 (c) Is it a fact that the Sub-Assistant Surgeons in some cases are allowed to hold charge of the work of Assistant Surgeons in addition to their own duties, but in such instances they are not shown in the Assam Gazette as officiating Assistant Surgeons ?
 (d) Do Government propose to take immediate steps to remove these grievances of Sub-Assistant Surgeons ?

The Hon'ble Srijut RAMNATH DAS replied :

18. (a)—In the vacancies caused by the abolition of I. M. S., the junior-most Assistant Surgeon appointed as Civil Surgeon has already put in 18 years service.
 (b)—Some of the vacancies have been filled up by promoting Sub-Assistant Surgeons and more promotions will be made gradually.
 (c)—Yes, but the doctors supplement their income by private practice.
 (d) & (e)—The Pay Committee appointed by Government have considered this and their recommendations are expected to be published soon.

19. (a)—Yes, this was so.
 (b)—Government will consider this matter.
 (c)—Yes. Charge allowances are given to them for such additional duties but the question of notifying them as officiating Assistant Surgeons does not arise as they do not become Assistant Surgeons by holding charge temporarily.
 (d)—Does not arise ; as stated in 18 (a), (b), (c) and (d).

Formation of tribal belts or zones

Maulavi ABUAL MAJID ZIAOSH SHAMS asked :

20. Will Government be pleased to state—
 (a) How many tribal belts or zones have been declared in each of the districts of Goalpara, Kamrup, Darrang and Nowgong ?
 (b) What are the names, area and boundaries of these tribal belts ?
 (c) How many (i) Muslims and (ii) Non-Muslims are likely to be affected by each of these tribal belts ?
 (d) Whether Government propose to compensate these affected persons by settling other lands to them in some other areas ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

20. (a)—Only one tribal belt and one tribal block in the district of Goalpara have so far been declared and notified.

The areas to be constituted as tribal belts and blocks in other districts are under consideration. In some cases Government is awaiting for details for publication of necessary notification.

(b)—Sidli Tribal Belt—comprising mouzas 4th Circle Sidli, 5th Circle Sidli, 6th Circle Sidli, Part of Ripu I lying on the north of 4th and 6th Circle Sidli, Chirang Duar, mouzas 3rd Circle Sidli—East and 3rd Circle Sidli—West and excluding the villages of Khayerabari, Nangalbhangra, West Joypur and Nepalpara.

Bijni Tribal Block—Part of mouza Bijni within the following boundaries :—

North—Manash Reserve Forest.

East—Manash River.

South—Assam Railway Line.

West—Eastern boundaries of mouzas Chirang and 3rd Circle Sidli (EAST) and Aie River. And excluding the immigrant villages of Paschim Gumargaon, Palongsuguri and Cikapara I and II.

(c)—Tribal belts or blocks are not intended to affect the interest of any person already inhabiting them provided the provisions of Chapter X of the Assam Land and Revenue Regulation (Amendment) Act, 1947 (Assam Act XV of 1947) are not violated.

(d)—Does not arise.

Creation of Independent Labour Department for Assam

Dr. EMRAN HUSAIN CHAUDHURY asked :

21. Will Government be pleased to state—

- (a) Whether they are aware that Labour troubles in various forms are increasing in various parts of the Province and that Labour problems are getting more and more intricate and assuming gigantic proportion ?

- (b) If so, when do they contemplate to start an independent Labour Department in Assam as in other Provinces?
- (c) The work being highly technical, whether they propose to appoint a Labour Commissioner and an Assistant Labour Commissioner of their own and sufficiently trained on the subject instead of depending on the services of Central Government Officers?
- (d) When do they propose to appoint sufficient number of Labour Officers, Inspectors, Investigators and necessary clerical and menial staff to deal with the labour problems?
- (e) Whether it is a fact that an Extra Assistant Commissioner of the permanent cadre and a temporary Sub-Deputy Collector have recently been appointed as Labour Officers?
- (f) Whether the post of Labour Officer is a Gazetted post.
- (g) What special qualifications these two officers had for being selected as Labour Officers?
- (h) Whether the duties of a Labour Officer have been defined anywhere?
- (i) If not, why not.
- (j) When these appointments of Labour Officers will be notified in the Gazette?

The Hon'ble Srijut OMEMO KUMAR DAS replied :

21. (a)—Yes.

(b)—The Labour Department of this Government has already been separated from the office of the Controller of Emigrant Labour. Steps have been taken to organise the Department on permanent basis and officers for this purpose are being recruited.

(c)—A senior member of the Assam Civil Service has been appointed whole-time Labour Commissioner and the question of appointing an Assistant Labour Commissioner is receiving attention.

(d)—Two Labour Officers have already been appointed. Post for one more Labour Officer, 5 Inspectors and 3 Investigators have been sanctioned and the enlargement of the ministerial and inferior services is under active consideration.

(e)—Of the two Labour Officers one is a permanent member of the Assam Civil Service and the other was once a temporary Sub-Deputy Collector.

(f)—Yes.

(g)—They graduated in Economics and were trained in the United Kingdom in labour welfare measures.

(h) & (i)—Under the present arrangements they will have to perform a number of duties regarding labour welfare measures and to inspect industrial establishments including plantations and factories and to see that the various labour legislations are enforced and the agreements of the Tripartite Conferences are implemented. They have been appointed Inspectors for the purposes of the Payment of Wages Act and the Maternity Benefit Act.

(j)—Labour Officers are already holding Gazetted appointments.

Burglary in the Government Standard Cloth Godown in Goalpara

Maulavi MD. NAZMAL HAQUE asked :

22. (a) Are Government aware that lately there was a burglary by cutting *sindh* in the Government Standard Cloth godown in the town of Goalpara?

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

- (i) The number of bundles stolen ?
- (ii) The dimension of the said *Sindh* ?
- (iii) Whether there was any police enquiry into the matter ?
- (iv) If so, whether Government propose to lay on the table the report of the police enquiry ?
- (v) Whether it is a fact that the size of the *Sindh* was such that it did not admit the entrance of a man ?
- (vi) Whether it is a fact that a bale of cloth was at the *Sindh* preventing entrance of anybody inside the godown ?
- (vii) Whether Government propose to enquire into the matter and punish the culprit ?

The Hon'ble Srijut OMEO KUMAR DAS replied :

22. (a)—Yes, there was a burglary in the Government Standard Cloth godown on the night of 7th October 1945 by removing two planks under the window of the godown but not by cutting *Sindh*.

(b) (i)—7⁸/₁₀ bundles—each bundle containing 10 pairs of *sarees*.

(ii)—It was not a 'Sindh' but a hole made by removing 2 planks under the window of the godown.

(iii)—Yes.

(iv)—Three copies of the reports of Police and Judicial enquiries are placed on the Library Table.

(v)—No.

(vi)—The report on judicial enquiry shows that a bale of cloth was put against the hole from inside.

(vii)—In view of the reports of Police and judicial enquiries it is not possible to make anyone liable.

Disposal of Iron splints, etc.

Maulavi MD. NAZMAL HAQUE asked :

23. Will the Government be pleased to state—

- (a) What is being done with the iron splint and canvass of the bales of Standard cloth in the Subdivision of Goalpara ?
- (b) Whether these are sold ?
- (c) If so, whether by auction or otherwise and how much money they have fetched to the Government up till now ?

The Hon'ble Srijut OMEO KUMAR DAS replied :

23. (a)—The bales are packed with Gunny bags and not with canvass. In case of delivery of Standard cloth bales intact to dealers, this question does not arise. But in case of loose delivery, the gunny bags are required by the dealers to pack their cloths. These are required for use in Godowns also. The iron splint has to be cut into pieces to open the bales and the same becomes waste-materials which are lying useless both in and outside the godown.

(b)—No

(c)—Does not arise.

Supply of Yarns, Dyestuffs and Chemicals to Babu Surendra Das of Karimganj

Srijut DANDESWAR HAZARIKA asked :

24. Will Government be pleased to state—

- (a) Whether is it a fact that a large quantity of yarns, dyestuffs and chemicals were sent and are being sent to one Babu Surendra Das of Karimganj Subdivision from the Gauhati Emporium and Central Stores ?
- (b) If so, since when he is getting this facility and under what consideration and with whose permission ?
- (c) Whether the Emporium has been audited by duly competent authority ?
- (d) If so, whether there is any irregularity in the latest audit report ?
- (e) Whether Government propose to stop such supply of yarn and dyestuffs to the above named person ?

The Hon'ble Srijut OMEO KUMAR DAS replied :

24. (a)—Babu Surendra Chandra Das of Karimganj Subdivision was supplied with yarn and dyestuffs from the Government Emporium and Central Stores, Gauhati. It has since been totally stopped.

(b)—He has been working as a regular weaver like other approved weavers since the starting of the marketing organisation scheme in 1943 (Expansion of the Marketing Scheme). He was supplied with yarn and dyestuffs against orders placed for manufacture of standardised fabrics for the Emporium. The then Assistant Director of Industries who was directly in charge of the Emporium was consulted in enlisting him as an approved weaver of the Government Emporium, Gauhati.

(c)—Yes.

(d)—No.

(e)—He has since been dropped from the list of weavers of the Emporium, Gauhati.

Devastation of crops and cultivation by cyclone in Rymbai Doloiship

Mr. LARSINGH KHYRIEM asked :

25. (a) Are Government aware that last year in the month of November, a cyclone swept over a portion of Rymbai Doloiship and War Areas and caused devastation to crops and cultivation ?

(b) If so, what action has been taken by Government to relieve the sufferers ?

(c) If not, why not ?

(d) Whether Government propose to exempt sufferers from paying house tax ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

25. (a)—Yes.

(b)—(d)—Government have called for a report, on receipt of which, the question of giving relief to the people will receive full consideration.

Assam Government Transport Business

Maulavi ABUAL MAJID ZIAOSH SHAMS asked :

26. Will Government be pleased to state—

(a) Whether the Assam Government transport business has been wound up ?

(b) If so, when the above business came to an end ?

(c) Whether any loss has been sustained in the said business ?

(d) If so, what is the total amount of loss so far ascertained ?

(e) What are the factors which led to the loss in the business ?

(f) Who are the (i) officers directly responsible for the loss and (ii) who are the personnel responsible for the scheme ?

(g) (i) Name of the persons to whom the Government or the authorities sold the Trucks, Lorries, Motor cars, etc. (ii) the respective prices at which they were sold, (iii) the original prices of each Truck, Lorry and Motor car ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

26. (a)—No.

(b)—Does not arise.

(c)—Yes, in some years.

(d)—Profit and loss in different years were as follows :—

				Rs.	a.	p.
1942-43—loss	...	...	...	25,734	8	1
1943-44—profit	...	...	...	11,15,710	4	11
1944-45—	...	...	...	1,08,827	2	9
1945-46—loss	...	...	...	11,01,531	10	0

The net working position upto the 31st March, 1946 as per balance sheet is a net profit of Rs. 97,271.

(e)—War time conditions.

(f)—The loss is not attributable to any particular person or persons.

(g)—A large number of vehicles were disposed of to several parties since the inception of the organisation. Submission of details party by party is a matter involving a good deal of labour. The following particulars may clarify the matter to the hon. Members.

No. of vehicles disposed of during—	Purchase cost			Residual value on the date of sale			Prices fetched		
	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.
1943-44 — 192	2,62,686	0	9	2,62,686	0	9	4,36,865	2	0
1944-45 — 70	3,74,376	5	0	1,46,933	5	0	1,01,492	0	0
1945-46 — 113	6,38,580	10	0	87,990	2	0	96,111	4	0

The depreciated value shown against the year 1944-45 does not include the value of the cannibalised parts received from vehicles during the year amounting to Rs. 1,46,270, which, if taken into account, reduces the residual value to Rs. 663-5-0 only.

Settlement of lands with fresh immigrants

Srijut SARAT CHANDRA SINHA asked :

27. (a) Are Government aware that lands are being settled to the fresh immigrants on the false ground that they came before 1938 and thus protected by the July Resolution of 1945 ?

(b) Will Government be pleased to state what are the criteria necessary to prove that they came before 1938 ?

(c) Are Government aware that they, after settlement, generally claim partition with new comers on false representation that they are their brothers, uncles, etc. ?

(d) That in this way, immigrants are pouring in, and that Government officials concerned are helping the immigrants in this matter for pecuniary interest ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

27. (a)—Government have no such information.

(b)—Local Officers are to satisfy themselves by evidence (documentary preferably) to show that possession of land by immigrants was prior to 1st January 1938 or that they came before the 1st January 1938.

(c) & (d)—Government have no information. If the hon. Member can give any specific instances Government will enquire into the matter.

Remission of Land revenue

Srijut KARKA DALAY MIRI asked :

28. (a) Do Government propose to grant remission of land revenue by 50 per cent. considering the present economic distress of the agriculturists of Assam ?

(b) Is it a fact that the Congress Assembly Party moved such a Resolution before the House during the last Assembly ?

(c) If so, do the present Government propose to give effect to that Resolution now ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

28. (a)—Land revenue remission is given when conditions justify it. No remission of a general character is proposed by Government.

(b) & (c)—Government are not aware of such a resolution.

Assam Transport Organisation

Dr. EMRAN HUSAIN CHAUDHURY asked :

29 (a) Is it a fact that Government propose to abolish the Assam Transport Organisation ?

(b) If so, when ?

(c) Will Government be pleased to state the reason of their doing away with this Organisation ?

(d) What is the annual cost of maintaining the Assam Transport Service from its start ?

(e) What, if any, is the annual gain accrued to Government from this service from its start ?

(f) What is the strength of the staff employed in the Assam Transport Organisation ?

(g) How do Government propose to absorb those who will be thrown out of employment on the abolition of the Assam Transport Service ?

(h) Will Government be pleased to state if any Commission was appointed to go into the working of the Assam Transport Organisation ?

(i) If so, what were the Commission's recommendations ?

(j) Is it a fact that the Assam Transport was re-organised in February-March last ?

(k) Will Government be pleased to state as to how it has been working since its re-organisation ?

(l) Is it a fact that a large number of vehicles have got no book value ?

(m) If so, what is the number of such vehicles ?

(n) Is it a fact that the rest of the vehicles will have no book value by March next ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

29. (a)—No.

(b) & (c)—Do not arise.

(d)—Expenditure incurred for the maintenance and upkeep of the Organisation during the years 1942-43, 1943-44, 1944-45 and 1945-46 including provision for depreciation against all acquired assets is as follows:—

				Rs.	a.	p.
1942-43	...	...	...	38,242	2	4
1943-44	...	...	...	40,89,328	8	7
1944-45	...	...	...	76,54,795	9	1
1945-46	...	...	...	45,59,812	15	1

The figures for the year 1946-47 are not yet ready.

(e)— Profit and loss in different years were as follows :—

				Rs.	a.	p.
1942-43	loss	...	...	25,734	8	1
1943-44	profit	...	...	11,15,710	4	11
1944-45	„	...	...	1,08,827	2	9
1945-46	loss	...	...	11,01,531	10	10

The net working position upto 31st March, 1946 is as per balance sheet is a net profit of Rs.97,271.

(f)—Excluding casual staff, regular staff in employ of the Assam Transport on 14th August 1947 numbered 793.

(g)—Does not arise.

(h)—Yes, a Committee of Inquiry was set up to investigate into the working of the Assam Transport.

(i)—Part I of the report which contains suggestions and recommendations is placed on the library table.

(j)—Yes.

(k)—The Organisation is still in a process of reorganisation.

(l)—Yes.

(m)—174 out of a total number of 366 vehicles got no book value on 14th August, 1947.

(n)—241 vehicles (inclusive of those shown in (m) may turn to have no book value by 31st March, 1948.

Annual Grant to Hospital and Dispensaries in Jowai Subdivision

Mr. LARSINGH KHYRIEM asked :

30. Will Government be pleased to state—

(a) The amount of annual grant given to—

(1) The Welsh Mission Hospital at Jowai (2) Welsh Mission Dispensary at Shangpung and (3) Roman Catholic Mission Dispensary at Mokyndeng ?

(b) The object in giving the grant in each case ?

(c) Whether the money is spent for the purpose for which the grant is given ?

(d) If not, why not ?

The Hon'ble Srijut RAMNATH DAS replied :

30. (a)—(1) Rs. 1,500
(2) Rs. 250
(3) Rs. 750.

(b)—For purchase of medicines and equipment.

(c)—Yes.

(d)—Does not arise.

Superintendents and Inspectors in the Sales Tax Department

Srijut BHADRA KANTA GOGOI asked :

31. Will Government be pleased to state—

(a) How many Superintendents and Inspectors were appointed in the Sales Tax Department before going to the Public Service Commission ?

- (b) Who appointed them ?
 (c) Of which community and district they belong to ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

31. (a) & (b)—Three Superintendents and one Inspector who were already serving the Government in different capacities, were appointed by Government in consultation with the Assam Public Service Commission.

(c)—Three Hindus from Kamrup and one Hill Tribal from the Khasi and Jaintia Hills.

Curtailment of Public Holidays

Maulavi ABDUL HAI asked :

32. (a) Will Government be pleased to state the names of members of the Committee appointed last year for the adjustment of public holidays ?

(b) Are Government aware that recently there has been much public criticism for curtailing all the long vacations ?

(c) Are Government aware that at least one long vacation is necessary for giving some respite to the officers and employees of non-vacational institutions and offices ?

(d) Are Government aware that Magh Bihu is an important festival for all the Assamese people ?

(e) If so, do Government propose to increase the number of holidays for this occasion from two days to seven days at least ?

(f) Is it a fact that the number of holidays granted on the occasion of Muslim festivals has been reduced from twelve days to four days only in a year ?

(g) If so, do Government propose to take early steps to increase the number of holidays of the following important Muslim festivals :—

Idul-Fitr—3 days.

Iduz-Zuha— 2 days.

Shabi-Barat—1 day.

The Hon'ble Srijut GOPINATH BARDOLOI replied :

- 32 (a)—1. Hon'ble Minister Finance (Chairman).
 2. Chief Secretary to the Government of Assam.
 3. Secretary in the Finance Department to the Government of Assam.
 4. Agent, Imperial Bank, Shillong.
 5. Mr. J. Mukherjee, B.L., Agent, Comilla Banking Corporation, Shillong (Representative of Assam Chambers of Commerce.)
 6. Mr. S. M. H. Ciddikie, General Secretary to the Muslim Chambers of commerce.
 7. Maulavi Saiyed Muhammad Saadulla, M.L.A.
 8. Political Secretary, Planting and Commerce Group.
 9. Srijut Kameswar Das, M.L.A.
 10. Srijut Haladhar Bhuyan, M.L.A.
 11. Hon'ble President, Assam Legislative Council.

(b)—Government are aware that there have been criticism in some quarters (we have received certain representations to this effect).

(c)—Apart from Sunday (the weekly day of rest) there are a number of holidays—mostly originating in the past in observances connected with different religions and now continued to the extent that the observances need—which also give a respite. For longer respites employees should take leave.

(d)—Yes.

(e)—No. The number of holidays in this connection has already been increased from 1 day to 2 days.

(f)—Yes, but they were reduced not because they were Muslim holidays but because they were no longer needed in the light of present conditions.

(g)—No. (The curtailment was done with the concurrence of the representative of the Muslim Community viz. Maulavi Saïyed Muhammad Saadulla.)

Staff of the Textile, Supply and Rationing Departments

Dr. EMRAN HUSAIN CHAUDHURY asked :

33. Will Government be pleased to state—

(a) The actual number of officers employed under the Textile, Supply and Rationing Departments respectively ?

(b) Whether they are on permanent basis ?

(c) If not, what will be their future ?

(d) Whether Government propose to absorb these officers in the permanent cadre ?

(e) If not, why not ?

34. (a) Will Government be pleased to state whether they received an application from Mr. H. P. Hazarika of Jorhat Court through the Deputy Commissioner, Sibsagar for the post of an Inspector of Supply with his Memo. No.-1487 P O., dated the 9th March 1945 ?

(b) If so, what have they done for the candidate ?

The Hon'ble Srijut OMEO KUMAR DAS replied :

33. (a)—Total number of officers employed are 258 as detailed below :—

Textiles		Supply and Rationing	
Special Officer (Procurement) ...	1	Director of Supply ...	1
Ditto Textiles ...	1	Assistant Director of Supply ...	1
Special Textile Superintendent ...	1	Deputy Director of Supply (A) ...	1*
Textile Superintendents ...	8	Accounts Officer (Supply Department) ...	1
Textile Inspectors ...	19	Superintendents of Supply ...	7
Textile Sub-Inspectors ...	37	Assistant Controller of Rationing ...	8
Textile Assistant Sub-Inspectors ...	64	Inspectors of Supply ...	11
	—	Inspectors of Supply (Rationing) ...	4
	131	Sub-Inspectors of Supply ...	67
		Sub-Inspectors of Supply (Rationing) ...	26

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* Of Supply Accounts Branch.

(b)—No.

(c) & (d)—The question of their absorption will be taken up on the abolition of the Department.

(e)—Does not arise.

34. (a)—No.

(b)—Does not arise.

Distribution of Corrugated Iron Sheets at Jorhat,

Dr. EMRAN HUSAIN CHAUDHURY asked :

35. Will Government be pleased to state—

(a) How Corrugated Iron Sheet is distributed at Jorhat ?

(b) The names of persons to whom Corrugated Iron Sheets were distributed during the last 3 months together with the quantity of Corrugated Iron Sheet given to each of the applicants ?

