

**Proceedings of the Third Session of the Assam
Legislative Assembly assembled after the Second
General Election under the Sovereign Demo-
cratic Republican Constitution of India**

The Assembly met in the Assembly Chamber, Shillong,
at 10 a. m. on Monday, the 17th March, 1958.

P R E S E N T

Shri Dev Kanta Borooah B. A., LL. B., Speaker in the
Chair, the Eight Ministers, the two Deputy Ministers and
Sixty four Members.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(To which oral answers were given).

**Land acquired by Government for construction of
Revenue office at Goalpara**

Shri RADHIKARAM DAS (Palashbari) asked :

*60. Will the Minister-in-charge of Revenue be pleased to
state—

- (a) The total area of land acquired by Government
for construction of Revenue office at Goalpara
just outside the Municipal boundary ?
- (b) What is the acquisition cost of the land ?
- (c) What is the value of land per bigha within the
Municipal area ?

- (d) Whether it is a fact that just on the opposite side of the said acquired land there is a vast plot of Sarkari land ?
- (e) Will Government be pleased to state the reason why the Revenue office was not constructed in the Sarkari land instead of spending huge amount by way of acquisition of the said land ?

Shri HARESWAR DAS (Minister, Revenue) replied :

60. (a)—6 Bighas, 3 kathas, 6 lessas.

(b)—Rs.26,600 only.

(c)—It ranges from Rs.1,200 to Rs.12,000 per bigha.

(d)—There are only about 2 bighas of Sarkari land.

(e)—As no suitable khas land was available the present site was selected.

Shri LALIT KUMAR DOLEY [Moran (Reserved for Scheduled Tribes)]: Could not these two bighas be included ?

Shri HARESWAR DAS: It was not necessary ; 6 bighas and 3 kathas were enough.

Shri BHUBAN CHANDRA PRADHANI (Golakganj): May I know whether this is the district revenue office or the subdivisional revenue office ?

Shri HARESWAR DAS: For the zamindari areas, we have decided to start three central offices and this is one of them,

Primary Health Unit at Baraigram

Shri GOPESH NAMASUDRA [Patharkandi (Reserved for Scheduled Castes)] asked :

*61. Will the Minister-in-charge of Medical and Public Health be pleased to state—

- (a) Whether it is a fact that Government had decided to start one Primary Health Unit at Baraigram in January, 1957 in Karimganj Subdivision, District Cachar ?
- (b) If so, why it has not yet been started ?
- (c) Whether it is a fact that the local public have donated some lands for this purpose as desired by the Government ?

Shri RUPNATH BRAHMA (Minister, Medical)
replied :

61. (a) & (b)—Yes, there was a proposal to establish a Primary Health Unit at Baraigram. Owing to its proximity to the Primary Health Unit at Patharkandi, the location of the proposed Public Health Unit at Baraigram was finally fixed at Kachuadam.

(c)—Government have no information.

†**Shri GOPESH NAMASUDRA [Patharkandi (Reserved for Scheduled Castes)]**: Is it a fact that the Primary Health Unit was first decided to be located at Baraigram? If so, what was the reason to transfer it to Kachuadam?

†**Shri NILMONEY BORTHAKUR (Dibrugarh)**: Is it a fact that the proposal to have the Primary Health Unit at Baraigram was decided upon in January, 1957 before the General Election?

†**Shri HARESWAR DAS (Minister, Revenue)**: It may be so, but objection was received to the effect that the proposed unit would be within 10 miles of another unit at Patharkandi and hence it had to be shifted to Kachuadam. As a matter of fact it was found that the proposed unit at Baraigram would be within 4 or 5 miles of the existing unit at Patharkandi.

Central State Library

Shri NILMONEY BORTHAKUR (Dibrugarh) asked :

†62. Will the Minister-in-charge of Education be pleased to state—

(a) Whether it is a fact that books and furniture worth several lakhs of rupees meant for the Central State Library purchased two years back are lying unused in rented godowns at Shillong and in the Refugee Market at Gauhati?

†Speech not corrected.

- (b) If so, what steps are being taken by the Government to bring them immediately to the completed portion of the Library buildings at Shillong ?
- (c) Whether it is a fact that certain Departments of the Civil Secretariat have been shifted to the completed portion of the newly constructed buildings of the State Central Library ?
- (d) If so, what prompted the Department of Education to agree to this arrangement ?

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Education) replied :

62. (a)—No. These have been recently transferred to respective Libraries.

(b)—Does not arise.

(c)—Yes, temporarily.

(d)—Arrangement is purely temporary.

†**Shri NILMONEY BORTHAKUR (Dibrugarh)**: Is it a fact that a lot of furniture was lying in the Refugee Market and the Refugee authorities are writing to the Education Department to vacate the Refugee Market ?

†**Shri KAMAKHYA PRASAD TRIPATHI**: The reply is there, Sir. The reply is—'No'.

†**Shri NILMONEY BORTHAKUR**: With regard to Question 62 (c) when the Library building is exclusively meant for the Library, why were the Government Departments shifted there ?

†**Shri KAMAKHYA PRASAD TRIPATHI**: Sir, in Shillong there is a great scarcity of Government buildings to house Government offices and therefore temporarily the few offices were shifted to those rooms which were ready. The Library building as a whole has not yet been ready at all and we thought as a temporary measure to utilise those rooms which were ready.

†**Shri NILMONEY BORTHAKUR**: Was the Central Government consulted before doing so ?

†Speech not corrected.

†**Shri KAMAKHYA PRASAD TRIPATHI (Minister, Education)**: The question of taking over the State Library for the purpose of the Library has not arisen as yet as the Building is not yet ready and the Public Works Department has not yet made it over to the Government.

†**Shri NILMONEY BORTHAKUR (Dibrugarh)**: Is not Dibrugarh considered to be the second biggest town in Assam?

†**Shri KAMAKHYA PRASAD TRIPATHI**: I do not know that, Sir. It is a very important place no doubt. If the hon. Member suggests it to be included in the scheme, I think it may be considered, if there is fund.

†**Shri NILMONEY BORTHAKUR**: Why was it not included at the first instance?

†**Shri KAMAKHYA PRASAD TRIPATHI**: I have no information as to why this was not included at the first instance, Sir.

†**Shri NILMONEY BORTHAKUR**: Is it a fact that in the original scheme it was included, but it was revised after the last General Election?

†**Shri KAMAKHYA PRASAD TRIPATHI**: I do not know that, Sir. All that I know is that it was decided before the last General Election.

District Libraries-cum-Education Halls in the State

Shri NILMONEY BORTHAKUR (Dibrugarh) asked:

*63. Will the Minister-in-charge of Education be pleased to state—

- (a) How many District Libraries-cum-Education Halls have been or are being constructed within the State?
- (b) Where were they constructed or proposed to be constructed?
- (c) What was the original scheme of distribution of these libraries?
- (d) What percentage of Central subsidy was received for the purpose?

- (e) What is the total amount estimated to be spent for these District Libraries-cum-Education Halls ?
- (f) What is the State's share of these expenditure ?

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Education) replied :

63. (a)—Five, excluding the Central State Library at Shillong.

(b)—Gauhati, Tezpur, Nowgong, Silchar and Jorhat.

(c)—As at (b) above.

(d)—Rs.3,96,000 being the 66 per cent of the total expenditure under First Plan and 50 per cent during Second Plan.

(e)—Rs.28,70,000 excluding Rs.12 lakhs for Shillong.

(f)—50 per cent of the total expenditure during Second Plan and 34 per cent during First Plan.

Representation, dated the 5th March 1953 from the public of Karimganj

Shri HARESWAR GOSWAMI (Rampur) asked :

*64. Will the Chief Minister be pleased to state—

- (a) Whether he has received a representation from the public of Karimganj under the signature of one Kumud Ranjan Luha, dated 5th February 1953 ?
- (b) If so, what are its contents ?
- (c) Whether the facts stated in the letter are true and if so, what steps Government have taken for prosecuting the case ?

Shri BIMALA PRASAD CHALIHA (Chief Minister) replied :

64. (a)—No. Records do not show receipt of any such representation.

(b) & (c)—Do not arise in view of reply to (a).

Shri DEVENDRA NATH HAZARIKA (Saikhowa): Whether it is a fact that the nomination of member to the Advisory Committee was made with a view to maintain the Benami party system.....

Mr. SPEAKER: Order, order. You cannot impute any motive while putting any question.

Selling of liquor at higher price than that fixed by Government

Shri DURGESWAR SAIKIA (Thowra) asked :

*65. Will the Minister-in-charge of Excise be pleased to state—

- (a) Whether Government is aware that liquor (country spirit) is sold at a higher price than that fixed by Government ?
- (b) If not, will Government be pleased to enquire into the matter through the Subdivisional Officers and Deputy Commissioners ?
- (c) What is the procedure of nominating members to the Advisory Committee for settlement of liquor shops ?
- (d) Whether the present procedure of nomination is at all helpful to the Government ?

Shri HARESWAR DAS (Minister-in-charge of Excise) replied :

65. (a)—Government are not aware of this.

(b)—Yes, enquiry will be made if the name of the locality where it is done is supplied.

(c)—The procedure is laid down under Instructions 105 & 106 of the Assam Excise Manual, Vol. I.

(d)—Yes.

Shri DURGESWAR SAIKIA (Thowra) : চেৰাপৰ প্ৰতি গেলনত চৰকাৰী আইন নতে কিমান লাভ হয় ?

Shri HARESWAR DAS (Minister, Excise) : চৰকাৰী দাম ঠিক কৰা আছে। মহলদাৰে গিমান বেচিব পাৰে গিমান তেওঁৰ লাভ।

Shri KARKA CHANDRA DOLEY (North Lohimpur—Reserved for Scheduled Tribes) : প্ৰতি গেলনত কিমান লাভ হয় ?

Mr. SPEAKER : মহলদাৰে কিমান কমিচন পায় ?