(c) The number of applications received by them prior to the said period from persons who wanted Corrugated Iron Sheets ?

(d) To whom the first priority of consideration was given ?

The Hon'ble Srijut OMEO KUMAR DAS replied :

35. (a)—A copy of a press note issued by the Deputy Commissioner, Sibsagar explaining the procedure for distribution of Corrugated Iron Sheets is given below.

PRESS NOTE NO. SJS. 174/47/16, DATED 2nd AUGUST 1947

Corrugated Iron Sheets.

No Applications for Corrugated Iron Sheets will in future be received by the Deputy Commissioner, Sibsagar or his Supply Office in respect of the Jorhat Subdivision except between date which will be published by him from time to time.

All previous applications have been destroyed, since there were an enormous number of such applications and only small consignments of Corrugated Iron Sheets are received from time to time.

As a small consignment has just arrived at Jorhat, the Supply Superintendent will receive applications for permits between the following dates only—4th August, 1947 to 25th August, 1947. All applications received before or after these dates will be destroyed. All applications must give the name, father's name and full address, otherwise they will be destroyed. Private individuals and Institutions must affix a Court Fee Stamp of eight annas to their applications.

The present consignment will be distributed as follows:—

Forty-nine per cent. to private individuals for repairs to their houses 44.5 per cent. to Religious Institutions, 6.5 per cent. to Educational Institutions. All applications will be taken in chronological order of receipt. Not more than 5 bundles can be given to individuals and not more than 10 bundles to Institutions.

All applications for purposes other than those mentioned and all applications not bearing the proper Court Fee Stamps will be destroyed. After permits have been distributed to successful applicants the applications of unsuccessful applicants will be destroyed and they will have to apply again when notice of the arrival of the next consignment is publicised.

T. T. S. HAYLEY,
Deputy Commissioner, Sibsagar.
The 2nd August 1947.

(b)—A list of recipients of C. I. Sheet, during the months of July, August and September 1947 together with the quantities allotted, is given below.

LIST SHOWING THE DISTRIBUTION OF C. I. SHEETS DURING THE
LAST THREE MONTHS WITH EFFECT FROM JULY TO
SEPTEMBER, 1947

First Distribution

Serial No.	Name of persons to whom C.I. Sheets were distributed	Address	Number of bundles issued	Remarks
1	Srijut Satish Ch. Barua, Jorhat ...	Harucharai Mouza.	1	
2	Khan Bahadur R. Ahmed ...	Jorhat ...	5	
3	Hon'ble R. N. Das ...	"	2	
4	Srijut L. N. Gogoi, B.L. ...	"	4	
5	Srijut Tikhon Ch. Saikia ...	"	4	
6	Srijut Konlora Neog ...	"	5	
7	Srijut Debi Prasad Neog ...	Charaibahi Mouza.	2	
8	Maulavi Ebadullah, Pleader ...	Jorhat ...	2	
9	M/S. S. E. Ali and Sons ...	"	5	
10	Srijut Konram Saikia ...	"	5	
11	Srijut A. R. Barbara ...	"	4	
12	Maulavi A. Ahmed ...	"	4	
13	Srijut H. Hazorika ...	"	4	
14	Srijut D. Neog ...	"	4	
15	Surujmal Baid ...	"	3	
16	Sayed S. Ali ...	"	3	
17	Secretary, Dholi Mosque ...	"	7	
18	Secretary, Jorhat Town Madrassa ...	"	9	
19	Srijut Susil Ch. Sarma... ..	"	2	
20	Srijut R. Hazorika ...	"	2	
21	Dr. K. Bhuyan ...	Charigaon	5	
22	Secretary, Kakojan Kumargaon Mosque.	Kakojan ...	6	
23	Secretary, Kakojan Kaibarta Gaon Namghar.	"	10	
24	Secretary, Duliagaon Namghar ...	"	10	
25	Arandhora Lower Primary School	"	3	
26	Additional Superintendent of Police.	"	1	For Police Truck.
27	Mr. P. K. Barua ...	Jorhat ...	5	
28	Srijut G. Dutt ...	"	5	
29	Srijut S. P. Barua ...	"	5	
30	The Manager, Government Farm, Titabar.	Titabar ...	10	They could not get a quota meant for Government building from Director of Consumer Goods.

Serial No.	Name of persons to whom G.I. Sheets were distributed	Address	Number of bundles issued	Remarks
31	Town Puja Committee for Puja Mandir.	Jorhat ...	2	
32	Economic Botanist, Jorhat for Government building.	"	18	On loan with the condition to be returned on receipt of his quota from Government.

Second Distribution

33	Md. Sultan ...	Jorhat ...	4	
34	Maulavi Badaruddin Neog ...	"	3	
35	Md. Akram ...	"	4	
36	Md. Abdul Hussain ...	"	3	
37	Md. Syed Abdul Mannan ...	"	2½	
38	Secretary, Marwari Thakurbari...	"	2	
39	Imperial Telegraph Training School.	"	5	
40	Hindi School	"	4	
41	Mrs. Maju Pural Bardalai ...	"	1	
42	Md. Diyanatulla ...	"	3	
43	Syed Mobarak Hussain ...	"	5	
44	Ganesh Ch. Barua ...	"	4	
45	Srijut Hemkanta Dutta ...	"	2	
46	Srijut J. C. Barua ...	"	5	
47	Srijut Bholaram Koch ...	"	2	
48	Maulavi B. Jamal ...	"	4	
49	Srijut H. Das ...	"	2	
50	Srijut Bapuram Keot ...	"	2	
51	Srijut N. K. Das ...	"	3	
52	Srijut Holiram Dutta ...	"	2	
53	Srijut J. C. Sarma ...	"	1	
54	Srijut Indreswar Barua ...	"	1½	
55	Srijut Ananda Ch. Barua ...	"	4½	
56	Srijut Dibakar Khargharia ...	"	5	
57	Srijut L. N. Dutta ...	"	1	
58	Srijut P. Sarma ...	"	8	For replacing thatch mauza office.
59	Srijut C. K. Sarma ...	"	2	
60	Srijut Biswanath Barua ...	"	8	For rice mill.

Rural Religious Institutions

61	Secretary, Kachariparia Namghar.	Jorhat ...	2	
62	Srijut Mahesh Ch. Deb-Satra Namghar.	"	3	
63	Holungapar Namghar ...	"	2	
64	Bongaon Namghar, Chowkhat Mauza.	"	5	

Serial No.	Name of persons to whom C.I. Sheets were distributed	Address	Number of bundles issued	Remarks
65	Charingia Namghar, Simuluguri Mauza.	Jorhat	8	
66	Tinikuria Namghar	"	10	
67	Bamungaon No.1 Namghar, Charigaon.	"	8	
68	Bapukanta Mohonta, Satra Namghar.	"	5	
<i>Rural Educational Institutions</i>				
69	Dhemuchocha Muktab	Jorhat	4	
<i>Permits issued by Deputy Director of Consumer Goods, Assam, Shillong</i>				
70	Hon'ble D. Sarma, Speaker Assam Assembly.	Jorhat	44	bundles permits issued by Director of Consumer Goods. (Not applied through the Deputy Commissioner.)
71	Joint Secretary, Jhanji Public Hall.	"	25	Ditto.
72	Christian Mission Hospital	"	20	Deputy Commissioner recommended the application.

(c)—Since 1944 well over a thousand petitions were received. It is not possible to state exact number. Since the inauguration of the new procedure explained in the reply to question (a) and upto the end of September 1947, 300 applications were received.

(d) —A Sub-Committee was appointed by the Deputy Commissioner to go through the petitions accumulating since 1944 and to recommend to whom permit should be given according to nature of urgency.

Agreement between the Commercial Carrying Company and Government on the Shillong-Gauhati Road

Maulavi ABDUL HAI asked :

36. (a) Will Government be pleased to state when the lease with Commercial Carrying Company, Limited will terminate ?

(b) Is it a fact that Government are going to renew the lease to the same Company ?

(c) Will Government be pleased to place on the table the copy of the agreement between the said Company and the Government ?

(d) Do Government propose to take up transport of the Shillong-Gauhati Road as a State concern ?

The Hon'ble Srijiut GOPINATH BARDOLOI replied :

36. (a)—On 31st December 1948.

(b)—No proposal for fresh arrangement has been taken up.

(c)—A copy of the agreement is placed on the Library Table.

(d)—The matter is engaging attention of Government.

Administration of Local Boards and Grant to Dhubri Local Board

Maulavi Md. MAKSED ALI asked :

37. (a) Do Government propose to abolish the existing system of administration of Local Boards in the near future ?

(b) Are Government aware that this system of administration involves extra burden on the Provincial finances ?

38. (a) Will Government be pleased to state the actual amount given so far to the Dhubri Local Board as subvention from the Post-War Reconstruction fund ?

(b) Do Government propose to continue this grant to the Dhubri Local Board in future ?

The Hon'ble MAULAVI ABDUL MATLIB MAZUMDAR replied :

37. (a)—There is no such proposal in contemplation at present.

(b)—No.

38. (a)—Rs. 55,742 for rural water supply in the current financial year.

(b)—Any future grants will depend on the availability of funds from the Central Government.

Declaration of a New Era after the name of Mahatma Gandhi

Srijut GAURI KANTA TALUKDAR asked :

39. Are Government aware—

(a) That the people of India are extremely eager to commemorate the sacred memory of Mahatma Gandhi in a befitting manner ?

(b) That one of the suggestions made in this matter is that the Government of India should declare a New Era after the name of the Mahatma to start from the date of his tragic demise ?

(c) That a section of the people consider that the declaration of such an era will constitute a magnificent and most fitting method of commemorating the name of the Father of the Indian Nation ?

(d) That the said section of people consider that starting of such an era will provide the people of India with a common era which the Nation so badly needs for its unification and consolidation ?

40. Do Government propose to move the Government of India to declare for the Indian Union a new era after Mahatma Gandhi's name to start from the date of his tragic death ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

39. (a)—(d).—Government in agreement with those who worked with the Mahatma consider that the only way in which his memory can be best commemorated is by the people following his ideals and treading the path indicated by him. Each one of us can thus commemorate his memory in our own lives and transmit it to those around us and to the next generation. This will serve to promote unity, toleration and self-sacrifice and thereby preserve and extend the freedom which the Mahatma won for us. But if the hon. Member's suggestion is adopted by the country, we may have to accept it.

40. No. The Government does not propose initiating any move for commemorative gestures or devices, mentioned by the hon. Member.

Srijut GAURI KANTA TALUKDAR: Sir, are Government aware that opening of an era after Mahatma Gandhi's name will not clash with people following his ideals and teachings?

The Hon'ble Srijut GOPINATH BARDOLOI: I do not follow the hon. Member's question.

Srijut GAURI KANTA TALUKDAR: My question was whether Government will be pleased to request the Central Government to declare an era after the name of Mahatma Gandhi. The reply has been that the only way by which his memory can be best commemorated is by the people following his ideals and treading the path indicated by him. My question is, are not Government aware that the opening of an era as suggested by me will not clash with the people following his ideals and teachings.

The Hon'ble Srijut GOPINATH BARDOLOI: The question means that it will not clash.

Srijut GAURI KANTA TALUKDAR: Then what is the harm in our having an era after Mahatmaji's name?

The Hon'ble Srijut GOPINATH BARDOLOI: There is no harm in accepting or even inaugurating an era but then the question is whether this Government will take this initiative and the reply is that Government will not take this initiative but if people do that Government will accept.

Srijut GAURI KANTA TALUKDAR: I wanted to know whether Government would move the Central Government and request them to inaugurate a new era after Mahatmaji's name. The reply is the best thing will be for the people to follow his teachings and tread the foot path of Mahatmaji. What I want is, let us follow his teaching, principles and ideals and at the same time let us commemorate his memory by introduction of a new era.

The Hon'ble Srijut GOPINATH BARDOLOI: The Government is not proposing to do it but the hon. Member is perfectly entitled to ventilate his ideas which may cause agitation in the country ultimately leading Government to accept the era.

Srijut GAURI KANTA TALUKDAR: Sir, may we know how the Government propose to commemorate the name of Bapuji in the minds of the common people and in the minds of the future generations?

The Hon'ble the SPEAKER: The reply is there.

The Hon'ble Srijut GOPINATH BARDOLOI: Government do not propose to move in the matter and the hon. Member is free to move in the matter.

Srijut GAURI KANTA TALUKDAR: Will Government be pleased to send my question together with the Government reply to the Union Government?

The Hon'ble the SPEAKER: The question has been very satisfactorily answered by the Hon'ble Premier. Order, order.

Srijut GAURI KANTA TALUKDAR : Will you kindly allow.....

The Hon'ble the SPEAKER : I do not allow a discussion. This is a discussion pure and simple.

Srijut GAURI KANTA TALUKDAR : Sir, I want to know...

The Hon'ble the SPEAKER : Order, order.

Governor's Message communicating allotment of days for the presentation of Budget, General discussion of Budget, Voting on Demands for Grants etc.

The Hon'ble the SPEAKER : The Secretary will now announce the message from His Excellency the Governor with regarding allotment of days for Budget business during the present Session.

The Secretary to the Assembly : The message from His Excellency is as follows :—

For the purposes of sub-section (1) of section 78, section 79, sub-section (2) of section 80 and section 81 of the Government of India Act, 1935, and in pursuance of Rules 13, 15(1), 16(1), 18(1), 18(2) and 19 of the Assam Legislative Assembly (Governor's) Rules, I, Muhammad Saleh Akbar Hydari, hereby appoints the following days for the presentation to the Legislative Assembly of the Statement of Estimated Receipts and Expenditure of the Province for the year 1948-49 and for the subsequent stages in respect thereof and for the presentation to the Legislative Assembly of the Supplementary Statement of Expenditure for the year 1947-48 and for the subsequent stages in respect thereof in the Legislative Assembly during its March-April Session, 1948 namely :—

- | | |
|--------------------------|---|
| Thursday, the 11th March | Presentation of the Budget for the year 1948-49 in the Legislative Assembly. |
| Monday, the 15th March | 1. Presentation of Supplementary Statement of Expenditure for 1947-48 in the Legislative Assembly.
2. General discussion of the Budget in the Legislative Assembly.
3. Discussion, if any, of estimates of expenditure charged upon the revenues of the Province other than estimates relating to expenditure referred to in paragraph (a) of sub-section (3) of section 78 of the Government of India Act. |
| Tuesday, the 16th March | |
| Thursday, the 18th March | |

**Governor's Message *re*: allotment of days for various stages of
discussion of Budget**

Friday,	the	19th	March	} Voting on Demands for Grants
Saturday,	the	20th	March	
Monday,	the	22nd	March	
Tuesday,	the	23rd	March	
Saturday,	the	27th	March	
Monday,	the	29th	March	

- * { 1. Discussion, if any, of Supplementary Statement of Expenditure charged upon the revenues of the Province during 1947-48.
2. Voting on Demands for Supplementary Grants for 1947-48.

Thursday, the 1st April Placing of the authenticated Schedules of authorised expenditure before the Assembly.

2. This order shall be subject to my revision, if necessary, from time to time.

SHILLONG:

The 2nd March 1948.

A. HYDARI,
Governor.

*To be taken up on 29th March, 1948 after voting on Demands for Grants is finished.

Allotment of Private Members' Business

The Hon'ble the SPEAKER: In pursuance of rule 17 of the Assam Legislative Assembly Rules, I hereby allot in consultation with the Hon'ble Prime Minister the following days for Private Members' Business during the present Session of the Assam Legislative Assembly:—

Thursday, the 1st and 3rd April Private Members' Bills.

Friday, the 2nd April Motions and Resolutions.

Private Members' Resolutions will also be taken up, if time permits, on all the days fixed for voting on Demands for Grants after such voting is finished for each day, *i.e.*, on the 19th, 20th, 22nd, 23rd, 27th and 29th March, and also on Saturday, the 10th April, after disposal of Government Business of that day.

This order shall be subject to my revision, if necessary, from time to time.

Statement *re*: course of Government Business

The Hon'ble Srijut GOPINATH BARDOLOI: With your permission, Sir, I desire to make a statement about the course of Government Business during this Session.

2. The Government Business which is to be taken up today, tomorrow and day after tomorrow is shown in the agenda which has been placed on each Member's table. I need not detail it again. If the motions for taking into consideration the Bills mentioned in the agenda are accepted by the House either today, or tomorrow or day after tomorrow we propose that (1) The Assam Finance Bill, 1948, (2) The Assam Local Board Elections (Emergency Provisions) Bill, 1948 and (3) The Assam New Motor Cars (Control of Commercial Sales) Bill, 1948 be considered clause by clause and then passed on the 13th March, 1948 and the rest on the 3rd, 5th and 6th April, 1948.

3. If the Motion for referring the Assam Rural Panchayat Bill, 1948 to a Select Committee is accepted by the House today we propose to present the Report of the Select Committee on this Bill on the 3rd April, 1948 and then to

move that the Bill, as reported by the Select Committee, be taken into consideration. If this motion is accepted by the House on that day we propose that the Bill be considered clause by clause on the 9th and 10th April, 1948 and then to move that it be passed.

It may be explained that 9th April was originally allotted for Private Members' Business but it was found later that 10th April alone may not be sufficient for consideration of the Assam Rural Panchayat Bill, 1948 clause by clause in addition to other Government Business. The Hon'ble Speaker has therefore agreed to allot 9th April also for the same purpose on the distinct understanding that Private Members' Resolutions would be allowed to be taken up, if time permits, on all the days fixed for voting on Demands for Grants after such voting is finished for each day.

4. On the 3rd, 5th and 6th April, 1948 we also propose to take up the following Government Business:—

(1) Consideration of amendments to the Assam Legislative Assembly Rules item by item and motion for their adoption.

(2) Presentation of the Report of the Public Accounts Committee, 1947.

(3) Consideration of amendments to the Assam Motor Vehicles Rules, 1940, item by item and motion for their adoption (*in case there is notice of further amendments*).

5. Any Government Business which remains unfinished on previous days will be taken up on the 10th April, 1948. On that day we also propose to move for consideration of the Report of the Public Accounts Committee, 1947 and for approval of the excess expenditure, if any, recommended by the Committee.

Committee on petitions relating to Bills

The Hon'ble the SPEAKER:

(i) Under rule 112(1) of the Assembly Rules, I nominate the following Members to constitute a Committee on Petitions relating to Bills for the current Session of the Assembly:—

1. Srijut Hareswar Das.
2. Srijut Motiram Bora.
3. Mr. C. W. Morley.
4. Maulavi Abual Majid Ziaosh Shams.

Under the rules, the Deputy Speaker will be the Chairman of the Committee.

House Committee

(ii) Under rule 126 of the Assembly Rules, I nominate the following Members to constitute a House Committee for the current Session of the Assembly:—

1. Srijut Gauri Kanta Talukdar.
2. Babu Khagendra Nath Samaddar.
3. Srijut Purandar Sarma.
4. Srijut Bhadra Kanta Gogoi.
5. Dr. Emran Husain Chaudhury.
6. Shri Satindra Mohan Deb.

Message re: assent to Bills

THE SECRETARY TO THE ASSEMBLY: Information has been received from the Private Secretary to the Governor of Assam that, under the provisions of section 75 of the Government of India Act, 1935, His Excellency the Governor has assented to the following Bills which were passed by the Assam Legislative Assembly:—

1. The Assam Court Fees (Amendment) Bill, 1947.
2. The Assam Municipal (Amendment) Bill, 1947.
3. The Assam Local Rates (Amendment) Bill, 1947.

4. The Assam Local Self-Government (Amendment) Bill, 1947.
5. The Assam Home Guards Bill, 1947.

2. Intimation has also been received from the Private Secretary to His Excellency the Governor of Assam that His Excellency the Governor-General has also assented under the provisions of Section 76 of the Constitution Act, to the following Bills which were passed by the Assam Legislative Assembly :—

1. The Assam Opium Prohibition Bill, 1947.
2. The Assam Pure Food Bill, 1947.
3. The Assam Sales Tax Bill, 1947.

The Hon'ble Srijut BISHNURAM MEDHI : Mr. Speaker, Sir, I rise to present the Annual Financial Statement and the Budget Estimate of the Province of Assam for the year 1948-49 under section 78 of the Government of India Act as amended by the Indian Independence Act and the India (Provisional Constitution) Order, 1947. I consider this occasion as an historic and unique one and count it as a rare privilege that the duty has fallen on me as Finance Minister of presenting the first Budget after the complete transfer of power to the representatives of the people. We owe a duty to the inhabitants of those areas which have not yet sent their representatives to this Assembly. We must avail of this opportunity of creating confidence in the people of the Excluded Areas and show to them by our deeds and actions that their interest and welfare are quite safe in the hands of this Assembly and that they will be protected by the present members of this House and that efforts will be made to develop those areas and bring them in line with the rest of the Province. I am aware of the onerous duty and responsibility imposed on me as custodian of the finances of the Province. I have no doubt that in the discharge of this duty and responsibility I may count on the whole-hearted co-operation not only of the members of the House but also of the people outside the Legislature who are our real masters. It is needless for me to dwell at length on the political development and peaceful revolutionary changes that have taken place in the country leading to the complete peaceful transfer of power to the tried and trusted representatives of the Indian people, since the Budget for 1947-48 was presented in this Legislature in March 1947. It will suffice to say that India has attained independence by a unique non-violent struggle—unique in the history of the world—under the inspired guidance and able leadership of Mahatma Gandhi. I shall be failing in my duty if I do not remember today the father and maker of the Indian nation and the apostle of truth and non-violence and pay my respectful homage and bow down to him in reverence, and to those known and unknown martyrs of Dhekiajuli, Gohpur, Berhampur, Pathsala and other places who during the non-violent struggle for the attainment of independence, sacrificed their lives in vindicating the nation's inalienable right to freedom and independence.