Shri HARESWAR DAS : কমিচন কিমান পায় এতিয়া কোৱা টান।

Shri DURGESWAR SAIKIA : শ্ৰীযুত দেবেন্দ্ৰ নাথ হাজাৰিকাৰ ১৩ নং প্ৰশ্নৰ উত্তৰত আৰু মোৰ ওপৰকি প্ৰশ্নৰ উত্তৰত মন্ত্ৰীমহোদয়ে কৈছিল যে চেৰাপ বেচাত খুব লাভ হয়। যেহেতু চৰকাৰী দাম প্ৰতি গেলনত মাত্ৰ ছয় অনা সেই লাভ হোৱা কথাটো সঁচানে ?

Shri HARESWAR DAS : কথাটো সঁচা হব পাৰে।

Shri DURGESWAR SAIKIA : অসমৰ কোনোবা ঠাইত কেণ্টিন মহল আছেনে ?

Shri HARESWAR DAS : কেণ্টিন মহল উঠাই দিয়া হৈছে। মাত্ৰ ডিগবৈত এটা আছে।

Shri DEVENDRA NATH HAZARIKA (Saikhowa) : Whether the present provision of nomination is at all helpful to the Government ?

Mr. SPEAKER : The reply is there. You can put supplementary questions, if you like:

Shri DEVENDRA NATH HAZARIKA : Sir, when these local committees are entrusted with the job of settling these shops, why does the appeal comes to Shillong for re-settlement ?

Shri HARESWAR DAS : These Committees render advice and the provision of appeal is in the Statute, so they come up here against orders of settlement.

Shri DEVENDRA NATH HAZARIKA : Are the appellate authority more prudent, Sir ?

Shri HARESWAR DAS (Minister, Excise): That is a matter of opinion, Sir. The provision of appeal is there in the law.

Shri DEVENDRA NATH HAZARIKA (Saikhowa): Whether Government know that the expenditure incurred by the parties in appeals and counter-appeals exceeds the income provided under the law?

Shri HARESWAR DAS : Government are not aware of this.

Shri DURGESWAR SAIKIA (Thowra): মজী মহোদয়ে জানেন যে কেইটামান বেনামী পাৰ্চীয়ে অসমৰ চেৰাপ মহলবিনাক দখল কৰি আছে?

Shri HARESWAR DAS : কন নোৱাৰো। বেনামী বন্ধ কৰাটোৱেইহে চৰকাৰৰ policy

Shri DURGESWAR SAIKIA : প্ৰত্যেক মহলবিনাকে অফিচাৰৰ পৰা আনত কৰি বিভাগীয় তলতীয়া কৰ্মচাৰীটোক সকলোকে মাৰ্হে মাৰ্হে কিবা টকা পয়চা দিয়াৰ হেনু প্ৰাইভেট নিয়ম আছে এই কথা মজীমহোদয়ে জানে নে?

Shri HARESWAR DAS : নাজানো।

Shri DURGESWAR SAIKIA : যদি নাজানে তেন্তে এই অভিযোগ সম্বন্ধে চোৰাংচোৰা বিভাগৰ দ্বাৰাই তদন্ত কৰাবনে?

Shri HARESWAR DAS : তেনে অভিযোগ পালে তদন্ত কৰি step লোৱা হব।

Policy followed by Government in settling the fisheries

Shri DURGESWAR SAIKIA (Thowra) asked :

*66. Will the Minister-in-charge of Revenue be pleased to state—

(a) What is the policy followed by Government in settling the fisheries?

- (b) Whether the settlement is made direct by the Government in auction sale conducted by Deputy Commissioner and Subdivisional Officer or by tender system ?
- (c) Whether it is a fact that the lessees in many cases often pray for remission ?
- (d) If so, in what cases generally Government grant remission to the lessees ?
- (e) Whether it is a fact that in many cases the lessees give speculative bids and as a result Government had to grant remission ?
- (f) If the reply is in the affirmative, whether Government propose to settle the fisheries by tender system just to avoid this speculative bid ?
- (g) Whether Government is aware that the speculative bids cause great hardship to the lessees as well as to the customers who as a result of high bids have to pay high prices for fish ?

Shri HARESWAR DAS (Minister-in-charge of Revenue) replied :

66.(a)—The policy is to settle fisheries by auction, tender system and also direct by Government under Fishery Rules 3, 4, 5 and 12 respectively.

(b)—See reply to (a) above.

(c)—Yes.

(d)—Generally speaking remission is granted in exceptional cases when it is established that the lessee suffered a loss for reasons beyond his control.

(e)—Remissions are not granted on this ground.

(f)—Does not arise.

(g)—Yes.

Shri DEVENDRA NATH HAZARIKA (Saikhowa): Whether there is any provision to give protection to fishery co-operatives ?

Shri HARESWAR DAS (Minister, Revenue): In settlement some preference is given to co-operatives.

Shri DURGESWAR SAIKIA (Thowra): Auction Sale কৰোঁতে যোৱা বছৰ ২০০ টকাৰ ঠাইত ২,০০০ টকা হৈ গৈছে এই কথা মঞ্জী মহোদয়ে জানেনে ?

Shri HARESWAR DAS : কোন ঠাইত তেনে irregularity টাইছিল, তাৰ সবিশেষ বিৱৰণ দিলে জানিব পৰা হব।

Shri DURGESWAR SAIKIA: শিৱসাগৰ আৰু ডিব্ৰুগড়ৰ ভালে-কেইখন Fishery ত ২০০ৰ পৰা ২,০০০ আৰু ১০,০০০ ৰ ঠাইত ৩০,০০০ হেজাৰ পৰ্যন্ত টাইছে সেট কথা জানেনে ?

Shri HARESWAR DAS : হব পাৰে, সেইটো চৰকাৰৰ জনা নাই।

Shri BHUBAN CHANDRA PRADHANI (Golakganj) : Whether there is any concession for professional fishermen ?

Shri HARESWAR DAS : Preference is given generally to these people.

Shri BISWADEV SARMA (Balipara) : With regard to (d), may I know the number of exceptional cases made during the last year ?

Shri HARESWAR DAS : I will require notice because records will have to be gone through.

Shri HARESWAR GOSWAMI (Rampur) : Is it a fact that recently Government decided not to grant remission to any fishery lessees whatever may be the condition ?

Shri HARESWAR DAS : That is not so, but generally in reckless bids Government do not grant any remission.

Shri NILMONEY BARTHAKEUR (Dibrugarh) : How then preference is given to fishery co-operative societies if the settlement is made by auction ?

Shri HARESWAR DAS : The selling officer has got the right not to settle a fishery with the highest bidder and if there is any fishery co-operative society not giving

the highest bid, still it is asked to take the settlement at the highest bid with 10 per cent rebate. If they refuse, then it goes to others.

Shri DEVENDRA NATH HAZARIKA (Saikhowa) : Whether it is a fact that some Mahaldars give very high bid with a view to get monopoly over the fish market ?

Shri HARESWAR DAS (Minister, Revenue) : That is not within our knowledge.

Shri DURGESWAR SAIKIA (Thowra) : ছাবভিভিগন বিনাকত tender system apply কৰা হৈছে নে ?

Shri HARESWAR DAS : দুটো এক ক্ষেত্ৰত কৰা হৈছে ।

Tender system may be introduced in particular cases

Mr. SPEAKER : Whether it has been introduced anywhere ?

Shri HARESWAR DAS : No, but in some cases it may be done.

Shri LALIT KUMAR DALEY [Moran (Reserved for scheduled Tribes)] : Will Government consider the necessity of introducing tender system in order to stop reckless biddings ?

Shri HARESWAR DAS : But reckless biddings will stop if no remission is granted.

Shri DEBESWAR SARMAH (Minister, P. W. D.) : May I add just a few words to the reply ? The question was with regard to Government policy of granting remission. All that I wanted to add is that no remission has been granted except in one case during last year where the Deputy Commissioner, Nowgong, settled a fishery with a certain party and the Deputy Commissioner, Darrang issued an injunction against them. Except in that case no remission has been granted with a view to stop reckless bidding.

Veterinary Dispensary at Bhabanipur

Shri NILMONEY BORTHAKUR (Dibrugah) asked :

*67. Will the Minister-in-charge of Veterinary Department be pleased to state—

- (a) Whether Government are aware that the premises and the Staff Quarters of the Veterinary Dispensary at Bhabanipur in Barpeta Sub-division were in a very dilapidated condition till December, 1957 ?
- (b) Whether it is a fact that the highest number of animals are treated in that dispensary ?
- (c) Whether it is a fact that representations have been made to the Government to have the dispensary and the Staff Quarters repaired without delay ?
- (d) Whether they have been repaired by now ?

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Education for Minister, Veterinary) replied :

67.(a)—Yes. The building was partly damaged by storm.

(b)—A good number of animals are treated in that dispensary.

(c)—Yes.

(d)—Yes, necessary repair work has already been taken and will be completed soon.

Local Board Veterinary Dispensary at Patharkandi

Shri NILMONEY BORTHAKUR (Dibrugarh) asked :

*68. Will the Minister-in-charge of Veterinary Department be pleased to state—

- (a) Whether the Government are aware that the Local Board Veterinary Dispensary at Patharkandi in Cachar District is the only dispensary of its kind in that area ?
- (b) Whether it is a fact that the dispensary is being run without a Veterinary Surgeon or a Veterinary Assistant Surgeon ?

- (c) Whether it is a fact that practically no medicines and equipments are kept in that veterinary dispensary ?
- (d) Whether it is a fact that the said dispensary is supposed to cater to the needs of the Patharkandi Project area ?
- (e) Whether Government are aware that a veterinary dispensary is absolutely essential for the development of Agriculture and Animal Husbandry ?
- (f) Whether Government propose to take immediate steps for the improvement of the said veterinary dispensary ?

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Education for Minister, Veterinary) replied :

68. (a)—Yes.

(b)—Yes. A Supervisor Veterinary Field Assistant is in-charge of the dispensary as no qualified doctor is available.

(c)—No.

(d)—Yes.

(e)—Yes.

(f)—Under the Second Plan there is a scheme to provincialise the Local Board dispensaries. Necessary improvement will be made when the dispensary is taken over in this Scheme.

Shri NILMONEY BORTHAKUR (Dibrugarh): In reply to (c), the Minister said 'No'. Will he make an enquiry ?

Shri KAMAKHYA PRASAD TRIPATHI : If the hon. Member thinks it necessary we are ready to enquire.