The Congress, under the able leadership of Mahatmaji, has won political freedom, but it has yet to win economic, social and moral freedom. Mahatmaji, the father, friend, philosopher and guide of the Indian nation saw that the communal discord, bitterness and hatred and the prevailing fanaticism leading to mass killing and slaughter were threatening to jeopardise our hard-won freedom and he put all his efforts and energy to root out this cancer so that India could embark on the great task of winning economic, social and moral freedom in which the poorest shall feel that it is their country in whose making they have an effective voice, and in which there shall be no high class or low class people and in which all communities and followers of different faiths shall live in perfect peace and harmony. It was the greatest tragedy and a national calamity to us that his physical body was taken away from us by the cruel and dastardly act of a fanatic, leaving us stunned and overwhelmed with a deepest sense of sorrow. We all share with the millions in India and people all over the world in the deepest sense of grief at this tragic event—the death of Mahatmaji, who represented the soul of India, her culture and civilisation with its ideal of plain living and high thinking, while engaged in his noble effort of promoting peace, good-will and unity amongst all communities in the midst of prevailing discord and hatred, by his message of love, non-violence and truth. It is our greatest misfortune that we have been robbed of our proudest possession at a time when our need for his advice and guidance is the greatest for the solution of so many complicated problems confronting us. But his spirit and immortal message will always be with us to inspire us and lead us in the right path. In honour to the departed father and maker of the Indian nation it is up to us now to renew our pledge to dedicate our lives to fulfil his dream of an India where Hindus, Muslims, Sikhs, Parsees and others irrespective of their faiths and religions shall live in peace and concord as equal citizens of the State and to take up the work where he has left to complete it and establish the 'India' of his ideal where all people shall live like brothers in peace and amity without fear of exploitation by any section or group or individuals and thus translate into our policy and action his message of peace, non-violence, truth and service to the common man irrespective of his religion, caste or creed and help in ushering a new era of peace, prosperity and happiness in India to serve as an example to the world.

Financial difficulties.—I once again repeat the financial difficulties which have confronted a backward and undeveloped province like Assam ever since 1921 due to the unscientific, iniquitous and unjust financial adjustments which the two instalments of reforms brought in their wake without allotting to the province any elastic source of revenue. These reforms, while giving limited political responsibility, saddled the province with an additional expenditure of a top-heavy

administration without allowing adequate financial resources so essential for developing the Province and for the purpose of removing poverty, squalor, ill-health, illiteracy, under-nourishment and unemployment which today confront the Province. For want of adequate finance the responsible Ministers placed in charge of the nation-building Departments were forced to restrict their expenditure and to starve all social service and development activities in order to attain a balance in the Budget. The social economic standards of the Province remained where they were and the disparity between these standards and comparable standards in other provinces widened.

Assam's claim for financial justice was recognised even in the British Whitepaper which stated that some of the existing provinces notably Assam were likely to need assistance at least for a time and that Assam needed an assured increase in its revenues and the Percy Committee had estimated Assam's deficit under the constitutional scheme at 65 lakhs of rupees. Sir Otto Niemeyer instead of gauging the probable financial requirements of each province under dynamic conditions and the prospective yield of revenue assigned to them, unfortunately reduced Assam's deficit to 47 lakhs on the basis of a single year's budget for 1935-36 which made no allowance for the progressive cost of social service and development projects, and on the revenue side he included Excise Revenue which was bound to disappear under any administration with a progressive and enlightened outlook. The reason for this unfortunate result despite the recommendation of the Joint Select Committee was the unscientific manner in which Assam's case was disposed of by Sir Otto Niemeyer. It may be remembered that under the Government of India Act of 1935, certain heads of revenue such as Income-tax, Customs, Excise duties, etc., are assigned to the Centre, while other heads such as Land Revenue, Excise, Stamps, Forests, etc., are assigned to the provinces. To impart elasticity to the system the Act provides under sections 138, 140 and 142 that the proceeds of certain taxes such as Income-tax, Export duties and Excise duties may be shared between the Centre and the Provinces and that, in addition, permanent grants may be made to those provinces which need special assistance. To provide against this deficit of 47 lakhs he assigned 2 per cent. of the divisible central pool of Income-tax together with a nett share of the Jute Export duty, and an annual subvention of only Rs.30 lakhs. In exchange for this meagre assistance, the financial settlement known as the "Otto Niemeyer Award" enabled the Centre to raise 7 to 10 crores of rupees annually from incomes earned and assessed to tax in the Province and on products raised within her borders. As the major portion of the income earned within the province is assessed to tax outside, we are deprived of our legitimate share of this tax, for in the percentage share fixed for us no account is taken of this fact. On

the other hand the province is being drained of her physical capital in the process which feeds the central fisc to the tune of 2 crores annually in the shape of the Excise duty on Petroleum and gives the province an insignificant revenue in the shape of royalty of merely Rs.6 lakhs. In addition, the Centre, under the Government of India Act, has used its power to tax the Export of Assam tea and Assam has been deprived all along of the share of the proceeds of this duty. Section 140 of the Act includes Export and Excise duties which may be collected by the Centre for distribution among the provinces but by appropriating the whole of the Export duty to itself, the Government of India has not considered so long the needs of the producing provinces in accordance with the spirit of the Act.

The Provincial Government on their part have been making an heroic effort to exploit all possible sources of Revenue in the last ten years. The new taxation measures of this period include:—

- (1) Tax on Agricultural income.
- (2) Tax on Amusements and Betting.
- (3) Tax on Motor Vehicles and Lubricants.
- (4) Tax on sales of goods.
- (5) Tax on professions, callings, trades and employment.

Within the frame-work of the Government of India Act there is hardly any scope for further provincial taxation. On the other hand when total prohibition is undertaken in accordance with the declared policy of the Congress, the Province will lose not only the entire revenue from Excise amounting to about Rs.60 lakhs of rupees but will also have to incur extra expenditure to maintain an adequate Prohibition Staff for carrying on the campaign of Prohibition. There is hardly any scope for releasing additional resources by pruning the main administrative services. On the other hand expenditure on administrative service will increase substantially with the extension of the normal system of administration to, and development of, the Excluded Areas so long kept out of the purview of the Reforms.

In addition, the emoluments paid to the low-paid Government servants getting less than Rs.200 per mensem will have to be raised in order to give them a living wage and to bring them into line as far as possible with the recommendations made by the Central Pay Commission. As our Pay Committee has submitted the report only recently, the full financial implication has not yet been worked out, but this much-needed relief to the Government servants in the lower scales of pay is likely to involve an expenditure *immediately* of about Rs.25 lakhs which ultimately may go up to Rs.70 lakhs. Rupees 18 lakhs have already been provided for the low-paid Primary and Middle Vernacular School Teachers in the Budget.

The facts stated above clearly show how the "Otto Niemeyer Award" has been adversely affecting this Province, retarding its growth and development and keeping it far behind other provinces in the matter of social services rendered by the Government. Assam's claim for revision of the unjust and inequitable financial settlement of Sir Otto Niemeyer, and her claim for allocation of at least 75 per cent. of the proceeds of the Export duty on her Tea and the same percentage of Excise duty collected on her oil, and 50 per cent. of other Excise duties sharable with the Province under section 140 of the Government of India Act, and adequate subvention to wipe out the deficits which have been persisting for so many years, is reasonable and fair and should receive a fair, just and adequate consideration from the Expert Committee appointed by the Constituent Assembly for allocation of Revenues between the provinces and the Centre and also from the Constituent Assembly. I am confident that this inequitable and unjust award which is hampering the progressive development of the Province will no longer be allowed to continue in a free India.

Assam's Special Claim.—I should mention some important grounds why Assam's claim for a special treatment in the new financial arrangement and allocation of revenues between the Union and the Provinces needs special consideration.

(1) Assam is not only a frontier Province but it has now been cut off from the Indian Union by the intervening territories of Pakistan, and at present has no direct Railway and Road communications with the Indian Union, and the boundary between Pakistan and Assam extends over about 300 miles in length. Under these circumstances it is extremely important that the standard of Government efficiency in Assam must needs be of the highest type. The maintenance of such a high standard of efficiency in Assam is a matter of All-India military importance, the full implication of which can be visualised only in terms of a possible international conflict when Assam may once again happen to be (but God forbid) an unhappy theatre of military operations just as in the last War.

(2) Assam has a small population estimated at about 76 lakhs but it has a large area of 60,000 sq. miles even after the separation of the major portion of Sylhet, and the expenditure on Government servants *per capita* in Assam must necessarily be higher than in other provinces with a larger population and a consequent smaller cost of overhead charges per unit of population.

(3) Assam is one of the backward provinces in India where Government service to the people is still very inadequate. In fact, it is worse off than most such other provinces in India. For reasons already stated it has not yet been able to establish a University on a firm footing, a High Court, an Engineering College, an Agricultural College, a Veterinary College and other important Technical

Institutions. It is essential and imperative that these deficiencies should be made good at the earliest possible moment and this can only be done with the help and assistance from the Centre.

(4) Assam includes the hill districts of Khasi and Jaintia Hills, Garo Hills, Naga Hills, Lushai Hills, North Cachar Hills and the Frontier Tracts of Sadiya, Tirap and Balipara, covering an area of about 20,816 sq. miles and inhabited by about 10 lakhs of Tribal people in various stages of progress and civilisation.

Unless adequate and sufficient help is forthcoming from the Centre to wipe out the deficit in the Budget amounting to about rupees 175 lakhs (including the extra expenditure resulting from revision of pay scales) to enable the province to start with a clean slate simultaneously with the inauguration of the new Constitution which is now emerging from the Constituent Assembly which represents the best talents and brains of India, Assam will have to remain undeveloped and to continue her career with an unjust financial handicap which will be beyond her ability to make up.

As a part and parcel of the Indian Union, I am quite hopeful that we shall not lack the opportunities and wherewithals for development and progress and that all the help that may be needed for our well-planned schemes for development of the rural areas on proper lines in order to resuscitate and revitalise the villages to make them self-sufficient units, will always be forthcoming.

It is the fundamental objective of both the Governments of India and this province to improve the standard of living of the common man and to give him a contented and healthier life free from want and disease. This being the ultimate purpose of all, it is logical to expect that no province forming a part of the Indian Union will be hampered in its development work by denying it the funds which are available from the Centre.

Before reviewing the general financial position of the province I may be permitted to mention some of the difficulties that have confronted us due to the division of India and to indicate generally how Government are trying to overcome those difficulties.

As a result of the division of India into two Dominions, Assam which now forms the North-Eastern Frontier of the Indian Union has, as I have stated earlier, no direct Road and Rail communications with the rest of the Indian Union, and the 'Radcliffe Award' has cut off the Road Communication between Cachar and Shillong. I need hardly emphasise the urgent need under the circumstances for developing our external and internal communications. Development of Trades, Industry, Forests, and even Agriculture depend on good communications by Rail, Road and Air. The Government of India have decided to improve and maintain important selected airfields to enable regular commercial flying services not only to connect Assam with the rest of India but also to connect the important town and places within the Province. This Government have decided to

establish a Flying Club at Gauhati and have placed an order for the necessary planes for training, with a view to encouraging the young-men of Assam to become air-minded. A comprehensive Road programme both in the plains and in the hills has been put into operation to open up undeveloped tracts and also to connect Cachar with the rest of Assam. The construction and improvement of the Tura-Fulbari Road, diversion of the Assam Access road linking Assam with the rest of the Indian Union and improvement and construction of the Shillong-Jowai-Garampani-Haflong-Silchar Road are other schemes which have been given priority in view of the inaccessibility of important strategic positions due to the 'Radcliffe Award'. The total provision for development of the means of communication under different schemes in the next year's Post-War Budget amounts to Trs.2,35,00 including an amount of Trs.1,36,74 for new Roads. In addition a further provision of Trs.13,70 for that purpose has been made for Excluded Areas. Sums of Trs.17,11 and Trs.4,90 have also been provided for improvement of Roads in the normal Budget for 1948-49 for non-Excluded Areas and Excluded Areas respectively.

I drew the attention of the House in my last Budget speech to the repeated floods in different parts of Assam causing extensive and widespread destruction of crops and properties, indicating how we have neglected our rivers and have left them uncared for for ages without any measures to keep them under control. In order to give relief to the flood-affected people Government have granted in the current year a sum of about one lakh of rupees as gratuitous relief and agricultural loans to the extent of Trs.4,72. In addition to this, another sum of Rs.50,000 was received from the Indian Peoples' Famine Relief Fund on our representation and the amount was distributed in the flood-affected areas to ameliorate the suffering of the affected people. Government have also so far granted Land Revenue and Local Rate remission to the extent of Trs.2,68. Further remissions will be given when enquiries undertaken in accordance with prescribed rules are completed. A sum of Trs.10,26 has been provided for various flood preventive measures, river training and protective measures. In addition to these short-term measures aimed at preventing local floods this Government also approached the Central Waterways, Irrigation and Navigation Control Board for the purpose of devising long-term schemes for harnessing the Brahmaputra and some of its tributaries. These schemes will not only bring the river under control thereby preventing recurrence of devastating floods, but will also produce a much needed supply of electric energy so essential for the development of our industries and the running of electric trains, and will also deepen the river and improve its navigation. The Government of India experts, after two exploratory visits, have recommended a more detailed survey and collection of data for the

purpose of a Hydro-Electric Scheme as well as an intensive Geological survey of the area in order to discover the potential mineral resources in it. The Government of India have sanctioned 23 lakhs for the preliminary investigation of this Brahmaputra Valley Project. The Project Officer has already started work, and a number of Geologists have already been deputed for a geological survey of the area. The project recommended by the experts will, when completed, give us about 5 million kilowatts of electric energy when it is fully developed.

In the meantime hydro-logical and hydro-electrical survey work will be continued in the next year in connection with the Umtru and the Kopilli Valley Projects. The Senior Project Officer of the Central Technical Power Board has completed his survey for the development of nursery power scheme in the Gauhati Subdivision for electrification of some of the rural areas and Government are awaiting his report. A sum of Trs.69 has been provided for the survey work.

Garó Hills.—Due to the transport difficulty we have not yet been able to develop the mineral resources of the Garó Hills. To say the least, the hidden coal deposits in the Siju area in the Garó Hills when fully developed will not only be sufficient to meet the entire demand of the Assam Railways, but will also be available for export in sufficient quantity outside the Province even after meeting the provincial demands. On a request from this Government, the Railway Engineers under the direction of the Government of India have started re-connaissance survey which was expected to be completed by the beginning of March, in order to investigate the feasibility of linking the Siju area with Goalpara by Rail, for facilitating development of the Coal and Limestones and other mineral resources in that area.

Pay Committee.—In accordance with the assurance given in my last Budget Speech, a Pay Committee was set up to examine the question of revision of pay and re-organisation of the Services and Departments and also to examine the adequacy or otherwise of the present emoluments. In doing so the Committee examined a number of Government officials, Heads of Departments, and representatives of the employees' associations. The reports of the Central Pay Commission and also those of the different Provincial Pay Committees published in recent years have been studied by the Committee with the utmost care. The last meeting of the Committee was held on the 4th of March 1948 to finalise the tentative proposals made by it. It has now made unanimous recommendations to the Government. In making its recommendations the Committee has fully taken into consideration the hardship caused to the low-paid Government employees, including the Ministerial

Officers, in the present day conditions of living, specially, in the urban areas. In recommending the pay structure, the Committee has considered the popular resentment against high salaries paid to a certain section of Government servants in contrast with the very low salaries paid to others and has come to the unanimous opinion that the maximum pay for posts in Assam which has a low *per capita* income should not exceed Rs.1,500. This reduction of the pay scale however is not likely to lead to any saving in the near future and the saving, if any, will not be available immediately to meet the extra expenditure involved in raising the scale of the low-paid officers.

It must be recognised that the salaries of the Government employees must bear a certain relation to the income and the standard of living of the vast masses from whose toil and earnings the coffers of the State have to be filled. It must also be remembered that the Government of a country is not a profit making concern like a commercial enterprise in which increased emoluments can be claimed on the basis of profits made.

Besides, Government could have a real significance only when its employees, through whom it carries out its actual administration, are actuated by a genuine spirit of service to the public. It does not necessarily mean that the Government should be indifferent to the economic welfare of its employees or that it should not reward those who are devoted to their duties by improving their emoluments and giving them a living wage. This increase in emoluments is possible only by a gradual process conditioned by our ability to raise the standard of living of the masses who, in the main, can contribute greatly towards the increased resources of the State.

It may be mentioned in this connection that a sum of about Rs.69 lakhs per annum is already being spent out of provincial revenues in giving free rations, dearness allowance, war allowance, rice concessions and other reliefs even after the transfer of a portion of the Sylhet District to East Bengal. In addition to this amount a sum of Rs.7½ lakhs has been spent in the current year in giving relief to the Primary and Middle Vernacular School teachers and another 10 lakhs of rupees have been provided for further relief to the low-paid Primary and Middle Vernacular School teachers under the local bodies in the next year's budget.

The ordinary pay bill of the Government employees is about 148 lakhs.

The ultimate extra expenditure involved, if and when the recommendation of the Pay Committee is accepted, will amount to about Rs.70 lakhs. The total expenditure on these items come up roughly to Rs.250 lakhs out of a total normal provincial revenue of Rs.450 lakhs. It has been roughly estimated that about Rs.25 lakhs will be immediately necessary when the recommendation of the Pay Committee is given effect to. This will reduce the sum of

Rs.250 lakhs by about 45 lakhs for our immediate purpose. The salary bill alone will thus absorb about 55 per cent. of the normal Revenue Receipt.

The Government have had no time to examine in detail the proposals and recommendations made by the Committee before the Budget was printed and it was not therefore possible to make any definite provision in the Budget for the purpose of meeting the extra expenditure involved in raising the pay scales of Government servants—the low-paid, at any rate. The Government will, however, carefully consider the recommendations of the Pay Committee and will try to come to definite decisions as early as possible but it is almost certain that the Government will give effect to their decisions from the 1st of April 1948. It will always be the endeavour of the Government to give their servants a living wage. In addition to the improvement in the pay scales of the Ministerial officers it is also proposed to increase the number of Upper Division posts and remove any bar that may stand in their way of securing a higher employment including Gazetted posts in order to open up better prospects for them. I am fully confident that Assam will not be behind any other province in the display of public spirit and patriotism and I make this appeal in the fullest confidence that the Government servants of every cadre and in every branch of the services will evince that true spirit of service to the country without which our newly acquired freedom will be of no benefit to the masses and it may on the other hand prove to be a great disappointment to them.

Food.—In my Budget Speech last year I stated how Assam which was once self-sufficient in the matter of food and cloth had become dependent on other provinces for essential food-stuff, and had to import *gur*, mustard oil and pulses and to spend about 12 crores of rupees per annum on these commodities alone to meet our deficiency. This means we had to spend Rs.15-13-0 *per capita* of our population for these supplies. It is a pity that a province where 90 per cent. of its people are agriculturists had to depend on other provinces for our essential food-stuff which can easily be grown within itself. Assam can hardly afford to allow herself to be dependent on other provinces for these commodities nor should she allow herself to be drained to the tune of 12 crores of rupees per annum, specially in view of the political situation in the country.

Situated as we are, with no direct Railway or Road Communication except through Pakistan, and in view of the increasing difficulty of procuring sufficient Railway wagon facilities there is an apprehension that the import of these commodities may be stopped at any moment and we may be faced with a grave shortage of these articles. In such a grave emergency it is expected that the people will rise equal to the occasion and try to produce more of these crops to meet the deficiency in the Province. I repeat my last year's appeal to the

people and youths of the country to shake off lethargy and inertia and devote all their energy to the production of these deficit food crops in abundance with a view to making this beautiful province of ours, this Assam that we love, self-sufficient in the matter of food and thus build our national economy on the basis of self-sufficiency as advised by our Mahatmaji of revered memory. In honour to that memory we must make the maximum effort to free ourselves from dependence in the matter of our essential food requirements. In view of the acute food scarcity facing almost every province and with a view to growing more food-stuff in order to make Assam a self-sufficient unit a separate Ministry has been formed. In order to focus public opinion on this urgent and important problem of growing more food crops my friend and colleague now in charge of Food and Supply has already inaugurated a week for the "Grow More Food" campaign, giving details as to how manures are to be prepared and used, and how more pulses, sugarcane and mustard seeds could be grown and 'Village Committees' have been formed to give a drive to this campaign.

In the matter of paddy we can very easily produce more than our requirements and export the surplus to those provinces which are faced with a grave shortage of rice and help them in their difficulties. At present paddy is grown in about 6,000,000 acres (excluding Sylhet) of which only about 800,000 acres are *grown more than once* (i.e., over which double crops are raised). If we can increase the '*dofasali*' (double crop) area by at least 20 to 30 per cent. we can produce sufficient paddy not only to meet our increasing demand, but we can also help other provinces by exporting 50 to 70 thousand tons per annum and bring sufficient money to the pockets of our poor peasants. To give impetus to this campaign of grow more food, flood preventive measures are being taken to prevent flood in those areas which are subjected to repeated floods. Reclamation of land by drainage is also being undertaken in various areas to make more land available to agriculturists for growing the deficit food crops. Farms to demonstrate efficient and modern methods of agriculture, pilot schemes for experimenting with State Farming under the auspices of the Government and organisations of Co-operative colonies on available culturable waste land and of Co-operative multi-purpose enterprises will be started to serve as examples to the agriculturists to encourage and help them in their efforts to grow more food. Co-operative Societies formed by landless agriculturists will be given preference in the matter of settlement of waste land. Provision has also been made for the extension of the small irrigation schemes and the *Dong* system to new areas to improve the yield.

In view of the recent announcement of the Central Government to render financial assistance for the purpose of cultivable waste

land survey and reclamation schemes, the Food Department will avail itself of this opportunity and will prepare schemes for putting them into operation as early as possible.

About 10,000 bighas of land have already been placed at the disposal of the Food Department for starting an experimental State Farm in a suitable place, for the purpose of growing *Arhar* and other winter crops.

Provision for distribution of a better variety of seeds and helping the cultivators by training them in the use and preparation of manures with a view to increasing production of food crops has been made and schemes have been prepared. Schemes for reclamation of available waste land for extension of cultivation have been put into operation and large areas of land are being reclaimed by construction of *bunds* and also by drainage schemes. The *Jerengapathar drainage* scheme alone will reclaim about 40,000 bighas of land and make it fit for cultivation. The construction of the *Desangmukh Bund*, when completed, will also make a large area fit for extension of cultivation.

With a view to securing the requisite number of trained personnel for carrying out the schemes for improved agricultural activities steps have been taken to start an Agricultural College. The Principal has been appointed and arrangements to start the college classes have been made temporarily in buildings available for the purpose pending construction of permanent buildings by the Public Works Department.

The new schemes under Post-War Development also include improvement of fodder and grazing and improvement of milk supply to large towns. A sum of about Trs.27,96 has been provided under the "Grow More Food" Scheme and about Trs.27,63 has been provided for various other schemes under Post-War Development including a sum of Trs.1,94 for development of agriculture in the hills.

On receipt of definite schemes recommended by District Officers after consultation with the Fishery Officer, settlement has been given of a number of tanks and abandoned *beels* and other fisheries for a long period at concession rates for the purpose of growing more fish, and directions have been issued to Deputy Commissioners to encourage all such schemes of pisciculture by recommending settlement on long terms at concession rates where possible.

It shall be our constant endeavour to see that the increased production and prosperity are shared in their full measure by the common men and cultivators living in the villages.

Land Settlement Policy.—In accordance with the Resolution of July 1945, all the Professional Grazing Reserves have now been cleared of encroachments and protected encroachers including Muslim immigrants have been provided with suitable land elsewhere, and in some cases, portions of the Reserves have been de-reserved to accommodate them. Immediately after the passing of the Act for the protection of the Tribal and Backward people, Tribal Belts have been formed in some districts from which proposals have been received by Government, and directions have been issued to other Deputy Commissioners for submitting similar proposals. As an experimental measure, a census of landless persons and persons with uneconomic holdings has been started in the Sibsagar Subdivision for which a special staff has been appointed and a direction has been issued to settle waste land with the deserving landless actual cultivators and persons with uneconomic holdings or groups of such persons forming themselves into a Co-operative Society for the purpose of cultivation, according to plan. To help the Land Records Staff a Land Settlement Advisory Committee consisting of non-official representatives has been formed to assist the officers in conducting the census and in the distribution of available waste land to the landless cultivators described above in the Sibsagar Subdivision.

Abolition of the Zamindari System.—With the transfer of a greater part of the Sylhet district consisting of about 49,576 permanently-settled estates covering an area of about 24 lakhs of acres of land, the permanently-settled areas at present in Assam have considerably decreased and are confined to a part of Goalpara district covering an area of 1,518,982 acres included in 19 estates and paying a Government revenue of Rs.11,411 only, and to a portion of Karimganj covering an area of 152,574 acres paying a revenue of Rs.20,197 only. Under the circumstances it has now become comparatively easier to tackle the problem of liquidation of the Zamindari system now prevailing in the Goalpara district and a part of Karimganj.

The rights of the Zamindars in the permanently-settled areas of Goalpara and Karimganj and those of the intermediaries between the actual cultivators and the Zamindars will have to be acquired. The Zamindari system will be converted into a raiyatwari system and all the land settled with the actual cultivators except “*Debottar*” and “*Khamar*” lands in the actual occupation of the landlord himself or through servants and dependents or hired labourers and land used by him and his dependents for residential purposes. Such land may be settled with the landlords if they so desire under the prevailing raiyatwari system. The ultimate aim is to acquire all rights in agricultural lands, forests, fisheries and minerals including rights held by intermediaries between the State and the actual cultivators. It is, however, not very easy to

value the interest of the different grades of tenants specially in those cases where no reliable records of rights exist. The prerequisite preliminary to a scheme of acquisition of Zamindaries will be to find out the accurate value of the assets of each estate. In some big estates such records may be available but it will have to be tested whether they are maintained with accuracy. In smaller estates invariably no such records will be available.

Fortunately for Assam two of the biggest Zamindari estates are already under the management of the Court of Wards. The Government has been forced to take steps to liquidate Zamindaries without much delay by the action of some of the Zamindars who not only are settling land with undesirables and non-nationals of the Indian Union at a high rate of premium but have also been disposing of their forest produce without any regard to the conservation of the forest wealth within their estate. This is being done by them with a view to realising as much money as possible before they relinquish their rights and also to establish a plea of higher annual incomes for the purpose of demanding compensation on the basis of such income.

A Special Officer has been appointed to collect facts and figures and he has been asked to submit his report as early as possible.

The details and the programme for the abolition of Zamindaries are being worked out in other provinces and a considerable progress has already been made. The question of fixing the amount of compensation as well as the method of payment has not yet been settled finally as this is to be discussed by a Sub-Committee appointed by the All-India Congress Committee.

All land including land under the present raiyatwari system should be owned by the State and facts and figures will be collected for the purpose of determining the size of economic holdings. The size of such holdings will have to be fixed by legislation after due enquiry, if necessary. As stated above, a census of landless cultivators and of those with uneconomic holdings is going on as an experimental measure in the Sibsagar Subdivision for the purpose of a planned settlement.

The possession of large areas of land by one person is considered undesirable except for large scale farming by improved methods of cultivation. The transfer of agricultural land into the hands of non-cultivators and possession of large areas of land by one person will be discouraged and wherever necessary legislative measures will have to be adopted to prevent such transfer or alienation of cultivable land to non-cultivators, speculators, money-lenders and businessmen.

Regulation and Protection of actual cultivating tenants in Assam.—After full enquiry it has been ascertained that rent in kind or share of crop realised by rent-receivers on the *Adhi* or *Barga* system or on

a contract system is very high in the permanently-settled areas as well as in the portions where the raiyatwari system prevails. Tenants in occupation of land for a long time are being ejected on unreasonable grounds with a view to letting out the land to new cultivators on high rates of rent in kind. The tenants who cultivate under settlement holders have to pay much more in rent than the settlement holders directly under Government. During recent years when the prices of agricultural produce have been high the landlords have made much unearned profits at the expense of the cultivating tenants. It is considered by Government that the rent in kind or share of crop received by rent-receivers on the *Adhi* or *Barga* system, or on contract system should be reduced to a reasonable rate. With a view to protecting the interest of the cultivating tenants and ameliorating their conditions, a rate should be so fixed that sufficient agricultural produce is left with the actual cultivators for their own maintenance. With this object in view, and for the purpose of giving security to such tenants, it is proposed to introduce a Bill to provide for the regulation and protection of actual cultivating tenants in Assam.

Fee Simple Grants.—The holders of fee simple grants are direct tenants under the Government and in a sense they are cultivators as almost all of them are tea planters. These fee simple leases were in the beginning issued mainly for the development of the tea industry in the province. The grantees have enjoyed the land without payment of revenue for more than 50 years and the purpose for which these grants were issued revenue-free does not exist now and the holders of these grants have made enough profit from the grants. There is no reason therefore why they should not now pay revenue to Government at the prevailing rate for similar land in the locality, especially those grantees who are setting up a Zamindari system by letting out land within the grant to new tenants on payment of rent. Some of the grantees have transferred such grants at speculative prices. Government are considering how these grants which cover about 275,140 acres of land can be assessed at the ordinary rate of revenue. Some of the holders have not fully developed the grants and have kept vast areas unutilised and overgrown with thick jungle now the abode of wild animals to the great inconvenience of the people of the locality. A survey will have to be made to ascertain the area of such surplus land in these fee simple grants in different districts, and the holders of such lease may be given in the first instance the option of surrendering such surplus land and undeveloped areas that may be found not necessary for the existing tea industry. In case they do not avail themselves of this opportunity, legislative measures may have to be taken to resume such portion of surplus land and to assess the remaining portion at the ordinary rate of revenue prevailing in the locality for similar lands, but before taking any definite action in this matter the Government propose to consult the different interests and ascertain their views.

Sir, I will now review the financial position of the Province, but in doing so it is not necessary, I think, to go into the details as the Budget Memorandum containing all the details is already with the Honourable Members. For convenience let me first draw the attention of the Honourable Members to the accounts of the year 1946-47, as it will be possible to compare the results of the actual working with the original Budget Estimate.

Actuals of 1946-47.—The anticipated surplus over expenditure was Trs.10,27, but the net result of the Actuals, however, was a surplus of Trs.1,49,73 as shown below :—

	Budget 1946-47	Revised 1946-47	Actuals 1946-47
Receipt	5,15,59	6,82,95	7,19,30
Expenditure	5,05,32	6,84,34	5,69,57
	<hr/>	<hr/>	<hr/>
	+ 10,27	— 1,39	+ 1,49,73
	<hr/>	<hr/>	<hr/>

The revised estimated a deficit of Trs.1,39 after including the development expenditure which was proposed to be met mainly from the Government of India's grant. The final accounts, however, showed a surplus of Trs.1,49,73. This improvement was mainly due to a sum of Trs.51,91 being the unspent balance of the Development grant from the Government of India.

The increase of Trs.1,52,77 in the opening balance was mainly due to decrease of expenditure amounting to Trs.1,14,77 and increase in the Revenue Receipt by Trs.36,35 under different heads as shown in the Memorandum at page 9. The increase in the Revenue Receipt was mainly due to an increased share of Income-tax, better collection of Agricultural Income-tax and ordinary revenue and large recoveries by the Forest Department from the Defence Department.

Other increases in the other heads of Revenue are shown in the Memorandum in detail. The Revenue expenditure was less than the estimated expenditure mainly on account of the larger recoveries which were effected from the Government of India by the Forest Department, and the saving under the Post-War Development schemes, and the decrease in expenditure was due to lesser outlay on the Grow-More-Food Campaign. It does not however reflect to the credit of the Agriculture Department that it could not spend Rs.32,92,000 specially on Grow-More-Food Campaign which was so essential for making Assam self-sufficient in the matter of food-stuff.

The Revised Estimate for 1947-48.—Turning now to the current year, the table below will explain the position for the year 1947-48 in relation to the Budget Estimate for the coming year.

	Budget 1947-48	Revised 1947-48	Budget 1948-49
Revenue	9,43,16	6,96,65	13,11,62
Expenditure	11,80,61	7,61,92	14,61,21
	— 2,37,45	— 65,27	— 1,49,59

I may mention at the outset that on account of the transfer of the major part of the district of Sylhet from Assam to East Bengal the Revised Estimate for the current year has had to be completely recast. In the original Budget Estimate the loan scheme of Trs.2,05,17 from the Government of India for various industrial developments was shown on the Revenue accounts, but in the Revised Budget this amount has been transferred to the Capital accounts. If this amount is deducted from the Revenue expenditure the deficit in the Budget for 1947-48 will be reduced to Trs.32,28. This estimated deficit is anticipated to go up to Trs.65,27 mainly as a result of decrease in the Revenue receipt by Trs.2,46,51 and in the expenditure by Trs.4,18,69. The actual decrease in the expenditure will be about Trs.2,13,52. As will appear from a glance at the Budget Memorandum, the Revenue receipts show a decrease in almost all heads of Revenue due mainly to the separation of a major part of Sylhet to East Bengal, except Income-Tax, Forests and Other Taxes. The first item of increase of Trs.19,00 in the receipts is our share of Income-Tax assigned by the Government of India on the basis of 3 per cent. instead of 2 per cent. as before. Forests also show an improvement by about Trs.13,25 due to increase in revenue on Elephant catching and increased supply of timber. Besides this we expect a sum of Trs.75 in the current year, for the first time, from the Trades, Professions, Callings and Employment Tax under the new Act passed by the Assembly in the last Budget Session, but this improvement is likely to be counterbalanced by a fall in Amusements and Petrol Tax receipts bringing down the Revenue receipts under the head 'Other Taxes and Duties' to Trs.34. I may mention here that no appreciable amount of Revenue is expected to be realised in the current year under the Sales Tax Act as the liability to pay the tax came into force only from the 1st February 1948. The actual decrease in the Revenue expenditure amounts to Trs.2,13,52. There is a decrease in expenditure as well almost under all heads due mainly to the separation of a major part of Sylhet from Assam to East Bengal, except Forests, General Administration and Other Taxes and Duties. The Post-War Development Scheme alone shows a decrease of about 3 crores of rupees on the Revenue

account and the Civil Works show a decrease of about a crore of rupees. Forests, however, show an increased expenditure of about Trs.1,82 due to the increased activities of the Department. Expenditure under Other Taxes and Duties also shows an increase of about Trs.28, as a new Department of Taxes had to be created for the administration of the Sales Tax and Professions, etc. Tax Acts. It may be mentioned that in the original estimate the expenditure on all original works of National Highways was shown on the Revenue Expenditure side under Civil Works, and the Government of India's grant for meeting this expenditure as contribution on the corresponding Receipt side. In accordance with the decisions of the Government of India, both Expenditure on and Receipt for the National Highways, would henceforward appear directly in the Central Budget. These items of Revenue and Expenditure, under the circumstances, have been deleted from the Provincial Budget.

The Revised Estimate shows the closing balance of Trs.3,20,91 against the original Budget Estimate of Trs.1,83,31. This improvement of Trs.1,37,60 is made up of the opening balance and other items as shown in the Memorandum. The variation in the Revenue and Capital accounts is mainly due to the transfer of certain budgeted items, like the Loan Scheme, from Revenue account to Capital outlay on industrial development as already stated.

Budget for 1947-48.—I now turn to the Budget Estimate for the coming year, which will be the first complete year of the accounts of the Province in a free India. It is natural that in this new set-up we should direct all our efforts towards the full development of our Province which is behind almost all other Provinces in the Indian Union for reasons already stated by me. In order to make up the various deficiencies and to overcome the difficulties which now confront us as the result of the division of India, we have, when framing the budget, confined ourselves to expenditure which is imperative, urgent and essential for the purpose of removing those difficulties, for rendering social service to the people and for promoting such useful progressive objectives in the development of the province as will be conducive to raising the standard of living of the common man and for correcting the deficiencies. With that object in view, we have made provisions for the establishment and development of such institutions as Medical College, Agricultural College, University, High Court, Veterinary College, Technical Institute, Engineering College and School, and Police Training College. The Budget, naturally, under the circumstances, shows a deficit in the initial stage of our development, but this deficit will, I am quite sure, be wiped out by a substantial subvention from the Centre when the new Constitution, with consequential financial adjustments, comes into force. I need not repeat the reasons which I have given earlier in my speech why our claims should receive special consideration.

The year starts with an opening balance of Trs.3,20,91. The total Revenue receipts are estimated to be Trs.13,11,62 of which a sum of Trs.7,78,12 represents the grant expected from the Central Government for financing various development projects. The basic Revenue Receipts, therefore, come to Trs.5,33,50. The principal items contributing to this Revenue are 1 crore and 60 lakhs under Land Revenue, 1 crore and 8 lakhs being our share of the net receipt of Income-Tax assigned to Provinces, 30 lakhs as subvention, 6 lakhs and 67 thousands as our share of the Jute Export Duty, 30 lakhs under Agricultural Income-Tax and 56 lakhs under Excise. The other sources of Revenue receipts are shown in detail in the Memorandum at page 1. I may repeat here that with the gradual adoption of the policy of prohibition, in accordance with the declared policy of the Congress, the receipt shown under Excise is likely to vanish within a year or two. I may also mention that this estimate is prepared on the basis of the existing structure of financial allocations between the Centre and the Provinces under the Otto Niemeyer Award which, as I have already stated, has so long hampered the progressive development of the Province and we expect an early revision of this unjust award. The Revenue expenditure in the coming year is estimated at Trs.14,61,21 including a sum of Trs.7,78,12 on account of the development projects expected to be financed by grants from the Government of India. The basic expenditure for 1948-49, therefore, stands at 6 crores and 83 lakhs against 5 crores and 65 lakhs roughly in the Revised. The basic receipts and expenditure for 1946-47 (Actuals), the Revised Estimate and the Budget Estimate for 1947-48 and the Budget Estimate for the coming year are given below for ready reference :—

		<i>Basic</i>			
		Actuals	Budget	Revised	Budget
		1946-47	1947-48	1947-48	1948-49
Revenue	... ..	6,24,30	5,80,14	4,99,65	5,33,50
Expenditure	... ..	5,26,48	6,12,42	5,64,92	6,83,09
		<hr/>			
		+ 97,82	— 32,28	— 65,27	— 1,49,59

From the table above, the deficit for 1948-49 is estimated roughly at a crore and a half. This deficit will rise to about a crore and seventy-five lakhs when the immediate extra expenditure amounting to about 25 lakhs involved in giving the much-needed relief to the Government servants by improving their prospect and pay scales, specially of those who are in the lower scales of pay, is taken into account.

As already stated, the normal receipts and expenditure have, in general, gone down on account of the separation of Sylhet, but compared with the current year's revised estimate they have gone up by Trs.6,14,97 and Trs.6,99,29 respectively mainly due to larger provision for grants from the Government of India for, and the expenditure on, Post-War Reconstruction Schemes and the inclusion of new schemes to the extent of Trs.1,18,46 of which Trs.85,26 will be utilised for buildings and reorganisation of the Police Department alone, in view of the prevailing situation in the country.

The Post-War Reconstruction expenditure is estimated at Trs.8,01,86 of which Trs.18,61, will be borne by the Provincial Government and Rs.5,13,000 will be met from the *ex-gratia* grant of Rs.15 lakhs given by the Government of India for reconstruction of the buildings at Kohima. The balance of 7 crores and 78 lakhs and 12 thousands is expected to be met from the Government of India's grant for Post-War Reconstruction. As stated already the expenditure required for these development schemes is imperative and essential and unless the Government of India sympathetically takes into consideration the special needs of this undeveloped Province and sanctions the amount it will not be possible for the Province to develop and come into line with the other provinces of the Indian Union. In spite of the separation of Sylhet, it has not yet been possible to reduce the over-head expenditure on all heads of accounts. Proposals for such reductions are under consideration, but in view of a large number of development schemes undertaken by the Government it may not be possible to make a substantial saving in the process of reducing the over-head staff.

While we have thus been heroically struggling under a severe financial handicap we are surprised to learn from a letter received by us on the 1st March 1948, that the Government of India have proposed to use their power under the India (Provisional Constitution) Order by issuing an order in Council arbitrarily reducing the net proceeds on Jute Export Duty divisible to provinces from 62½ to 20 per cent. without even consulting the Province adversely affected by this proposal. Assam which accounted for barely 11 per cent. of the total Jute area in undivided India in 1943-44 has suddenly come to the forefront with about 31 per cent. of the total Jute area in the Dominion of India. The percentage share of Assam in 1947 also comes up to about 31 per cent. if calculated on the basis of figures showing the yield from the Provinces. Thus Assam is entitled to about 31 per cent. of the divisible proceeds of the Jute Export Duty. It is estimated that the total Export Duty on Jute will come up to 4 crores and 10 lakhs, and 4 crores and 75 lakhs for the current year and the next year respectively. Under the existing financial arrangement at the rate of 62½ per cent., the divisible proceeds for distribution comes up to

about 2 crores and 56 lakhs for the current year and 2 crores and 97 lakhs for the next year, and our provincial share at the rate of 31 per cent. calculated on the available figure comes to 81 lakhs and 92 lakhs for the current year and next year respectively. This sudden reduction of the provincial share from 62½ per cent. to 20 per cent. has seriously and adversely affected the financial position of the Province by depriving her of the only elastic source of Revenue allotted under the existing financial settlement. On behalf of this Government, I draw the pointed attention of the Government of India to this drastic proposal having an adverse effect on the financial position of the Province and request them to reconsider the matter and allow the present arrangement of allotting 62½ per cent. of Jute Export Duty for distribution to the provinces to continue. We have already moved the Government of India to this effect. I hope, I have the fullest support of the whole House in this matter. But for this unexpected and drastic proposal for reduction of the share of the Jute Export Duty, the Revised Estimate for 1947-48, which shows a deficit would have shown a surplus of about 10 lakhs and the Budget deficit would have been reduced to about 64 lakhs. It is a matter of great disappointment to find that in spite of our representation to the Government of India pointing out the *iniquities of the award* the only relief that we expect to get for the current year and next year after so many years is proposed to be reduced drastically and suddenly by an executive unilateral decision arrived at without consulting the Province adversely affected by this proposal.