Shri LALIT KUMAR DALEY : [Moran (Reserved for Scheduled Tribes)]: May I know what is the duration

of the efficacy of the medicines supplied by the Veterinary Department in cattle epidemics?

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Education, for Minister, Veterinary): I require notice of the question.

UNSTARRED QUESTIONS

(To which answers were laid on the table)

"Pageant of Assam" in 63rd Congress Session

Mrs. JYOTSNA CHANDA (Silchar-West) asked :

235. (a) Will the Minister-in-charge of Information and Publicity be pleased to state whether he is aware that the pavilion opened by his Directorate in the exhibition during the 63rd Congress Session at Pragjyotishpur to depict the "Pageant of Assam" did not represent our State properly and fairly?

(b) Is the Minister aware that not a single model of the Bengalee was there among the numerous models of the Assamese and some other inhabitants which were put up to give a real representation of the "Land and People" of Assam?

(c) Is the Minister aware that the Bengalees, both indigenous and non-indigenous, constitute a big portion of Assam's population?

(d) Why this non-representation of the Bengalee in the "Pageant of Assam" was made?

Shri WILLIAMSON A. SANGMA (Minister, Publicity) replied :

235. (a)—No.

(b)—No. Models in the Land and People section of the Pageant of Assam in the All-India Khadi and Village Industries Exhibition during the 63rd Session of the Congress at

Pragjyotishpur, were neither arranged community-wise nor on racial considerations. In selecting models for display, an endeavour was made to depict the ancient and colourful costumes of the tribal and non-tribal people of Assam.

(e)—Yes.

(d)—Does not arise in view of (b) above.

Activities of the Agricultural Department under Grow-More-Food-Campaign

Shri PRABHATNARAYAN CHOUDHURY (Nalbari-East) asked :

236. Will the Minister of Agriculture be pleased to state—

- (a) How much new area has been brought under occupation through mechanised cultivation since the Grow-More-Food Campaign was taken up by Government ?
- (b) How much area has been improved for cultivation with the help of Minor Irrigation Projects and Major Irrigation Projects till 31st December, 1957 from the time the Grow-More-Food-Scheme was taken up by Government (figures to be shown district-wise) ?
- (c) What other system of improvement has been introduced and the result achieved from the same ?
- (d) Whether it is a fact that there is contradiction of the statistics collected from time to time by the Agriculture Department ?
- (e) Whether Government have received complaint from time to time that the actual cultivators are not benefited by the Agriculture Department ?
- (f) Whether Government have got complaint that officers of the Agriculture Department are seldom available to the peasants in time of need ?

- (g) Whether Government will enquire as to the truth or otherwise that when twenty Mauzas of Nalbari and surrounding area of North Kamrup were affected by flood in June, 1957 resulting in heavy loss of crops, not to speak of the high officials of the district but even the local Agricultural Officers had not much time to visit such areas ?
- (h) If the reply to (g) above is in the affirmative, whether Government propose to abolish the posts of Agricultural Officers and distribute improved seeds and manure from the savings available through the Revenue Department ?
- (i) If not, how it is proposed to increase the efficiency of work of Agricultural Officers of the area ?

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Education, for Minister, Agriculture) replied :

236. (a)—49,093 bighas.

(b)—Two statements showing district-wise figures of the area improved through Minor and Major Irrigation Projects executed by Agriculture and Public Works Department (E. & D.) Departments are placed on the Library Table. (See Appendix-I).

(c)—The following are the other systems of improvement which have been introduced. The results achieved therefrom are furnished in the statement placed on the Library Table :—(See Appendix-II)

- (i) Power pump irrigation.
 - (ii) Distribution of improved seeds.
 - (iii) Distribution of manures and fertilisers.
 - (iv) Rural and Town Composting.
 - (v) Green Manuring.
 - (vi) Japanese method of paddy cultivation.
- (d)—Government have no such information.

(e)—No.

(f)—Government have not received any such specific complaint.

(g)—Government have no information.

(h)—Does not arise.

(i)—Does not arise.

Shri PRABHATNARAYAN CHOUDHURY (Nalbari-East): Does the figure supplied in (a) include both the area *i, e.*, areas which were already under cultivation as well as those fallow lands and if so, what is the area under each category?

Mr. SPEAKER: I think the question is very clear. How many new areas have been included?

Shri PRABHATNARAYAN CHOUDHURY: Sir, my question is whether Government have received complaint from time to time that the actual cultivators are not benefited by the Agriculture Department?

The answer is (e) No.

Then my question is—(f) Whether Government have got complaint that officers of the Agriculture Department are seldom available to the peasants in time of need?

The reply is —(f) Government have not received any such specific complaint.

This is the reply to the question.

Then (g) My question is, Whether Government will enquire as to the truth or otherwise that when twenty Mauzas of Nalbari and surrounding area of North Kamrup were affected by flood in June, 1957 resulting in heavy loss of crops, not to speak of high officials of the district but even the local Agricultural Officers had not much time to visit such areas?

The reply is (g) Government have no information.

Mr. SPEAKER: The purpose of this question is to suggest that Government should make an enquiry into the matter. The Government reply is that Government have no information. Will the Honourable Minister be pleased to throw any light on this matter?