After the division of India and the partition of Bengal, Assam has become one of the major Jute producing provinces in the Indian Dominion. Our potential capacity to expand the Jute acreage and thus come to the rescue of the struggling Jute Mill industrialists in the Dominion has been acknowledged on all sides. We have been pressed for measures to encourage Jute cultivation, yet the Government of India have taken such a drastic step that it is likely to damp the enthusiasm of the people for growing more Jute and thereby defeat the very purpose for which Jute cultivation is encouraged.

The Hon'ble the SPEAKER: Order, order. When the Hon'ble Finance Minister will have to take about half an hour more time to finish his Budget Speech he may continue it after 1 P. M.

Adjournment

The Assembly was then adjourned for lunch till 1 P. M.

(After lunch.)

The Hon'ble the SPEAKER: Is there any hon. Member who has not taken the Oath?

(No answer.)

The Hon'ble Srijut BISHNU RAM MEDHI (contd.)—Post-War Development.—The Post-War Development Budget includes schemes that have been put into operation since 1945-46 together with a few other new schemes proposed to be put into operation for the first time in 1948-49. The list of such new schemes for which provision has been made is printed separately. The total expenditure involved on the various schemes under Post-War Development is estimated at Trs.8,47,36 (including a sum of Trs.45,50—being the *pro-rata* charges of the Public Works Department) of which Trs.18,61 will be borne by the Province as provincial share of the 'Grow-More-Food Campaign' and for the Cinchona cultivation, and Trs.5,13 will be met out of the *ex-gratia* grant of 15 lakhs given by the Government of India for reconstruction of the Kohima buildings damaged during the war. The balance of Trs.7,78,12 is expected to be met from the Government of India's grant for Post-War Development. Steps are being taken to obtain this sum as an outright grant from the Central Government. I have given some indication before how the expenditure on Development schemes is imperative and essential for the development of this backward and undeveloped province so long neglected by an irresponsible Centre. The Government of India at the beginning of the current year made a grant of Rs.2,25,00,000 for spending on Post-War Development schemes, but this grant was reduced to Rs.1,05,00,000 due to the transfer of a major portion of Sylhet to East Bengal. It is gratifying to note, however, that on a representation from this Government this grant has subsequently been increased to Rs.1,97,00,000 and it is expected that the unspent balance of this sum will also be available in 1948-49. No definite indication has yet been received from the Government of India as to what further sum will be available for the next year, but it is encouraging that the Hon'ble Finance Minister in his budget speech has assured that the Centre's assistance to the provinces will not be reduced in the larger interest of the development of the country as a whole. From this assurance it can reasonably be expected that money required for development schemes will be available from the Government of India and on this assumption the various development schemes have been included in the Budget to bring Assam into line with the other provinces. The details of the schemes and the amount involved for each scheme have been shown in the Budget for the Post-War Development. All the schemes included in the current year's Budget except one, namely, the Navigation, Embankment and Drainage project involving 11 lakhs, have been approved by the Government of India and steps have been taken to get their approval of this scheme as well. As usual fresh approval of the Government of India will have to be taken for the continuance of the schemes from year to year and the Government of India have been moved for giving approval to the schemes included in the Budget for 1948-49. It is

likely that the schemes approved for the current year will be automatically approved and it is expected that the new schemes proposed for the first time for 1948-49 will also be approved.

Industrial Development.—In pursuance of the Government's decision to own or participate in certain major industries, orders have already been placed for Textile machineries in the U. S. A. and the provision of a sum of Rs.60,000 in the Revised Budget represents an advance towards the cost of machineries. The provision of Rs.2,19,45,000 in the Budget represents probable estimated expenditure in connection with the major industries namely Textile, Sugar and Paper, etc.

In order to solve the difficulties of providing suitable house accommodation to persons with limited means and those who possess no houses of their own but who can afford to have them on easy terms of settlement, it has been decided to start a **Co-operative Buildings and House Societies Scheme** in selected areas throughout the Province involving an expenditure of Trs.80,55 and provision has been made in the Revised Budget as well as in the Budget for the next year.

These two schemes involving rupees 3 crores in all are proposed to be financed by a loan from the Government of India.

Rural Development Scheme.—With the object of raising the standard of living of villagers forming about 96 per cent. of the total population of the Province and to help them enter upon a rightful inheritance of a life of contentment and comparative freedom from want, a five-year plan for rural development involving an ultimate expenditure of 6 crores of rupees was inaugurated on the 2nd October 1947, the Gandhi-Jayanti Day, to celebrate the 79th birthday of Mahatmaji. The newly created Rural Development Department, the Department of Industries and Co-operative Societies, the Department of Sericulture and Weaving have been placed in charge of a single Secretary and Director for effective co-ordination, control, supervision and direction of these Departments in order to utilise the activities of all these Departments for the development of the villages and for the benefit of the people living in the villages. It is contemplated that 720 rural development centres will be established at the rate of 142 centres per year all over the Province. Besides it is proposed to establish not less than 78 ideal or model villages in the course of five years on scientific lines on Government waste land preferably through the agency of Co-operative Societies formed by groups of families and to assist landless people and people with uneconomic holdings to shift themselves to available waste land and settle there as agriculturists and earn their living. The Government will help these Societies with long term loans and grants with the aid of which the Societies will try to develop model villages with proper housing and water supply arrangement, efficient medical service and better communication

system, provision for improvement of livestock and development of cottage industries and education. Self-sufficiency and self-help will be the guiding principle on the basis of which these ideals or model villages will be recognised. Government expect that funds necessary for these developments will be forthcoming from the Central Post-War Development Fund.

A Panchayat Bill is being introduced in this Session of the Assembly to establish and develop Local Self-Government in the rural areas and to invest the village Panchayat elected by the adult members of the area with necessary judicial and administrative powers to carry out the work of development and reconstruction in all its spheres.

A total sum of Rs.6,90,500 was provided in the Budget for 1947-48 and the amount will be spent on building of rural development training centres, the starting of model villages run on Co-operative lines, taking over of non-official rural development centres, the procurement of cotton for distribution to spinners, grants-in-aid to non-official rural development enterprises and similar other purposes.

The Budget for 1948-49 provides Rs.94,68,500 as shown in detail in the Budget (Post-War Development). The amount is proposed to be spent for the purposes—some of which are enumerated below :—

- (1) Establishment of Rural Development Centres.
- (2) Establishment of Model Villages.
- (3) Schemes of Sale and Purchase depôts of products of cottage industries.
- (4) Establishment of a work-shop for the manufacture of, and research in, cottage industries, tools and implements.
- (5) Subsidising of village self-help enterprises.
- (6) Fair and Exhibition of local handicrafts and products of different kinds and publicity and propaganda.
- (7) Establishment of training institute to train up rural development workers.

Government hope that necessary help and co-operation which are so essential for the success of the plan for development of rural areas will be forthcoming from all quarters to make this important plan of development of the rural areas a success and thus help in bringing about a new era of progress and prosperity in the most backward rural areas in Assam.

There is ample scope for Development of Sericulture and Weaving which is likely to bring in economic prosperity in the rural areas. Provision has been made for the establishment of two more Sericultural Stations beside the existing one and the Jorhat Technical School will be expanded into a Technical Institute. Sums of Trs.9,14 and Trs.1,70 have been provided for Sericulture Development Scheme and Sericulture Training Scheme in the next year's

Post-War Budget. A sum of Trs.1,60 has also been provided for reorganisation of the Gauhati Weaving Institute.

Provision has also been made for the establishment of a Co-operative College for training Officers for the Co-operative Departments and also those who will be Managers of Co-operative Societies and for training rural development workers. Trading Co-operative Societies for uplift of rural areas, and Co-operative Consumers' Stores will also be started for supply of all goods in rural areas.

The necessary data, facts and figures essential for development of rural areas to make them self-sufficient centres and for organising self-sufficient model villages on scientific lines, are now being collected by a new Department of Statistics started in the current year and adequate funds have been provided to develop this Department in the year 1948-49. This newly created Department will not only survey the economic condition of the people but will also collect data for planned settlement on scientific basis.

Education.—A sum of Rs.15,25,221 as recurring and another sum of Rs.2,14,350 as non-recurring have been allotted to the Education Department for 1948-49 out of a total recurring grant of Rs.36,00,500 for new schemes in the Budget Estimate. This sum includes a provision of an amount of Rs.10,07,600 for raising the pay and prospects of the teachers in the Primary Schools and in the Primary sections of the Middle Vernacular Schools under local bodies, from Rs.12 to Rs.30 per mensem including the dearness allowance of Rs.8 which had already been granted in the current year involving an expenditure of about 7½ lakhs, and for raising the pay of the teachers in the Middle Vernacular Schools to Rs.32 per mensem including the dearness allowance of Rs.8. Besides this a sum of Rs.84,400 has been provided for increasing the present dearness allowance to the teachers and menials of the Aided Secondary Schools and Aided Middle Vernacular Schools, and a sum of Rs.1,40,400 has been provided to give new and increased grants to non-Government Secondary Schools for introduction of elementary scientific knowledge, vocational training and domestic science in such schools. A sum of Rs.2 lakhs has been provided for the expansion of Primary Education in rural and backward areas and for re-organisation of the Primary Education under the Compulsory Primary Education Act and a sum of Rs.1,54,828 has been provided for construction of school and hostel buildings at Tura and for construction of High English School buildings at Jowai with quarters for the Headmaster.

With the establishment of the University at Gauhati a recurring grant of Rs.5 lakhs for the current year as well as for the next year and a non-recurring grant of Rs.11 lakhs have already been made towards the University Fund.

Under the Post-War Development Schemes for 1947-48 and 1948-49 a total sum of Rs.67,14,259 was allotted for 14 educational schemes as enumerated in details given in the Post-War Budget Pamphlet for introduction of basic systems of Education in the Province.

During 1947-48 construction of buildings for training schools at Shillong, Titabar, Roha, Dudnai, Chotia and Udarband was undertaken and steps were taken for opening Academic High Schools at Khowang, Charali, Howli and Sapatgram. All these buildings have already been started and are likely to be completed by the end of March. During 1948-49 it is proposed to take over a number of village schools in compact areas near the training schools, and provision has been made in the budget for training of about 200 such teachers. During the last two years Instructors for our training schools have been trained at Sevagram and Jamia Millia, but as the medium of instruction at Sevagram is Marathi and that at Jamia Millia is Urdu, it has been decided to open a training College at Gauhati, and a provision has been made in the Budget for both the Capital and Recurring expenditure for the purpose.

Government have also decided to establish a technical school at Nowgong and a provision has been made for a non-recurring grant of 2 lakhs and a recurring grant of Rs.4,728. For the purpose of introducing Physical education in Schools trainees have been deputed to Benares, and a sum of Rs.46,000 has been provided for re-organising Physical Education in Schools. A sum of Trs.89 has been provided for opening an Ayurvedic College and a sum of about Trs.1,90 has been provided for expansion of education in the Excluded Areas.

A sum of Trs.44,31 in all has been provided for various educational schemes including some mentioned above under the Post-War Development Budget for 1948-49 for non-Excluded Areas. This includes a grant of 30 lakhs for the Gauhati University and a sum of Trs.5,30 for distribution of grants to non-Government schools.

Nationalisation of Transport as an experimental measure.—Government have decided to put an adequate number of buses on the South Trunk Road for carrying passengers in the route from Gauhati to Nowgong to the exclusion of private-owned buses which had been plying so long on this route. This has been done as an experimental measure and for the purpose of providing requisite experience which may ultimately be helpful in the event of Government deciding to nationalise the Road Transport for goods and passengers. Extension of this experiment will depend on the success of this venture and Government hope

that the public will give full co-operation for the success of this experiment.

Public Health and Medical.—It is gratifying to note that the Medical College was opened on the 3rd of November 1947, in temporary buildings pending construction of permanent structures. The construction of the buildings has been undertaken by the Public Works Department in accordance with the design and plan prepared by an Architect. Five Local Board Hospitals at Dhubri, Tezpur, Nowgong, Jorhat and Silchar have been provincialised. At Dibrugarh a training centre has already been opened to train nurses and arrangement is being made for opening another at Gauhati. The grant of Rs.3,62,012 during the current year to help the Local Bodies in maintaining their hospitals and dispensaries has been increased for distribution of extra supply of sufficient equipment worth about Rs.76,000 from the surplus stores at Barbari.

Village Aid Scheme.—The Village Aid Scheme for treatment of minor ailments is proposed to be started as an experimental measure in some places for rendering medical aid in such areas as are practically isolated during the rainy season and remain inaccessible. Under this scheme the Village Primary or Middle Vernacular School Teachers, after a preliminary training, are proposed to be entrusted with the distribution of medical relief on a monthly honorarium of a sum of Rs.15 per month to each teacher (and this will also serve to increase their income). The idea is to extend the area of operation of such cheap schemes of rendering medical aid for minor ailments from year to year, if the experiment is found successful. These teachers with the preliminary training are expected to collect proper vital statistics and may ultimately be entrusted with this work wherever possible.

The Reid Chest Hospital at Shillong has been provincialised and is proposed to be extended.

Provision for opening 20 more subsidised dispensaries has been made in the Budget Estimate.

Under the Post-War Development Schemes the Public Health Department is continuing the various schemes which had been put into operation since the previous year, and a further sum of Trs.1,36,14 has been provided in next year's Budget for various schemes, a list of which are given at page 8 of the Post-War Budget.

Selection of sites for the establishment of T. B. Clinics at Gauhati and Jorhat has been made.

For better supply of drinking water in rural areas a sum of Trs.3,33 has already been distributed through Local Boards, and a further sum of Trs.1,28,50 has been provided in the Budget Estimate for 1948-49.

A Public Health Engineer has been appointed and he is carrying not only the permanent anti-malarial engineering works in different places but also has prepared a scheme for improvement of water-supply in rural areas. He will also give technical advice to Local Bodies of the Province.

A sum of Rs.1,70,000 has been provided for the anti-small-pox vaccination scheme.

A sum of Trs.16,79 has been provided in the Post-War Budget for various schemes as shown at page 8 and prepared by the Medical Department.

A sum of Trs.1,87 and a sum of Trs.1,13 have been provided in the new schemes for Medical and Public Health Departments respectively in the normal Budget for 1948-49.

Veterinary.—Under the Post-War Development Schemes a sum of Trs.2,38 has been provided for various schemes under the Veterinary Department. About 100 Veterinary Field Assistants have already been trained and employed in different localities for inoculating, vaccinating and emasculating the cattle population and more such Field Assistants will be trained in the next year.

As it is difficult to obtain admission for an adequate number of students in Veterinary Colleges in other provinces it is proposed to start a Veterinary College of our own in the Province, for which purpose a sum of Trs.68 has been provided.

Rinderpest is the root cause of death of a large number of cattle of the agriculturists. In order to deal with this fell disease effectively and to prevent its spread it is proposed to establish a Veterinary Vaccine Depot for the production of goat tissue vaccine, for which a sum of Trs.24 has been provided.

Provision for the establishment of 7 Veterinary Hospitals and a Veterinary Laboratory at Silchar has also been made.

Police.—In the Budget Estimates of the Police Department for the year 1948-49 it has been possible to reduce the expenditure by about 7 lakhs due to the separation of Sylhet and retirement of senior officers who were given the option to do so.

As an experimental measure the District Police is being trained and equipped with tear gas involving an expenditure of about Rs.30,000. If this experiment proves successful in one place it is proposed to provide similar training and equipment to all District Police.

Circumstances now prevailing in the country do not permit any relaxation of Police vigilance. There is a provision in the Budget for re-organisation of the Unarmed Branch and re-organisation of the Criminal Intelligence Department and re-organisation of the Armed Branch involving an expenditure of Trs.47,31. This has become necessary in view of the situation now prevailing in the country.

So long the Gazetted Officers and the Sub-Inspectors were given their training at the Police Training College at Sardah, but as a result of the partition of Bengal, Sardah is now included in Eastern Pakistan and it will not now be possible to train our officers at Sardah. Provision has, therefore, been made to meet this urgent demand for establishment of a Training College in Assam. The estimated cost of this project is about Rs.69,700. With a view to establishing an efficient Centralised Unit of Armed Police from the personnel of the Special Protective Police, it is proposed to have a Double Battalion, reducing the over-head charges. The function of this Battalion is the enforcement of law and order and it will gradually replace the Assam Rifles. Such a Force is essential in view of the political changes and the turmoil prevailing in the country. A provision of Trs.24,98 has been made in the Budget Estimate including the cost of building spread over a number of years.

The 'Char' area in Goalpara has become populated with immigrants of a very turbulent nature and organised smuggling by boat, protected by a well-armed gang prepared to resist by violence any steps taken by the Police to prevent their nefarious activities, is being carried on openly and on a large scale and has led to disaster and contempt of authority. It is, therefore, necessary to revive the River Police Force at Goalpara at an estimated cost of about Rs.8,96,000.

Provision of accommodation for subordinate Police is not merely a condition of service but also essential for efficient discharge of their duties which should be available at all hours of day and night. If officers and men are scattered over a wide area it cannot be expected that they will turn out at the signal and alarm or order to fall in. It is, therefore, essential to construct a few more Police building in the Province at an estimated cost of about 28 lakhs.

It is gratifying to know that the Provincial and District headquarters are now linked by wireless communication.

In view of the tendency towards lawlessness in the country which in Assam has been manifested in connection with the Food Control Order of the Government and in view of the prevailing unrest and lawlessness in certain areas Government feel that the

regular Police Force needs help from Volunteer Organisation, in case of emergency. To meet any such emergency Government consider it urgent and imperative to raise a force called "Home Guards, Assam" and have provided Trs.6,60 in the current year and a sum of Rs.90,38,000 for the year 1948-49 and propose to bring a Supplementary Demand in the Assembly.

I hope that in view of the prevailing turmoil in the country the House will pass the demand unanimously.

Although the Budget shows a deficit which will eventually rise to about one crore and 75 lakhs as stated above yet there is every reason to take a bright view of our future. We can expect not only to improve our financial position in the coming few years but also to make Assam happy and prosperous, provided we can effectively carry out the long term and short term schemes for development of the rural areas, village industries, Co-operative Farms and other measures for production of more food crops and for development of big industries. I am quite sure that in our efforts we will get adequate financial help and consideration from the Central Government which will take into consideration the special needs and claims of this undeveloped Province forming the north-eastern Frontier of the Indian Dominion. Assam can readily expect about a crore of rupees on Jute Duties under the existing financial arrangement besides 2 to 3 crores per annum from Excise Duties on Oil and other Excise Duties.

Before I conclude my speech, I would like again to emphasise the extreme urgency of making this Province self-sufficient in the matter of essential food-stuff. Development of Agriculture, Industries, Public Health, Medical improvement and measures for prevention of floods and the development of rural areas are some of the principal subjects which deserve the utmost attention, but no Government activity can lead to the desired result unless backed by willing and intelligent public co-operation. I, therefore, appeal to all sections of the House and the public, in general, to extend their hand of co-operation and good-will in all the proposed measures. I appeal to the Honourable Members to excuse me for taking such a long time in introducing the Budget to them. I hope, Sir, I have said enough to explain the essential features of the Budget for the coming year and also our difficulties and how we have been fighting to overcome them.

In conclusion, I thank the Finance Secretary and the staff for the co-operation and assistance which I have received from them and also the Superintendent of the Press and his over-worked staff who had to work hard to get the Budget printed within a very short time.

Sir, with these remarks I beg to introduce the Budget of the Province of Assam for the approval of the House. (Applause.)

Statement made by the Hon'ble Speaker regarding time limit for the general discussion of the Budget during Budget Session, 1948

The Hon'ble the SPEAKER: Hon. Members have come to know that His Excellency has allotted the 15th, 16th and 18th March for the general discussion of the Budget. It will be somewhat difficult for me to fix a time limit, if necessary, for speeches until and unless I know how many Members desire to take part in the discussion on a particular day. I would, therefore, request the Leaders of various Parties to give the names of their Party members who desire to speak on the subject on different dates to the Assembly Department by 12 noon on Friday, the 12th March, 1948, i.e., to-morrow.

I may also tell the hon. Members that in order to find time for (1) The Assam Finance Bill, 1948, (2) The Assam Local Board Elections (Emergency Provisions) Bill, 1948 and (3) The Assam New Motor Cars (Control of Commercial Sales) Bill, 1948 to be taken on the 18th March, 1948, I propose that only the Finance Minister should give his reply to the Budget discussion on that day. The hon. Members, should, therefore, finish their Budget speech within the first two days, i.e., the 15th and 16th March, 1948.

Statement made by the Hon'ble Speaker regarding the allotment of time for voting on Demands for Grants for 1948-49

The Hon'ble the SPEAKER: With regard to the Demands for Grants to be considered by the House, hon. Members are now aware of the days that have been fixed by His Excellency the Governor. I have got a time-table prepared allotting the time that should be devoted to the discussion of each of the demands during this Session. Copies of the time-table have already been circulated to the Leaders of Parties. I would request them to examine the same and inform the Secretary of their views, if any, on the said time-table before 12 noon to-morrow, the 12th March. Printed copies of the time-table will be circulated to the hon. Members as soon as it is approved. I may, however, inform the hon. Members that the last date and time for receipt of cut motions on Demands for Grants to be taken up by the House on the 19th March is before 3 P.M. on the 15th March, 1948.

Presentation of Amendments to the Assam Motor Vehicles Rules, 1940

The Hon'ble the SPEAKER: Item No. 9. The Hon'ble the Prime Minister.