Shri KAMAKHYA PRASAD TRIPATHI (Minister Education for Minister Agriculture Supply): So far as the actual results are concerned the Government have no information. But as regards this particular question raised by the Honourable Member we will look into the matter.

Shri LALIT KUMAR DALEY [Moran (Reserved for Scheduled Tribes)]: Will the Honourable Minister be pleased to tell us what is the maximum percentage achieved by the Agriculture Department in this respect and what is the percentage of total expenditure incurred in this connection?

Mr. SPEAKER: How does that question arise? Does the hon. Member want the percentage about Grow More Food Campaign?

Shri LALIT KUMAR DALEY: No, Sir.

Shri RAHIMUDDIN AHMED (Jamunamukh): কাকি project ত যিবিলাক মাটি তেঁকবেবে ভাঙি settlement দিয়া হৈছিল সেই মাটিত আছিলৈকে কিমান খেতিবাতি হৈছে?

Mr. SPEAKER: I think this is altogether a separate question.

Shri BHUBAN CHANDRA PRADHANI (Galakganj): Sir, may I know from the Honourable Minister what is the yield?

Shri KAMAKHYA PRASAD TRIPATHI: I have no figures for the yield just now. I will keep a note of it.

Shri LALIT KUMAR DALEY: Sir, may I know from the Honourable Minister what is the percentage of total expenditure in Grow More Food Campaign?

Mr. SPEAKER: This could have been ascertained from the Department.

Breaches in the Railway line from Bongaigaon to Amingaon

Shri KHAGENDRA NATH NATH (Goalpara) asked:

237. Will the Chief Minister be pleased to state—
Whether Government are aware that the Railway line from Bongaigaon to Amingaon is subject to breaches almost every year?

Shri BIMALA PRASAD CHALIHA (Chief Minister) replied :

237.—Yes. Due to existence of turbulent rivers like Aie and Beki-Mannas, which are subject to sudden floods, the portion of the Railway line between Bongaigaon and Amingaon has been subjected to breaches during monsoons from 1951 to 1957 as per details given below :—

Year								No. of days during which the line remained interrupted
1951	..	..	..	..	..	..	..	1 day 22 hours.
1952	..	..	..	..	..	..	..	16 days 18 hours.
1953	..	..	..	..	..	..	..	1 day 2 hours.
1954	..	..	..	..	..	..	..	72 days 13 hours.
1955	..	..	..	..	..	..	..	63 days 18 hours.
1956	..	..	..	..	..	..	..	.. 12 hours.
1957	..	..	..	..	..	..	..	5 days 8 hours.

Extensive training works were undertaken on the Aie and Beki rivers in 1956 and 1957, channels of bridges were widened and guide and protection bunds were constructed on many rivers on either side of the bridge approaches.

These measures resulted in there being no prolonged breaches on the railway line in 1956 and 1957, but there was interruption of traffic for short periods on a few occasions due to the water over flowing the railway track.

It is hoped that as a result of implementation of the recommendations of the Assam Rail Link Stabilization Committee, which has recommended strengthening of bridges, training of rivers, etc., the railway line will become reasonably immune from recurring breaches. The Railway Ministry have accepted the recommendations of this committee in so far as they relate to stabilization of the existing rail link and these are being implemented by an Engineer in Chief appointed for the purpose. An amount of Rs.3.5 crores has been sanctioned by the Railway Board for the purpose.

Shri BHUBAN CHANDRA PRADHANI (Golakganj):
Sir, may I know whether there was a representation for an alternative Railway line ?

Shri BIMALA PRASAD CHALIHA (Chief Minister):
Sir, representations about improvement of railways in Assam have been made to the Government of India from time to time. There are various proposals in this respect. There were series of discussions in this regard. Government suggested various alternative proposals, for consideration by the Railway Board. There was a proposal to connect Garo Hills with Pandu also. All these suggestions had been made at different times and at different levels.

Total district-wise production of made-tea in Assam

Dr. RAM PRASAD CHAUBEY (Lakhimpur) asked:

238. Will the Minister-in-charge of Major Industry be pleased to state the total districtwise production of made-tea in Assam for the last 10 years ?

238.—A statement is given below :—

PRODUCTION OF TEA IN ASSAM

(In Tons of 2,240 lbs.)

Districts	1947	1948	1949	1950	1951	1952	1953	1954	1955	*1956	*1957	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	
1. Cachar	..	17,600	18,000	17,600	21,008	20,643	18,590	17,373	18,898	18,849	19,787	19,589
2. Goalpara	..	1,600	1,600	1,500	1,664	3,530	1,613	1,425	1,446	1,619	1,520	1,505
3. Kamrup	..	1,200	1,200	1,300	1,257	1,250	1,184	1,099	1,160	1,017	1,366	1,352
4. Nowgong	..	3,600	3,700	4,600	4,114	3,464	4,707	4,555	4,194	5,102	525	5,470
5. Sibsagar	..	33,200	38,900	39,300	37,313	41,874	37,235	38,515	44,122	40,841	45,164	44,712
6. Lakhimpur	..	48,900	48,800	49,000	52,902	54,277	54,154	50,631	58,538	50,923	53,586	53,050
7. Sadia Frontier Tract	..	200	150	160	..	..	..	..	..	..	..	..
8. Darrang	..	24,900	26,600	26,800	27,002	26,772	28,963	27,019	28,394	30,326	30,581	30,275
9. United Mikir and North Cachar Hills.	119	1,029	827	834	1,111	412	408	..
Total	..	1,31,200	1,38,950	1,40,300	1,45,429	1,51,929	1,47,478	1,41,444	1,57,566	1,49,788	1,57,941	1,56,361

Source: Director of Agriculture: 1947 to 1954.

Estimated figures.

***Shri NILMONEY BORTHAKUR (Dibrugarh):** Sir, may I know what quantity was released for internal consumption out of these figures of production of tea in Assam?

***Shri KAMAKHYA PRASAD TRIPATHI (Minister, Major Industries):** Tea made in Assam is shifted to Calcutta where it is auctioned for sale. Tea made in Assam does not come to the market except when a tea garden decides to sell it locally.

***Mr. SPEAKER:** The question is how much tea was sold locally?

***Shri KAMAKHYA PRASAD TRIPATHI:** As I have said there is no market to sell tea locally.

Number of different Girls' High Schools in the State

Shrimati KOMOL KUMARI BARUA (Katonigaon) asked:

239. Will the Minister-in-charge of Education be pleased to state—

- (a) The total number of Girls' High Schools in the State?
- (b) The total number of Government Girls' High Schools in the State?
- (c) The total number of Venture High Schools (Girls') aided and non-aided, in the State?
- (d) The total number of applications received for grants-in-aid for the current financial year from various institutions?

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Education) replied:

239. (a)—49.

(b)—2.

(c)—25 Aided, 22 Un-aided.

(d)—More than one thousand so far.

Shrimati KOMOL KUMARI BARUA: Will the Government be pleased to consider the cases of the Girls' High Schools and at least take one school from each Subdivision?

Shri KAMAKHYA PRASAD TRIPATHI: The suggestion is almost contemplated by the Government.

Mrs. JYOTSNA CHANDA (Silchar-West): Sir, may I know how many schools will get grants this year?

Shri KAMAKHYA PRASAD TRIPATHI: The grants are still in the process of distribution to different schools.

Shrimati KOMOL KUMARI BARUA: Whether Government know that there is a big gulf between the Government schools and the Government Aided school?

Shri GAURISANKAR BHATTACHARYA (Gauhati):

Is it a fact that with the passage of time the gulf is widening?

Shri BIMALA PRASAD CHALIHA (Chief Minister):

I think definitely the gulf is narrowing.

Shrimati KOMOL KUMARI BARUA (Katanigaon):

Sir, will the Government be pleased to state whether they have got any control over the Managing Committees of the Aided Schools?

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Education): The Managing Committees are autonomous bodies, as such we have no control over them. We only send our aid to them.

***Shri BISWADEV SARMA (Balipara):** More than one thousand applications have been received so far. May I know from the Honourable Minister how do the Government propose to dispose those applications?

Shri KAMAKHYA PRASAD TRIPATHI: Probably the Minister even does not know how to dispose them.

***Shri LALIT KUMAR DALEY [Moran (Reserved for Scheduled Tribes)]:** There is a growing demand for Girls' High Schools. So, will the Minister-in-charge be pleased to issue instructions to those boy's schools to introduce co-education, as so far my information goes, in many boy's schools girl's are not allowed to be admitted? Will the Honourable Minister-in-charge be pleased to start co-education in those schools?

***Shri KAMAKHYA PRASAD TRIPATHI:** Sir, as a matter of fact, all the schools in the rural areas which were meant for boy's have been converted automatically into co-educational institutions. Now what we have done? We have sanctioned this year a considerable amount for those schools for construction of buildings and extension of rooms where more girls are coming forward for admission in boys' schools.

***Shri DEVENDRA NATH HAZARIKA (Saikhowa):** Sir, may I know when the schools are not aided girls' schools will they get Government aid?

***Shri KAMAKHYA PRASAD TRIPATHI:** Yes, they will get.

Shri BISWADEV SARMA: Will the Government be pleased to make a fresh proposal to give grant to un-aided schools?

***Shrimati KOMOL KUMARI BARUA:** Are Government aware that there are instances of gross injustice and high-handedness on the part of some Managing Committees towards the teachers of the aided girls high schools

***Shri KAMAKHYA PRASAD TRIPATHI** (Minister, Education): To some extent I think it is correct. If the hon. Member bring a suggestion that there should be some control by the Government over such Managing Committees we will examine the question.

Central Social Welfare Board

Mrs. JYOTSNA CHANDA (Silchar-West) asked :

240. Will the Chief Minister be pleased to state—

- (a) The total amount of money sanctioned by the Central Welfare Board for Assam since the implementation of the Project ?
- (b) The total amount of money made available by the State Government year by year ?
- (c) The amounts sanctioned Project-wise ?

Shri BIMALA PRASAD CHALIHA (Chief Minister) replied :

240. (a)—The Central Social Welfare Board sanctioned Rs. 16,30,803 upto 1957-58 for the Welfare Extension Projects and Rs. 7,92,650 upto 1957-58 for grants-in-aid to the non-Official Welfare Organisations.