The Hon'ble Srijiit GOPINATH BARDOLOI: I beg to present certain *Amendments to the Assam Motor Vehicles Rules, 1940, under section 133(3) of the Motor Vehicles Act, 1939.

The proposed Amendments have been laid on the table of each of the Member.

The Hon'ble the SPEAKER: Consideration of the Amendments will be taken up on the 3rd of April next. The last date for receipt of further Amendments, if any, is on the 31st March, 1948, before 3 P.M.

The Assam Rural Panchayat Bill, 1948

The Hon'ble Srijut GOPINATH BARDOLOI: With your permission, Sir, I want to take item No. 14, the Rural Panchayat Bill which is a very important measure, and my purpose in requesting the Hon. House to take up this Bill is that I may have to leave Shillong. I have almost decided to leave for Wardha this evening so that I can catch the plane to-morrow morning and be present there at the deliberations of the 13th. If you will give me this kind indulgence we may take up the Rural Panchayat Bill.

The Hon'ble the SPEAKER: In view of what has been stated, I allow the Hon'ble Prime Minister to move the Rural Panchayat Bill first.

The Hon'ble Srijut GOPINATH BARDOLOI: I am grateful for the kindness shown to me.

I do not know whether it would be possible for me to speak in Assamese. With your permission, I will speak in whatever language you will ask me to do.

(Voices—in Assamese.)

The Hon'ble the SPEAKER: The difficulty is that there are many Members who are not conversant in Assamese, and it is a new and important Bill; therefore, it would be better if the Hon'ble Prime Minister speaks in English.

The Hon'ble Srijut GOPINATH BARDOLOI: I beg to introduce the Assam Rural Panchayat Bill, 1948, and to move that the Bill be referred to a Select Committee. I have the names of the Select Committee as follows:—

1. Mr. C. W. Morley.
2. Maulavi Makabbir Ali Mazumdar.
3. Maulavi Muhammad Abul Kashem.
4. Babu Kamini Kumar Sen.
5. Srijut Bijoy Chandra Bhagavati.
6. Srijut Haladhar Bhuyan.
7. Hon'ble Minister for Publicity (Hon'ble Maulana Md. Tayyebulla).
8. Parliamentary Secretary to Rural Development (Srijut Bimalaprosad Chaliha).
9. Hon'ble Prime Minister as the Chairman of the Committee.

I think four members can form the quorum.

The Committee will submit the report by the 20th of March, 1948, and the Select Committee, therefore, shall have to sit on the recess day, i. e., the 17th. It may be that we will be sitting on the 16th also. But I think we can fix up the date of the Select Committee after we have examined the convenience of the Members. But as the programme of work stands, we must be in a position to give the report of the Select Committee to the Assembly office by at least 21st or 22nd at the latest.

I feel that in introducing the Assam Rural Panchayat Bill, 1948. I should make certain preliminary remarks before formally inviting the attention of the hon. Members of this House to some of the detailed provisions in the Bill in connection with reference of the Bill to a Select Committee.

It is only six weeks ago that we had lost from our midst, the greatest man of the world, Mahatma Gandhi. The whole country, nay, the whole world, had paid their respectful and sincere homage to the unique greatness of this soul. Almost in all meetings and platforms the Indians have agreed to follow his ideals to the best of their ability. Here in this House, while

adjourning it in respectful homage to the memory of this great soul, we also declared that we should be trying to follow his ideals as best as possible. Gandhiji's last act in life by which it was terminated is undoubtedly one aimed directly at Hindu-Muslim unity. But even that phase to my mind was part of a bigger structure which he proposed to build for India, etc., to create an India in which all men will be free from want and disease, will live normal lives of health, morality and faith. 'An India in which the poorest shall feel that it is their country, in whose making they have an effective voice, an India in which there shall be no high class and low class of people, an India in which all communities shall live in harmony'. Such was the India of Gandhiji's dreams. In realising this objective by methods of truth and non-violence, his whole attention was given to creating a rural civilisation in which human beings would be devoid of the spirit of exploitation of others but would work for the betterment of their fellowmen. He pursued the same method of truth and non-violence in securing the independence of India in which his object was fulfilled. But his efforts for building up a society where also love and truth would be the guiding principle of human activities, remained in an experimental stage and was not fully fulfilled. In trying to explain the principles of Basic Education in a previous Session of the Assembly I attempted to show that he wanted to base the entire scheme of education for training future citizens on the foundation of equality, brotherhood and on truth and non-violence. In the rural development works which he was experimenting at Wardha through his worthy followers he had the same underlying idea. The scheme that we are proposing to carry through this Bill is an attempt, I say a very humble attempt, to give as much concrete a shape as it is possible to do in pursuit of that ideal. The agencies of Government are all human agencies, and being imperfect, we do not know how far that ideal will be actually worked out in practice. But I have not the slightest doubt that the scheme envisaged in this Bill, if worked out properly, will go a long way in at least removing the evils of present-day rural life and in building up a fabric of society in which self-reliance, self-help and a desire to go forward will be the resultant factors.

All the Members of the House are aware of the miserable plight in which the majority of the villagers live. Theirs is a very hard existence with constant anxiety about food supply and insufficient and unbalanced diet, chronic indebtedness, disease and pestilence because of unhygienic conditions in the villages—mass illiteracy which make them a prey to unscrupulous middlemen, extravagant customs, all these are the lot of our villagers. To make matters worse factions rule village life with their disintegrating influence and their encouragement to unnecessary litigation.

Sir, it has always been the aim and intention of this Government to do something of a constructive nature for the upliftment of the villagers. The Government have noticed that in spite of their best efforts to secure the same objects directly through work of their rural officers they have not been able to secure that result which such efforts actually deserved. We have therefore to think in other terms. Even when we were not in the Government we tried to organise certain rural activities in a manner entirely different from Government's ways, whether past or present. Luckily for us we have now been fortunate in obtaining the services of our Parliamentary Secretary, Sriji Bimalaprosad Chaliha, who got lessons on rural reconstruction as an inmate of Gandhiji's Ashram some time ago. He worked hard for months in preparing schemes even before he was appointed Parliamentary Secretary in order to help Government in the implementation of the scheme which he has prepared. I am happy to tell the House that the Government of India recently sanctioned this rural development scheme so far as the Budget

for 1947-48 is concerned. It is that portion of the scheme which is preliminary to the five-year plan which we have full confidence, will get the sanction of the Government of India. Assurance in that behalf from the Government of India has already been received; it only remains for us to go ahead with the work.

Now, Sir, so far as this Government is concerned, the first step towards implementation of the scheme was apparently the necessity for reorganising the works of the Departments. It appeared to us that the Departments of Industries and Co-operative Societies were intimately connected with what we hope to achieve through rural development work. Therefore we decided to unite these three Departments which have in fact now become four Departments as a result of the division of the Industries Department into Departments of Industries, Sericulture and Weaving—under a single Secretary and Director who in turn works under the Parliamentary Secretary and myself. I should mention that we have been as fortunate in having that Secretary in Mr. Hayley whose great organising power and his capacity for hard work have been most intelligently and gladly placed for the service of the villagers in Assam. It is further the wish of this Government that the Departments of Agriculture and Veterinary are as closely allied with this work, but I do not propose to take the time of the House with what Government will have to do in the near future.

It will be realised, Sir, that whatever sums of money Government spend in the Province on roads, buildings, administration, etc., it all has to come evidently from the hard work of the people, and since most of our revenue is in the form of land revenue the burden of provincial exchequer rests mainly on the back of the villagers. If we are to give all the facilities that the modern world can provide in the shape of better food, education, better health, roads, transport, water supply and so on, we have to find money to pay for these from the villager himself. This can be done only if the villager himself is made to realise his own good and to work for his own betterment. He should not only be self-sufficient by utilising all the spare time in useful economic work, but he must also learn to work himself. The villagers should be made to feel their potency as citizens of the State, so that they can be intelligent partners in the management of their own State. Mahatma Gandhi has brought about a revolution in our political consciousness, but the economic and spiritual consciousness which are necessary for building up a sound State could be possible only by putting into practice the sort of structure which I am proposing to detail to you now.

Coming to the details of the scheme as outlined in the Bill, it will be seen, Sir, that all the rural area of Assam is proposed to be divided, what is called in the Bill, Rural Panchayat areas. These areas will cover a population, on an average, of 10,000 men, women and children. The number of people is not so important as the need of having an area which is an economic unit and easily administered. The Hon'ble Finance Minister has just now told you that if the population is distributed in this manner we shall require about 742 centres to cover the whole area of Assam. These Rural Panchayat areas will naturally consist of a number of villages. As is well known, the Assamese village is oftentimes a homogenous unit and so each village will constitute, under clause 4 of the Bill, a Primary Panchayat Area. The Primary Panchayat will consist of all the adults, male and female, of the village and they will form an electoral body for the election of member or members according to their population for the Rural Panchayat constituted under clause 5 of the Bill. Then, Sir, it will be seen from clause 25,

sub-clause 5(ii) and clause 140 that voting on Primary Rural Panchayat affairs will be by show of hands on the joint electorate system. If the Primary Panchayat is not satisfied with the activities of its representatives on Rural Panchayat it will have the power to recall its representatives under clause 14 at any time.

Clause 7 provides that there will also be a small Working Committee with a President for the Primary Panchayat. The Rural Panchayat will thus consist of the representatives elected by the Primary Panchayat and, under clauses 18 and 19, they will elect their own President who will choose a small Cabinet to help him in the administration of the Rural Panchayat Area.

We will soon be starting a Rural Development Institution, where we will train different categories of rural development workers. One of the most important of these categories of workers will be the Secretary of the Rural Panchayat. He will be trained in economic planning. This matter of economic planning is fairly new to us. It consists in making a house to house survey of the number of population, the area which they cultivate, the kind and quantity of different crops which they produce, the different cottage industries they practise and so on. Armed with this detailed information, it will be possible for the Secretary of the Rural Panchayat to make an economic plan for the Rural Panchayat Area. He will be able to calculate, that, if the population is so much then they will need so many maunds of paddy, so many maunds of dal, of fruit, milk, fish, and so on. The agricultural plan for the Rural Panchayat Area will, therefore, be based on these requirements of the village. He will be able to decide what cottage industries should be encouraged in the area so that when the cultivation season is over the villagers will be able to turn his hand to useful industries which will bring him a good income. The plan, which is finally worked out by the Secretary of the Rural Panchayat, will, with or without modification, be adopted by the Rural Panchayat for its area. The aim of the economic plan is to raise the per capita income of the villager. This is one of the primary functions of the Rural Panchayat, since after the 5-year period during which the Government subsidise the Rural Panchayat, the Panchayats will have to be self-supporting. They cannot be self-supporting if they have no power to raise contributions from the villagers in their area. They are, therefore, under Chapter IV of this Bill given powers of taxation and in order that the villagers may be able to pay these taxes, it is essential for the Rural Panchayat to give villagers every help in raising their annual income.

I do not wish to discuss in greater detail the economic plan for the Rural Panchayat Area. Suffice it to say that the Panchayat in addition to putting up a Rural Development Centre where all the nation building activities of Government will be concentrated will sponsor a Trading Co-operative Society for its area which will import into the Panchayat Area all those goods in which the villagers cannot be self-sufficient, and will buy the agricultural produce and cottage industries products of the villagers, so that they may be properly marketed. This Trading Co-operative society in each Panchayat Area will also act as a Rural Bank for supplying credit either in cash or kind to the cultivators.

I have already stated that there are many Government Departments whose aim it is to work for the good of the villagers. Apart from the Departments of Co-operation, Industries, Sericulture and Weaving, there are the Departments of Public Health, Veterinary, Irrigation, Agriculture, Public Works Department and the like. Nevertheless, the factors of filth, faction, illiteracy and poverty remain in the villages. I cannot but admit that when we take stock of the activities of these Departments, we cannot conscientiously say that we have been able to improve the conditions of the rural population. I feel that one of the chief

reasons for this failure on the part of the Nation Building Departments is due to lack of co-ordination between them for the fault of what is called "Departmentalism". We have, therefore, provided in the Bill under Clause 122 a plan for the creation of District and Subdivisional Boards. These Boards will be Statutory Bodies and will consist, at district and subdivisional levels, of the local heads of the Government departments presided over by the Deputy Commissioner or the Subdivisional Officer, as the case may be, with the Rural Development Officer as the Secretary of the Board. There is also provision in the Bill for the creation of non official Advisory Boards to help the Government Officers in their duties.

This brings me to another category of officer in the rural development plan, namely, the Development Officer, of which there will be one in each subdivision. The Development Officer will be of the same status as a member of the Senior Assam Civil Service. He will be the right hand man of the Deputy Commissioner, the Political Officer or the Subdivisional Officer, as the case may be, and these officers may delegate all or any of their powers under the Panchayat Bill, to their Development Officers. We propose, moreover, to have a combined office under the Development Officer for subordinate officers of the Departments of Publicity, Rural Development, Industries, Sericulture and Weaving and Co operative Societies and possibly Agriculture and Veterinary. By this means the Development Officer will have a good control over the activities of these Departments so far as his subdivision is concerned. Needless to say the Government officer will be well trained in Rural Development work.

Although Government will give all the help and advice that it can through its officers to the Rural Panchayat, yet it will be clear that the Scheme depends on the people themselves. The authority of the Panchayat depends upon the confidence placed on it by the people. This will be based on personal knowledge of the members.

The Bill provides under clause 14 for the impeachment of Presidents and members of Rural Panchayats for violation of the provisions of the Bill or for neglect or inactivity. The Rural Panchayat will not be dissolved but one third of its members will retire annually (*vide* clause 17).

The Rural Panchayat will have local administrative powers in matters of hygiene, sanitation, education, communications, veterinary, co-operatives, farming and all other measures calculated to make an all-round improvement in rural life as provided for in Chapter III of the Bill.

Under clause 76 each Rural Panchayat will elect five persons within its area who will constitute a Panchayati Adalat to be established in each Rural Panchayat. Such an Adalat will have judicial powers and will try common and petty offences as well as small money suits (*vide* Chapter V of the Bill).

To bring about collaboration between Panchayats, the Bill provides for Union of Panchayats under clause 138. It also provides for the maintenance of a volunteer force for watch and ward under clause 56.

Sir, the hon. Members may remember the deliberations of the last Session of the Assembly while discussing the Provincial Model Constitution. Want of any provision to bring about decentralisation was the main criticism that was levelled by some of the hon. Members. The hon. Members may also remember that decentralisation was actually within the contemplation of the Government and

actually I did not find anything in the Model Constitution which stood in the way. Although the new Constitution has not come into force, Government, in pursuance of its policy, has come forward with the Assam Rural Panchayat Bill, 1948, which it will be found is a step towards decentralisation.

I have mentioned the hard lot of our villagers. But it was not always like this. Independent Assam of old was a republic of villagers and each village was a self-sufficient and self-governing unit. Shri Sankardev, through Vaisnab culture, through the Satra system, and the "Namghar" organised the villages with such foresight and so much statesmanship that Assam has still retained some of the virtues of the village community. After the Burmese invasion our village communities were reduced to their lowest ebb. With the advent of British rule, Momai Tamuli reorganised the villages and saved them from utter ruin. But due to the cold indifference of British rule and want of any State sanction, the solidarity of the village community, which derived its authority from custom and convention, disappeared slowly but steadily.

Free Assam can remain free in fact only if we can develop the village, which is the ultimate unit of administration. In the past the revenues of the Province were spent on projects far removed from the villager—on trunk roads, office buildings, the administrative services. They are probably more necessary now. Yet if the tree is to flourish we must water the roots on which it stands and not the flowers at the top. The villagers are the roots of the State and on them we must now bestow our care. We can make Assam prosperous if we can regulate the daily life of the rural population, not by external pressure but by the functioning of a socio-moral-economic order such as Mahatma Gandhi preached and worked for.

I feel that we may be criticised for not proposing this revolutionary legislation much earlier. I would ask the hon. Members of the House and with them the people of Assam to be patient. We have had to take a long range view. We had to obtain the sanction of the Central Government to the provision of funds for the Rural Development Plan, which we could not finance ourselves. There must yet be a period of waiting while we train our officers in the new methods which we wish to introduce in the villages. I am sure that the Members of the House will agree with me that we are adopting the best and the most practical means that we can for guiding the people's activities in the right direction and for harnessing their patriotism by giving them responsibility for governing themselves. It is a bold plan and we know that it contains many hazards. But we believe that great things are achieved only by facing hazards. We believe that we will surmount all difficulties and, by raising the moral and material standards of living of the masses, will make Assam a land worth living in with the help of God and the co-operation of all the people of this beautiful land of ours.

I again put the Motion before House for due consideration.

The Hon'ble the SPEAKER: Motion moved:

"That the Assam Rural Panchayat Bill, 1948, be referred to Select Committee consisting of the following hon. Members:—

1. Mr. C. W. Morley.
2. Maulavi Makabbir Ali Mazumdar.
3. Maulavi Muhammad Abul Kashem.
4. Babu Kamini Kumar Sen.
5. Srijiut Bijoy Chandra Bhagavati.
6. Srijiut Haladhar Bhuyan.
7. The Hon'ble Minister for Publicity (Hon'ble Maulana Mahomed Tayyebulla).

8. Srijut Bimalaprasad Chaliha, (Parliamentary Secretary).

9. The Hon'ble Premier (in charge of the Bill).

Four Members are to form a quorum and the Report should be submitted on or before 20th March 1948."

Mr. J. S. HARDMAN: Mr. Speaker, Sir, we have heard with interest, with attention and, may I say, admiration to the very thorough exposition which the Hon'ble Prime Minister has given. In the realm of ideals we regard the Prime Minister's statement as brilliant. But in the realm of mechanics we regard his statement as open to very serious criticism. We feel that there are many fundamental principles involved in this extraordinary piece of legislation which require to be examined with the greatest care, and full appreciation has not been given to the position of minorities, or of those private individuals, who cannot claim the allegiance of any party. Government are in the habit of looking at problems from the bird's eye view. But I would request Government for a moment to change this attitude and adopt a worm's eye view, to look at the problem from the stand point of the weak and defenceless. If I may be allowed, I will use a quotation from Kipling :

"The toad beneath the harrow knows,
Exactly when each tooth point goes,
The butterfly upon the road,
Preaches contentment to the toad."

We see on the Treasury Bench the butterflies preaching contentment, we on this side of the House are the toads. To return to the Bill, Sir, it is a Bill without any real parallel in any province in India and in many respects contrary to the accepted principles of local administration in democratic countries. It bears a very striking resemblance to the Soviet system of Government. I am not asking this House to reject it out of hand because it has this Russian flavour but we would ask the House to give it a very careful and meticulous consideration and to avoid taking hasty decisions which may be repented later. We are not, Sir, opposed to any new ideas in local Self-Government. We recognise, Sir, that there is a need for new ideas and for new schemes. We do not disagree with the Hon'ble Prime Minister in his statement that there is urgency for tackling this problem. Substantial improvements are necessary. The rural population has to be educated in the democratic way of life. Its man-power and its talent has to be mobilised for the common good of all.

The Bill offers certain attractions to organised political parties, who can capture control of the Panchayats, and if such a political party should happen to dominate the Provincial Legislature, it is in a position to exert a dominating influence on all matters of public activity and even on the private lives of the public. The Hon'ble Prime Minister, I believe, referred to the very extensive powers which the Bill offers, but I am afraid, that, Sir, is our criticism. Looking at the powers, there is little that the Rural Panchayats cannot do except making a man into a woman! Real democracy can only flourish where individuals are guaranteed rights and have opportunities for protecting these rights. In Fascist or Communist systems there is the usual monopoly by the political party of all offices and the subjugation of the public to the dictates of the party. This, Sir, is what we are apprehensive about in this Bill. We should also remember that in democratic States there is a method by which Constitutional changes can be effected peacefully and quietly whereas in the Party-State, changes can only be effected through bloodshed and revolution.

We have examined this Bill with considerable care and failed to find a single recognition of the rights of the private individual. The party which secures control of the Panchayat becomes the dictator of the local area. A President can, it is true, be removed by two-thirds majority of the Panchayat and a member of the

Panchayat can be removed by simple majority. Government may remove a President, if he is convicted of certain criminal offences, if he becomes insolvent or refuses to act, if he is recalled by the Primary Panchayat or if he is guilty of misconduct or wilful neglect, and if his continuance in office constitutes a danger to public peace. Assuming, however, that the President is sufficiently astute to avoid these liabilities and assuming that the President has the backing of the Government then in office, he can exercise a dominating, or autocratic influence in the Panchayat area. The extreme powers conferred enable him to interfere in all public affairs and there is the unfortunate combination in one single authority of legislative, executive and judicial functions and to this we also have to add the important functions of taxation. Reading the debates of this House of some years ago I had noticed the eloquent speeches made by Members, who now occupy the Treasury Benches inveighing against the concentration of these powers in a single authority. Government have now presented to us a Bill which secures a greater degree of concentration of powers. In the new draft Constitution of India there have been recorded guarantees of rights to individuals and to minorities and if legislation of this kind is passed, these essential rights have to be severely circumscribed. The essence, Sir, of democracy is the right of the individual, whether he belongs to a majority party or to a minority party or to no party at all. "A man's a man for all that!" Another essential feature of democracy is the supremacy of law and the provision for redress against acts of the executive. There is, Sir, apparently no recognition of the right of the individual for redress against the acts of the Panchayat. In criminal cases and in civil jurisdiction no appeal lies, although penalties may be imposed amounting to a sum of Rs.500 and in addition to two months' hard labour. The Panchayat is not merely the judge and jury, but also the jailor. Cases may be tried in a manner contrary to all conceptions of justice and without having regard to the principles of evidence and no appeal is allowed—all powers rest with the Panchayat as executive authority and no provision again exists for redress of wrong or unfair decisions. In the existing local bodies there is too frequently abuse of powers; though Constitutional safeguards exist, but what hope is there that these Panchayats can function effectively and will eschew the temptations which this Bill offers so extravagantly?

In the sphere of taxation the unbridled authority which the Bill gives is clearly illustrated. It is very rare that anyone should speak well of income-tax, but in the Central Income Tax Act there is a fixed liability for tax, and if the Income Tax Officers should demand more, redress is provided. This applies equally to Provincial legislation—Agricultural Income-tax, Excise, Land Revenue and the Professions tax recently passed by this House. Subject only to by-laws and orders made by the Provincial Government in its executive capacity, a Panchayat can impose a tax of an unspecified amount on money crops, uncultivated cultivable land, callings and professions, buildings, marriage, inheritance, health, water, firewood, education, etc. The Government may prescribe the method of imposition, assessment and realisation. These, Sir, are invasions against the rights of the individual.

No Government is justified in demanding a blank cheque from the Legislature to impose taxation, and this House, we are confident, will jealously reserve its rights in this regard. Is it reasonable that when Government has recently imposed a Professions tax up to the hilt of the limit of the powers imposed by the Government of India Act, that a local Panchayat should be given permission to tax the same source of revenue? It is not sufficient that the Constitution Act should define the rights of citizens if the Provincial Government with the assistance of Panchayats secures power to override these rights. Taxation statutes must be precise, and must give to the individual safeguards against arbitrary use of taxation laws.

This, Sir, is not the stage to consider the detailed provisions of the Bill, but so many of the provisions raise important principles of Constitutional rights that it is difficult to avoid prolonged references to the numerous powers which conflict with the accepted ideas of democracy. Village dictatorship is no less dangerous than other forms of dictatorship. 'Power corrupts,' said Lord Acton, 'and absolute power corrupts absolutely'. We realise that this legislation has been prepared in the greatest haste. As witness of this I invite attention to a full page of "Errata" recently circulated in connection with this Bill. If we examine the Bill and its detailed provisions, we will find that Government are seeking to force on the Select Committee an impossible task. But, Sir, what is required is that the fundamental principle of the Bill should not merely be examined by the Government but should be examined by the Province and all interests in the Province as a whole. The Hon'ble Prime Minister is confident that this Bill, if passed, will lead to the greater prosperity of the Province and, I wish, we could share his conviction. We apprehend that if this Bill is passed, there will be a severe setback in the present economic organisation in the Province and that there will be further disorganisation rather than progress. We are confident that the Government will realise that in introducing this Bill so hastily they are committing an error. We hope that they will not give up their efforts in rural reconstruction but will think again and will endeavour to enquire from those who have experience of the working of local institutions. Rural reconstruction is not something completely new. The Congress Party has been devoting themselves to the work of rural reconstruction at least for twenty years but at the end of it they have realised that there are many difficulties. Governments both in Assam and elsewhere, have devoted a great deal of time and money to the work which is now being classified under the broad head of Rural Reconstruction. What has been experienced elsewhere? The Hon'ble Prime Minister, I think, has conceded that much of this earlier experimental work has been a failure. Co-operation, on balance, has brought more distress than good to the people of this Province. It is, therefore, necessary that these new developments should be examined with the greatest caution. We hope that Government will not misunderstand our position. We are anxious for progress to be made in rural reconstruction. We do not differ in recognising the need for experiment and we realise that it was Mahatma Gandhi's idea to make the village prosper, and that has our fullest support. We would, however, request the Hon'ble Prime Minister to agree to the circulation of this Bill for the purpose of eliciting public opinion. All industries, all professions and trades are going to be vitally affected if this Bill becomes law, and, we feel that full opportunity should be given for the full expression of all points of view on these astonishing and far-reaching proposals. (Applause.)

The Hon'ble the SPEAKER: Does the hon. Member propose any Amendment?

Mr. J. S. HARDMAN: I hope, Sir, in view of my submissions, the Hon'ble Prime Minister would agree to withdraw his Motion in reference to a Select Committee, but if he intends to proceed, I will propose a formal Amendment. I am merely opposing his Motion at this stage.

The Hon'ble the SPEAKER: What is the Hon'ble Prime Minister's view?

The Hon'ble Srijiut GOPINATH BARDOLOI: I have already moved the Motion.

The Hon'ble the SPEAKER : The Hon'ble Prime Minister is not agreeable.

Mr. J. S. HARDMAN: I beg, Sir, to move that the Assam Rural Panchayat Bill, 1948, be circulated for eliciting public opinion thereon by the 1st June, 1948.

The Hon'ble the SPEAKER : Amendment moved :

"That the Assam Rural Panchayat Bill, 1948, be circulated for eliciting public opinion thereon by the 1st of June 1948."

Maulavi Saiyid MUHAMMAD SAADULLA : Mr. Speaker, Sir, in rising to support the Amendment of Mr. Hardman, I want to make an earnest appeal to the Hon'ble Leader of the House—the Hon'ble Premier—to give very careful consideration to what has been said by Mr. Hardman. I too have listened to the Hon'ble Premier with very great attention and I must congratulate him for the fair and clear exposition of the measure which had necessitated him to invoke the help of even the spirit of late Mahatma Gandhi. In introducing his Bill I heard him say that it was Mahatma Gandhi's ideal to improve the lot of the common man. I think we had this morning sufficient indication of that in the speech of the Hon'ble Finance Minister. In seven places in his long speech I found his solicitude for the common man. I think we need not have gone for the support of this Bill beyond our Hon'ble Finance Minister. There can be no gainsaying the fact that the ideal in this Bill is very good, but it is human experience that the reality always falls short of the ideal or expectation. We are children of the soil, we all know our village conditions; we know that every village has got its party faction which has been admitted by the Hon'ble Premier himself. He says that these Panchayats will eradicate all the evils and will bring an era of Utopia in our village life. I congratulate Mr. Hardman for the labour he has undertaken in assessing the merits of the Bill without a headache. I believe a younger man like him with a strong constitution, he did not suffer from that malady.

After this Bill was published, I tried to understand the provisions but I found it contained so many mistakes that I could not go through the whole of it. It only gave me headache and heartache. The heartache is on account of the fact that the Bill has been conceived in such hot haste and that it has been printed in such great hurry, as Mr. Hardman has alluded, almost overnight, to be presented before the Members of the House on the very first day of our Session, that the Bill came in this jujune fashion, I found it next to impossible for an old man like myself to have the entire Bill examined with a long list of errata and I am perfectly sure that my experience is shared by many of the hon'ble Members here.

I started by saying that the ideal is very good. Everybody knows that we should improve the lot of the common man, but the difference lies in the line of approach. My Hon'ble Friend, the Premier, thinks that we should pass this Bill without delay because the matter is of great urgency and although they have been in office for more than two years, nothing has been done demonstrably for the common people. Is it the idea of the Treasury Benches that if the Bill is passed in the present Session, they will be able to bring into existence these village Panchayats earlier than winter? I think everyone will agree with me that during the rains it will be impossible to have any election held on adult franchise as adumbrated in this Bill. I again refer to the speech of my Hon'ble Friend, the Finance Minister. In nine places of his speech he requested the co-operation of every section in this House as also of the people outside. We are ready to extend that hand of co-operation provided we see a little of the same accomodation in the minds of our Friends in the Treasury Benches.

We concede Sir, that the principles in this Bill are ideal. What we want is to weigh and measure if it would be a practicable proposition. The Government which consists of so many brilliant brains of the University, the Government which has got veteran Congressmen and statesmen, cannot do without "experts" in every branch of administration. They have a "Financial Adviser", they have an "Industrial Adviser", they entertain "Supply Expert" and there are other experts in addition to different Ministers as different Secretaries to carry on the administration. Our poor villagers who are still groping in ignorance and who are still suffering from village party factions and internecine quarrels cannot be expected soon to imbibe the principles and become experts to influence the life of the villages. According to the provisions of the Bill the President of the Panchayat must be a man of all capacities. He must revolutionise the economic set-up of the village life, he must be an agriculture expert to advise the people on the money crops to grow and so on. Mr. Hardman has placed the case very ably and has shown that the President has been asked to become a judge, a juror, a jailor and a tax-collector. I would say that he will want to become an economic expert and will want to advise on every thing of a village life. The ideal is very good indeed, but could we feel that such practical results will follow from this Bill? The Bill is for the common man, for improving his lot and for improving his standard of life. And all that we request from this side about the provisions of this Bill. We generally get a Session some time in June or July. If we do not pass this Bill in the present Session, we can pass it after receiving the public opinion in that Session. Even if we pass it in the July Session, we can have the election held in the winter, say in December, January or February. That is the time for holding election generally. So we will lose no time. I therefore make an earnest and reasonable appeal to the hon. Members of the House who carry Congress ticket and the Leader of the House—the Hon'ble Premier to consider this point. He loses nothing. So I request him to accept the Amendment to give the public a chance of going through the provisions of the Bill very dispassionately.

Then again another thing. This Bill is not suitable for all villages or for all areas. I think, every Member of this House will agree with me when I say that village life in the hills is not the same as in the plains. Similarly a village in Lower Assam is somewhat different in its texture, in its composition and in its attainment than a village in Upper Assam. There are different strata of society and it will be very difficult to apply all these provisions throughout Assam all at once. Probably you will have to make experiment in a certain localised area. If you find it is doing good to the people of the area or if the provisions are being given effect to in a very judicious, calm, dispassionate and impartial spirit then extend it. All those views have got to be taken into consideration. I therefore request the Hon'ble Premier and the party sitting behind him to accept this harmless but at the same time very judicious appeal to them that let this Bill now go to the public, let us hear their opinion and if the public and my hon. Friends opposite as well as ourselves, who are only representatives of the public in this House, want this Bill we may proceed with it in either June or July Session and then if passed, start experiments in selected areas from the Bengali New Year, if you so want, or after election from the new financial year. And this little concession to a very small, at the same time very reasonable, appeal on behalf of the leaders of the minority groups in this House will greatly pave the way for the mutual co-operation and harmony that is being sought on every side of the House.

Srijut BIJOY CHANDRA BHAGABATI: মাননীয় সভাপতি ডাঙরীয়া, এই বিলখনৰ আলোচনা প্ৰসঙ্গত হোৱা বক্তৃতা কেইটা আমি সকলোৰে মনযোগেৰে শুনিছো। মিঃ হাৰ্ডমেনে যি কেইটা যুক্তি দাঙি ধৰিছে, সেই সম্পৰ্কে যদি আমি আলোচনা কৰোঁ, তেনেহলে

দেখিব যে তেখেতে এটা সম্পূর্ণ বেলেগ দৃষ্টিভঙ্গিৰে এই বিলখনৰ আলোচনা কৰিছে। পঞ্চায়ত গঠনৰ কাৰণে যি আঁচনি এই বিলত দাখি ধৰা হৈছে সি দৰাচলতে একো নতুন কথা নহয়। গোটেই পৃথিবীতে বোধহয় ইতিহাসৰ এনে এটা যুগ গৈছে যেতিয়া শাসন ক্ষমতা উল্টাই—কৃষি শক্তিকাৰ দৰে কেন্দ্ৰীভূত নাছিল। এদিন এজন জাৰ্মান মিচনেৰীয়ে বাছিয়াত বসতি স্থাপন কৰিছিল, তেতিয়া তেখেতে ভাবিছিল যে তেখেতে ইতিহাসৰ এটা ভাঙৰ তুফান আৰম্ভ কৰিলে। কিন্তু কিছুদিনৰ পিচত জাৰ্মানিতেই তেনে এটি অনুষ্ঠানৰ সূত্র পোৱা গ'ল। আপোনালোক সকলোৰে জনা আছে যে আমেৰিকাতো তথাকথিত অসভ্যজাতিৰ ভিতৰতো ঠিক তেনে ধৰণৰ অনুষ্ঠান আছে। আমাৰ এই ভাৰতবৰ্ষলৈকে যেতিয়া ইষ্ট ইণ্ডিয়া কোম্পানীৰ লোক সকল প্ৰথমতে আহিছিল, তেওঁলোকৰ ভিতৰৰ কেইবাজনো পণ্যালোচকে সম্ভবা কৰি গৈছে যে পাঞ্জাব, মাদ্ৰাজ আদি প্ৰদেশত শাসনৰ প্ৰায়বিলাক কামকেই গাওঁনীয়া হাইজে পঞ্চায়ত আদি অনুষ্ঠানৰ জৰিয়তে কৰিছিল।

আজি যেতিয়া ভাৰতবৰ্ষৰ ৰাইজৰ হাতলৈ ৰাষ্ট্ৰীয় ক্ষমতা আহিব তেতিয়া পোণ প্ৰথমতে এই বিষয়টোলৈ মন দিয়াটো নিশ্চয় যুক্তিযুক্ত কথা হৈছে। মহাত্মা গান্ধীয়ে পঞ্চায়ত ৰাজ স্থাপনৰ নিমিত্তে যি কথাবাৰ কৈছে সেইটো দৰাচলতে এটা একেবাৰেই নতুন কথা নহয়। তেখেতে পৃথিবীৰ পুৰণি আদৰ্শত ভাৰতবৰ্ষৰ ঐতিহ্যৰ ওপৰত এইখন আঁচনি আমাৰ আগত দাখি ধৰি গৈছে। আনি তাক আজি কাৰ্য্যকৰী কৰাৰ সময় হৈছে। এই বিষয়ে নতুনকৈ আকৌ কিয় সময় লব লাগে আনি বুজি পোৱা নাই।

হাৰ্ডমেন চাহাবে সাম্ৰাজ্যবাদী কৰি কিপলিঙৰ উক্তি উদ্ধৃত কৰিছে আৰু কৈছে যে এই আঁচনিৰ দ্বাৰা ব্যক্তি স্বাধীনতাত হাত দিব খোজা হৈছে। গণতন্ত্ৰ শব্দটো তেখেতে তেখেতৰ কামত লগা হিচাপে ব্যৱহাৰ কৰিছে। কিন্তু ব্যক্তিৰ পেছাচাৰীতাই গণতন্ত্ৰ নহয়। আনি সদায় দেখিছো যে পুঁজিবাদে ব্যক্তিৰ সুবিধাৰ কাৰণে সমষ্টিৰ স্বার্থৰ বাটত বাধা দি আহিছে। যেতিয়া সমষ্টিৰ কাৰণে ব্যক্তিয়ে নিজৰ স্বার্থ ত্যাগ কৰিব লগীয়া হয়, তেতিয়া তেখেত সকলে পুৰণি গণতন্ত্ৰৰ ধ্বনি আবৃত্তি কৰে—তেতিয়া তেখেত সকলে ব্যক্তি স্বাধীনতাৰ কথা কয়। আজি নিশ্চয় সেইবিলাক কথাটোক কাকো ভুৱা দিয়া সম্ভৱ নহয়। Adams Smith ৰ Laissie faire তথ্যই আজিৰ অৰ্থনীতি আৰু ৰাষ্ট্ৰনীতিত কান দিব নোৱাৰে। ৰাষ্ট্ৰ শাসনৰ ক্ষমতা যিমানদূৰ পৰা যায় সৰ্বসাধাৰণ ৰাইজৰ হাতলৈ এৰি দিয়াৰ দস্তৰ গণতন্ত্ৰৰ পক্ষপাতীহে, গণতন্ত্ৰৰ বিৰোধী পৰা যায় সৰ্বসাধাৰণ ৰাইজৰ হাতলৈ এৰি দিয়াৰ দস্তৰ গণতন্ত্ৰৰ পক্ষপাতীহে, গণতন্ত্ৰৰ বিৰোধী নহয়। গণতন্ত্ৰৰ অৰ্থ এইটো নহয় যে আনি এমুঠি মানুহে ইয়াত বহি শাসনৰ সকলো ক্ষমতা প্ৰয়োগ কৰিম। গণতন্ত্ৰৰ প্ৰকৃত অৰ্থ এইটোৱেইহে যে শাসন ক্ষমতা যিমান বেচি সম্ভৱ সৰ্ব-সাধাৰণ সকলো ৰাইজক নিজ নিজ ঠাইত প্ৰয়োগ কৰিবলৈ সুবিধা দিয়া। কাজেই এই আঁচনিৰ দ্বাৰা গণতন্ত্ৰৰ মৰ্যাদা বক্ষা কৰিবলৈহে চেষ্টা কৰা হৈছে। প্ৰকৃতপক্ষে ইয়েইহে গণতন্ত্ৰ। কেন্দ্ৰীভূত শাসন প্ৰকৃত গণতন্ত্ৰৰ বিৰোধী। পুঁজিবাদত একালে যেনেকৈ কেন্দ্ৰীভূত শিল্পৰ দ্বাৰা বা কেন্দ্ৰীভূত অৰ্থনীতিৰ দ্বাৰা গণতন্ত্ৰৰ মূৰত কুঠাৰঘাত কৰা হৈছে, আনফালে তেনেকৈ ৰাষ্ট্ৰীয় ক্ষমতাতো কেন্দ্ৰীভূত শাসনৰ দ্বাৰা প্ৰকৃত গণতন্ত্ৰৰ মূৰত ইমান দিনে কুঠাৰঘাত কৰি আহিছে। কাজেই যেতিয়া ভাৰতবৰ্ষত নতুন ধৰণৰ এখন ৰাষ্ট্ৰ আৰু সমাজ গঠন কৰিব খুজিছে, সেই সময়ত কেন্দ্ৰীভূত শাসন ক্ষমতা খৰব কৰি জনসাধাৰণক শাসন ক্ষমতা দিয়া নিতান্ত প্ৰয়োজন। তাত ব্যক্তি স্বাধীনতা খৰব হোৱাৰ কথা নাই। আনি কেৱল ইয়াকে চাব লাগে যে যাতে ব্যক্তিৰ স্বার্থৰ বেদীৰ মূলত সমষ্টিৰ স্বার্থ বিসৰ্জৰ্জন দিয়া নহয়। আনি বুজিবলৈ টান পাইছে যে কেনেকৈ ব্যক্তিৰ ন্যায় সম্ভৱত অধিকাৰ নষ্ট হ'ব বুলি আৰু গাঁওটীয়া ব্যৱসায় কৰিব নোৱাৰিব বুলি তেখেতে এই বিলখনৰ পৰা আশংকা কৰিছে। ইয়াতকৈও আঁচনিত কথা শুনিলো যেতিয়া হাৰ্ডমেন চাহাবে কলে যে বিশেষ দলৰ মানুহে তেওঁলোকৰ প্ৰতিপত্তি বাঢ়াবলৈ এই আইনখনৰ জৰিয়তে সুবিধা পাব। ই কল্পনাবো অতীত কথা। বাছিয়াৰ নামটো এখেতসকলৰ কাৰণে এটা বিভীষিকা হৈ আছে। বাছিয়াৰ লগত কিবা সাদৃশ্য দেখি তেখেতে আশঙ্কিত হৈছে। কিন্তু আমাৰ ফালৰ পৰা বাছিয়াৰ লগত সাদৃশ্য থাকিলে ভয় খাবৰ কোনো কাৰণ নাই। বাস্তৱিকতে এই বিলৰ লগত সাদৃশ্য থাকিবৰ ফালৰ পৰা চালে আশঙ্কাৰ কোনো কাৰণ নাই। কাৰণ, জনসাধাৰণে আঁচনিত জন সাধাৰণৰ স্বার্থৰ ফালৰ পৰা চালে আশঙ্কাৰ কোনো কাৰণ নাই। কাৰণ, জনসাধাৰণে নিজৰ ঠাইত নিজৰ ভাবে এই আইনৰ জৰিয়তে শাসনকাৰ্য্য পৰিচালনা কৰিব। তাৰ ভিতৰত সকলো দলৰ মানুহ থাকিব। ই স্বাভাৱিক কথা। সকলো দলেই তাত

নিজৰ মতামত ব্যক্ত কৰিবলৈ সুবিধা পাব। কাজেই কোনো এটা বিশেষ দলে বিশেষ অধিকাৰ দৰল কৰিব, এনে আশঙ্কা কৰিবৰ হেতু নাই।

পঞ্চায়ত বিল বিৰোধী বক্তাসকলৰ আলোচনাৰ আৰম্ভত লুকাই আছে এটা সন্দেহৰ ভাব। তেখেত সকলে সন্দেহ কৰিছে যে সাধাৰণ গাঁৱৰ ৰাইজৰ, এই বিলত দিয়া দায়িত্ব পালন কৰিবলৈ যথেষ্ট দক্ষতা আৰু সাধুতা নেথাকিব পাৰে। বাস্তবিকতে আমি জানো যে গাঁৱৰ জনসাধাৰণে সাধাৰণ বুদ্ধিৰেই সদায় নিজৰ ভিতৰত ন্যায় বিচাৰ কৰে। তেখেত সকলে ভাবিছে যে সৰ্বসাধাৰণ গাঁৱলীয়া ৰাইজে বিশ্ববিদ্যালয়ৰ শিক্ষা পোৱা নাই, কাজেই তেওঁলোকে ন্যায়ভাবে কোনো সিদ্ধান্ত কৰিব নোৱাৰিব। এনেকুৱা কোনো আশঙ্কাৰ কাৰণ আছে বুলি আমি নাতাবো। কিয়নো জনসাধাৰণে তেওঁলোকৰ সাধাৰণ বিবেক বুদ্ধিৰেই বহুত ক্ষেত্ৰত ন্যায় বিচাৰ কৰাৰ দৃষ্টান্তৰ অভাৱ নাই। তেওঁলোকে নিশ্চয় তেওঁলোকৰ নিজৰ এলাকাত নিজ অনুষ্ঠান পৰিচালনা কৰাৰ ব্যৱস্থা কৰিব পাৰিব। কেৱল যে বিশ্ববিদ্যালয়ৰ শিক্ষাইহে ম'নুহক এনেকুৱা কামৰ দায়িত্ব লোৱাৰ উপযোগী কৰি তোলে, এনেকুৱা ভুল ধাৰণা বখা বোধহয় উচিত নহব। আমাৰ সৰ্বসাধাৰণ সকলো ৰাইজে নিজ নিজ বিচাৰ বুদ্ধিতেই, নিজৰ বিবেকৰ বলতেই সাধাৰণ মঙ্গল জনক কাম কৰা সম্ভৱপূৰ্ণ বুলি ভাবোঁ।

কাজেই এই আঁচনিৰ দ্বাৰা সৰ্বসাধাৰণ ৰাইজে বেছি ক্ষমতা পাইছে বুলি আমি আশঙ্কা কৰিব নালাগে। যদিহে তেওঁলোকে এই ক্ষমতাৰ বলত আনৰ অন্যায় কৰিব খোজে তেন্তে তেওঁলোকে নিজৰেইহে অন্যায় কৰিব। আমাৰ বিশ্বাস থকা উচিত যে আমাৰ দেশৰ সৰ্বসাধাৰণ ৰাইজে এই ক্ষমতা পাই তেখেত সকলৰ নিজৰ মঙ্গল সাধন কৰিব পাৰিব। পঞ্চায়ত পৰিচালনাৰ সাধাৰণ অভিজ্ঞতা তেওঁলোকৰ আগৰে পৰাই আছে। আমাৰ গাঁও বিলাকত পঞ্চায়তৰ জৰিয়তে ৰাইজে বহুত কাম কৰি আহিছে। দৰাচলতে সেই কাৰণেহে ভাৰতবৰ্ষ আজিও জীয়াই আছে। বিদেশী শাসনৰ প্ৰভাৱত, তেওঁলোকৰ অত্যাচাৰত বোধহয় ভাৰতীয় জাতি কেতিয়াবাই শেষ হৈ গল হেতেন যদিহে এনেধৰণেৰে ৰাইজে নিজে নিজৰ এলাকাত কাম কৰাৰ অভিজ্ঞতা নাথাকিল হেতেন। ভাৰতবৰ্ষৰ ইতিহাসত আমি দেখা পাওঁ যে কেন্দ্ৰত প্ৰবল পৰাক্ৰমী ৰজা সকলৰ শাসনৰ পৰিবৰ্ত্তন হলেও সৰ্বসাধাৰণ ৰাইজৰ জীৱনত বিশেষ একো ব্যতিক্ৰম ঘটা নাছিল। কিয়নো, সৰ্বসাধাৰণ ৰাইজে নিজৰ ঠাইত নিজ অনুষ্ঠানৰ জৰিয়তেই শাসনৰ বহুত কাম কৰি লৈছিল। কাজেই ভাৰতবৰ্ষত এই আইনৰ জৰিয়তে যি কাম কৰাৰ কল্পনা কৰা হৈছে সেই সম্পৰ্কে জনসাধাৰণৰ অভিজ্ঞতা আছে বুলি আমি কব পাৰোঁ। ই এটা ইতিহাসৰ কথা; তাক অস্বীকাৰ কৰিবৰ উপায় নাই।

বিৰোধী দলৰ নেতা মাননীয় ছাদুল্লা চাহাবে সংশোধনী প্ৰস্তাৱ সমৰ্থন কৰি সময় দিয়াৰ কথা কৈছে। তেখেতে কৈছে যে সময় দিলে একো লোকচান নহব। কিন্তু সময় দিয়াৰ প্ৰয়োজন কোনখিনিতে সেইটো তেখেতে আমাক দেখুওৱা নাই। যদি সচাকৈয়ে দেশৰ সকলো মানুহে এনে এখন আঁচনি বিচাৰে আৰু বিচাৰিছে বুলিয়েই আমি জানো, তেন্তেন্তলত নকৈ আঁচনিখন ৰাইজৰ আগত দাঙি ধৰি মতামত লবলৈ সময় দিয়াৰ যুক্তি একো নাই। ৰাইজে বহুত আগৰে পৰাই এনে দাবী কৰি আহিছে। ১৯২১ চনত মহাত্মা গান্ধীয়ে স্বাধীনতাৰ যুদ্ধ কৰাৰ ওপৰিতে এনে এটা ভাবেই আছিল। “পঞ্চায়ত ৰাজৰ” কাৰণেই আজি অতদিনে ভাৰতবৰ্ষৰ ৰাইজে আন্দোলন কৰিছে, যুদ্ধ কৰিছে (*hear, hear*)। কাজেই পঞ্চায়ত ৰাজৰ কল্পনাৰে আঁচনি কৰা এই বিলখনৰ সম্পৰ্কে মতামত লোৱাৰ প্ৰয়োজন নেদেখোঁ।

যদিহে এই অধিবেশনতেই এই বিলখন আইনত পৰিণত হয় তেন্তেন্তলে তাক কাৰ্য্যকৰী কৰিবলৈ সময় পোৱা যাব, নহলে কেইমাহ মানৰ কাৰণে পিচুৱাই থলে কেৱল সময়হে নষ্ট হব। যি বিষয়ত সৰ্বসাধাৰণৰ মতামত আছে বুলি বিশ্বাস কৰো, সেই বিষয়ে মতামত লবলৈ সময় খৰচ কৰাৰ একো হেতু থাকিব নোৱাৰে। এই বিলৰ বিৰোধিতা কৰি মিঃ হাৰ্ডমেন আৰু ছাদুল্লা চাহাবে যি সংখ্যালঘিষ্ট আৰু ব্যক্তি স্বাৰ্থৰ কথা তুলিছে সি সম্পূৰ্ণ অৱান্তৰ। পঞ্চায়ত বিলখনত জনসাধাৰণৰ কথা জনসাধাৰণৰ দৃষ্টিভঙ্গীৰ পৰা চোৱা হৈছে। বিৰোধিতা কৰা মাননীয় সদস্য দুজনে আন এটা দৃষ্টিভঙ্গীৰ পৰা চাইছে। মোৰ সন্দেহ নাই যে তেওঁলোকৰ দৃষ্টিভঙ্গী সংৰক্ষিত স্বাৰ্থৰ দৃষ্টিভঙ্গী। এই কাৰণে মই মূল প্ৰস্তাৱটো সমৰ্থন কৰো আৰু সংশোধনী প্ৰস্তাৱৰ আবশ্যকতা অনুভৱ নকৰো।

The Hon'ble Srijut GOPINATH BARDOLOI: I am sorry, Sir, that I have to oppose the Motion for circulation and ask once again to accept the Motion proposed by me. Mr. Hardman criticised certain provisions of the Bill. I think, he could adequately criticise them and bring about amendments in them in the Select Committee. If there are certain principles in the Bill which he thought were of such a nature to which he could not agree and for which he thought the opinion of the country was required, I should have liked him to bring up the principles before the House. He has of course brought out two such points in his arguments, namely that the structure that is proposed in this Bill is more or less based on Communistic basis. His second point almost is the same thing, viz., the Bill is opposed to the principles of democracy. So far as the argument that it opposes the principles of democracy is concerned, my Friend, Srijut Bijay Bhagavati, has pointed out that there is always a fine distinction between disruptivity on one side and proper application of democracy on the other. All democratic countries in the world have accepted the principle of majority rule more or less. But what is proposed in this Bill in respect of certain provisions, is not a bare majority whenever any drastic change is proposed, but it has been made a 2/3rds majority. I do not know, Sir, how provision of that kind could be considered to be undemocratic. As regards his criticism that it is based more or less on Soviet model, I have to point out to the House that the fundamental principle on which this Bill has been based is surely not one of Communism. I do not say Communism is bad, but the fact is that the Bill is not based on Communism. What has actually been proposed is that the society is based on co-operative basis and I do not see, unless one is inclined on a capitalistic set-up, what objection he can find in this.

The arguments put forward by the Hon'ble the Leader of the Opposition have surely certain importance in view of the fact that he considers that many of the provisions are not workable immediately and that people have got to be trained and that they must possess a certain degree of integrity, possibly before they can be given powers proposed in the Bill. It is not that we did not give consideration to this very important suggestion. But a beginning has got to be made somewhere and at sometime, and unless that beginning is made, I think, we shall be only talking in the region of supposition and always be finding fault with people who may be willing to work this principle of co-operation. But the sum total of the powers given in the Bill has got to be considered. What is the power after all to be given to the Panchayat? It is a power for working in common co-operation for the upliftment of the village. Here we have not brought any question, which has been made the subject matter of criticism by Mr. Hardman viz., that adequate consideration required by the minorities have not been given. I do not really know how the question arises here. The main outlook which has been put in the Bill is economic reconstruction of society; and the fundamental principle that underlies the Bill is that unless the people themselves set to work for their own good, all our efforts of decentralisation are bound to end in failure. What we have experienced is that centralisation of administration is not quite suited to the best genius of the people. If we look back to the past political history of India, we find that villagers had little to do with power politics, which brought about big changes in the politics of the country. The villagers in the past maintained their own rule and worked entirely on democratic principles. What is proposed now in the Bill is only to revive that genius of the people in order that they may rule themselves. We know that sufficient wrong has been done to the society in the meanwhile and these have to be remedied. But how are we going to remedy or eradicate this wrong? It is only by co-operation among the villagers themselves and this we have tried to provide in the Bill. Therefore I do not find anything in the provision of this Bill which deserve criticism. If it is found that more powers are proposed to be given to the Panchayats, the Select Committee is there to provide measures to check them. The Bill has

already provided for decisions by Government as to when and how those powers should be given. I do not therefore see any real objection underlying the Bill. It is true that it is a proposal to recast the order of the society in a different manner. But there is nothing in the Bill which sanctions any kind of violence or coercion. In view of this I feel, Sir, that there is hardly any necessity to refer this Bill to the public or for circulation.

Another reason for my inability to agree to the Motion of Mr. Hardman, supported by the Hon'ble Leader of the Opposition, is that the structure of work has got to be set up shortly, as the money is coming from the Government of India which wants the Provinces to go ahead with their schemes. But if we do not utilise that money for the set purpose, the blame will be ours.

As regards the judicial powers to be given to the Panchayat the matter can be discussed in the Select Committee and we will try to evolve a formula which might be acceptable to all. But I do not see any reason why this Bill should be delayed by agreeing to the Motion for circulation and so I earnestly request my hon. Friend, Mr. Hardman, to withdraw his Motion and to give as much co-operation as possible, from their own point of view, in the Select Committee in drafting the Bill in a manner that should best suit the people.

The Hon'ble the SPEAKER: Does the hon. Mover want to withdraw his Motion?

Mr. J. S. HARDMAN: On behalf of the small group I represent, Sir, I am prepared to withdraw my Motion on the clear understanding that by agreeing to the Bill going forward to the Select Committee there will be no objection to examining all the principles in detail involved in the Bill. We on previous occasions in the Select Committees have been faced with embarrassments when Bills were forwarded to them, because it was said that the principles were settled and that the Select Committees were merely to judge on the details with in those principles. If we can be assured by the Hon'ble Prime Minister that the whole Bill and the whole principles involved in the scheme can be examined and altered we will offer our full co-operation in working for a better Bill. In the light of this I am prepared to withdraw the Motion.

The Hon'ble the SPEAKER: Now I am putting the question: The question is:—

"That the Assam Rural Panchayat Bill, 1948, be referred to a Select Committee consisting of:—

1. C. W. Morley,
 2. Maulavi Makabbir Ali Mazumdar,
 3. Maulavi Muhammad Abul Kashem,
 4. Babu Kamini Kumar Sen,
 5. Srijut Bijoy Chandra Bhagavati,
 6. Srijut Haladhar Bhuyan,
 7. The Hon'ble Minister for Publicity (Hon'ble Maulana Mahomed Tayyebulla),
 8. Srijut Bimalaprasad Chaliha, (Parliamentary Secretary for Rural Development),
 9. The Hon'ble Premier (in charge of the Bill),
- Four Members to form a quorum and the Report should be submitted on or before 20th March 1948."

The question was adopted

The Hon'ble the SPEAKER: With regard to the Rural Panchayat Bill, I would suggest that the Select Committee should start sitting from tomorrow. The Assembly Department must be supplied with the Select Committee's Report, with the Bill, as amended, along with minutes of dissent, if any, on the 20th March positively, in order to enable the latter to get the necessary proof, check it, get finally printed copies of the whole thing and to make such copies available to the Members seven days before, i.e., on the 20th March, as required by rules. The Hon'ble Prime Minister will remember that on this condition I agreed to the reallotment of dates.

I think there are two Government Bills—the Assam Finance Bill, 1948, and the Assam Local Board Elections (Emergency Provisions) Bill, 1948 which may be moved now.

Maulavi Saiyid MUHAMMAD SAADULLAH: Why not tomorrow, Sir? We will have sufficient time tomorrow.

The Hon'ble the SPEAKER: These are short matters, I think we can sit for another 10 minutes. But if the House is not prepared to sit, it may be adjourned till 1 P.M. tomorrow.

Maulavi Saiyid MUHAMMAD SAADULLAH: Half-past one, Sir. Tomorrow being a Friday we will have to attend our prayers and it will not be possible for us to attend the House at 1 P.M.

The Hon'ble the SPEAKER: According to the existing rules we should sit at 1 P.M. If the House agrees, I have no objection. What Mr. Hardman has to say.....

(Voices—agreed, agreed)

Adjournment

The Assembly was then adjourned till 1-30 P.M. on Friday, the 12th March, 1948.

SHILLONG:
The 10th April, 1948.

A. K. BARUA,
Secretary, Legislative Assembly, Assam.

APPENDIX—A

THE HON'BLE SRIJUT GOPINATH BARDOLOI to move:—

Sir, I beg to lay the following Amendments to the Assam Motor Vehicles Rules, 1940, on the table:—

(1) *Substitute* the following for Rule 84(b)—“Every permit shall be subject to all the provisions prescribed in the Act and these rules and to any other condition that may be specified in the permit itself, and if the permit holder or any of his agents or servants violate any of them, he shall, in addition to any other liability that he may incur, be liable to have his permit suspended or cancelled by the Authority granting the permit under the provision of section 60 of the Act, and shall not in that event be entitled to any compensation or to the refund of any portion of the permit fee.”

[Home Department Notification No.HMV.76/45/26, dated the 16th/18th January 1947.]

(2) *Substitute* the following for the existing rule 98:—

98. *Conduct of passengers in Public Service Vehicles:—*

(1) If, at any time, a passenger in a Public Service Vehicle:—

- (i) smokes, when smoking is prohibited, or when the vehicle is being refuelled, or
- (ii) obstructs the conductor in the execution of his duties, or
- (iii) refuses or is unable to pay the fare, or
- (iv) refuses to show any ticket on demand by any authorised person, or
- (v) refuses to pay a fresh fare when he has altered or defaced his ticket so as to render the number or any portion thereof illegible, or
- (vi) has bulky luggage of a form or description likely to obstruct, annoy or inconvenience another passenger, or
- (vii) carries any animal, flesh, fish other than tinned fish in its original packing, instrument, implement, substance or any other article which is likely to annoy or inconvenience or be offensive to any other passenger, or
- (viii) without lawful excuse occupies any seat exclusively reserved for females, or
- (ix) sings or plays upon any musical instrument, or
- (x) rings without lawful excuse or interferes with any signal of the stage carriage, or
- (xi) is reasonably suspected to be suffering from any contagious or infectious disease, or
- (xii) commits or abets any offence under the Act, the driver or the conductor, if any, may require such passenger to alight from the vehicle forthwith and may stop the vehicle and keep it standing until the passenger has alighted. Such passenger shall not be entitled to the refund of any fare which he may have paid and any passenger failing to comply forthwith with such a requirement may be forcibly removed by the conductor or the driver and shall be guilty of an offence.

(2) No passenger in a Public Service Vehicle shall.—

- (i) behave in a disorderly manner, or
- (ii) behave in a manner likely to cause annoyance to any female passenger, or
- (iii) use abusive language, or
- (iv) molest any other passenger, or

- (v) spit or eject betel nut juice, or
- (vi) interfere without due cause with the conduct or driving of the vehicle, or
- (vii) use or attempt to use a ticket other than the ticket valid for a particular journey, or a ticket which has already been used by another passenger or on another journey, or
- (viii) wilfully damage or spoil or remove any fittings in or on the stage carriage or its equipment.

[Home Department Notification No.HMV.161/46/5, dated the 13th January 1947].

- (3) *Substitute* the following for the existing rule 176 :—

176. *Signalling devices*.—(a) Subject to the succeeding sub-rules, the signalling device required by section 80 of the Act shall be a direction indicator as prescribed in rule 136 and shall be fitted to both sides of the vehicle.

(b) Notwithstanding anything contained in sub-rule (a), until the 1st day of January 1948 a vehicle, other than a transport vehicle obtained through the Disposals organisation of the Central Government equipped with electric lighting may be fitted with a mechanical direction indicator complying with the requirements of rule 136 (C) on the right hand side of the vehicle only.

(c) The Provincial Transport authority may by order in writing direct that the provisions of sub-rule (b) shall apply to any transport vehicle or class of transport vehicles equipped with electric lighting specified in the order.

(d) Where a registering authority registers a transport vehicle in respect of which, or belonging to a class in respect of which, an order under sub-rule (c) has been made he shall note in the certificate of registration the fact that the vehicle may be fitted with a mechanical direction indicators on the right hand side only.

[Home Department Notification No.HMV.129/46/24, dated the 24th February 1947.]

- (4) After sub-rule (e) of Rule 147 *insert* the following as new sub-rule (f) and (g)—

(f) The Provincial Transport Authority may, by order in writing, direct that until the first day of January, 1948 nothing in this rule in regard to and consequent upon the provision requiring that the vehicle shall be driven from the right hand side shall apply to a public service vehicle or a specified class of public service vehicles fitted with left hand steering control and obtained through the Disposals organisation of the Central Government.

(g) Where a registering authority registers a public service vehicle in respect of which, or belonging to a class in respect of which, an order under sub-rule (f) has been made, he shall note in the certificate of registration the fact that nothing in rule 147 in regard to and consequent upon the provision requiring that the vehicle shall be driven from the right hand side shall apply to the vehicle.

The existing rule 167 shall be numbered as sub-rule 167(1) and the following sub-rules added, namely :—

(2) The Provincial Transport Authority may, by order in writing, direct that until the first day of January, 1948 nothing in rule 147 in regard to and consequent upon the provision that the vehicle shall be driven from the right hand side shall apply to a goods vehicle fitted with left hand steering control and obtained through the Disposals organisation of the Central Government.

(3) Where a registering authority registers a goods vehicle in respect of which, or belonging to a class in respect of which, an order under sub-rule (2) has been made he shall note in the certificate of registration the fact that nothing in Rule 167 in regard to and consequent upon the provision requiring that the vehicle shall be driven from the right hand side shall apply to the vehicle.

[Home Department Notification No. HMV.129/46/28, dated the 11th/13th March 1947].

(5) *Substitute* the following for rule 174 :—

Subject to the provision in the Eighth Schedule to the Act, no Motor Vehicle shall be driven at a greater speed than 25 miles per hour or exceeding such speed as may be specified in this behalf for any specified class of Motor Vehicle within any Municipal Area or such other area as the Inspector General of Police may specify by notification in the *Assam Gazette*.

[Home Department Notification No.HMV.181/46/4, dated the 14th March 1947.]

(6) In Sub-rule (1) of Rule 146 *read* "not less than five feet" for "not less than four feet and six inches".

[Home Department Notification No. HMV. 195/46/4, dated the 28th April 1947.]

(7) The existing Rule 131 shall be numbered as sub-rule (a) and the following sub-rule added, namely—(b) Notwithstanding anything contained in sub-rule (a) the Regional Transport Authority may authorise the use of a transport vehicle obtained through the Disposals organisation of the Central Government and having an overall width exceeding 7' 6" but not exceeding 8' 1' on a specified route or routes, or in a specified area, within the province, or, with the sanction of Government in special cases, a transport vehicle having any overall width. Where a Regional Transport authority takes action under this sub-rule it shall enter in the certificate of registration of the vehicle particulars of the route or routes on which, or the area in which, the vehicle may be used.

[Home Department Notification No. HMV. 6/47/7, dated the 29th May 1947.]

(8) In Forms P. St. P.A., P. St. S.A , P. Co. P.A., P. Co. S.A., P. Pr. C.A., P. Pu. C.A , P. Tem. A., *substitute* the following for item 3 :—

Present

3. (i) Address———

Home

(ii) Nationality.

(iii) Present Occupation.

(iv) Business Experience.

(v) Period of engagement in the ————trade.

Transport

Carrying

(vi) Financial resources.

(vii) Office premises and management.

[Home Department Notification No. HMV.35/47/6, dated the 6th June 1947.]