(b)—The total amount of money sanctioned by State Government to the Projects hitherto is Rs. 3,04,649. The year-wise distribution is as follows—

							Rs.
1954-55	...	...	...	...	...	...	66,250
1955-56	...	...	...	...	...	...	56,123
1956-57	...	...	...	...	...	...	1,07,276
1957-58	...	...	...	...	...	...	75,000

Sanction of a further amount of Rs. 71,717 during 1957-58 is under consideration.

The statement showing the amounts given project-wise year by year is given below—

Statement showing the amount given project-wise year by year

Name of Projects (1)	1954-55 (2) Rs.	1955-56 (3) Rs.	1956-57 (4) Rs.	1957-58 (5)
1. Barama, Kamrup ..	6,250	3,260	5,864	Project-wise allotment for 1957-58 has not been received as yet from the Assam State Social Welfare Advisory Board and sanction of grants for this year has not been finalised as yet.
2. Behali-Darrang ..	7,500	2,169	5,494	
3. Chapor	6,250	368	3,063	
4. Kohima	6,250	8,790	6,000	

**Statement showing the amount given project-wise
year by year—concl'd.**

Name of Projects	1954-55	1955-56	1956-57	1957-58
(1)	(2)	(3)	(4)	(5)
	Rs.	Rs.	Rs.	
5. Chalchali	5,000	10,452	5,929	Rupees 75,000 had been given as <i>ad-hoc</i> grant by the State Government to the Assam State Social Welfare Advisory Board for the maintenance of the Welfare Extension Projects. Steps are being taken to sanction the balance due to the Advisory Board based on the approved budgets of the Welfare Extension Projects for 1957-58 and on their actual expenditure for the period ending 31st March, 1957.
6. Tinsukia	5,000		7,626	
7. Birkampur	30,000	4,048	6,626	
8. Sariahajan			5,812	
9. Bajali			5,783	
10. Tura			5,096	
11. Alengi	Nil	7,975	3,337	
12. Aijal	Nil	6,715	6,951	
13. Rongaghora	Nil	5,783	3,859	
14. North Lakhimpur ..	Nil	6,563	2,625	
15. Khasi-Jaintia Hills Welfare Extension Projects.	Nil	Nil	5,067	
16. Majgon	Nil	Nil	8,323	
17. Mangaldai	Nil	Nil	9,518	
18. Nomati	Nil	Nil	10,303	
Total	66,250	56,123	1,07,276	

Mrs. JOYTSNA CHANDA (Silchar-west) : Are Government aware that some employees are not getting their salaries from last September ?

Shri BIMALA PRASAD CHALIHA (Chief Minister) : Government has received certain information with regard to irregularity of payment. But with regard to the question about non-payment of salaries from last September I was informed by the Chairman of the State Social Welfare Board that this payment was subsequently made. If the hon. Member has got any particular case where payment has not yet been made I would refer the matter to the State Social Welfare Board.

Mrs. JOYTSNA CHANDA : Will Government consider to give their contribution upto at least 40 per cent to the Social Welfare Board ?

Shri BIMALA PRASAD CHALIHA : The original proposal was that 50 per cent of the required expenditure in a project would be borne by the Central Social Welfare Board, 25 per cent by the State Government and the rest 25 per cent by local people. But from experience it has been found that the local contribution in Assam comes to about 9 per cent only, and so there is a request from the State Social Welfare Board to increase the Government contribution from 25 per cent to 40 per cent and this request is under our consideration.

Shri BIRENDRA KUMAR DAS [Patacharkuchi (Reserved for Scheduled Tribes)] : Is it a fact that grants are not properly utilised ?

Shri BIMALA PRASAD CHALIHA : We do not think it is generally so, but there may be exceptions here and there.

Shri GAURISANKAR ROY (Katlicherra) : बितरण करने के लिये State Welfare Board कौनसी नीति अवलम्बन करती है ? What is the procedure in respect of giving grant by the State Government ?

Shri BIMALA PRASAD CHALIHA : The procedure is that the local project committee prepares a scheme and is sanctioned by the State Social Welfare Board after making such adjustments where necessary in respect of details. Before giving their final sanction the members of the State Welfare Board visit the areas concerned and give the sanction after that grant is given by the Government in consultation with the State Welfare Board.

These project are for the welfare of the women and children. But now their activities are extended to industries also and for that purpose separate contribution is received from the Government of India.

Salganga Scheme in Cachar District

Mrs. JYOTSNA CHANDA (Silchar-West) asked :

241. (a) Will the Minister-in-charge of Public Works Department be pleased to state whether the Salganga Scheme in Cachar has been taken up in this winter season as it was disclosed by the Minister in the last November Session that the Scheme would be taken up from the Community Project Fund ?

(b) If not, why ?

Shri KAMAKHYA PPRASAD TRIPATHI (Minister, Education for Minister-in-charge, Flood Control, etc.) replied :

241. (a) & (b)—The Department is keeping all arrangements in readiness to take up the Salganga scheme in the current working season as soon as Administrative Approval to the scheme is accorded by Community Project Department for which they have already moved Finance Department.

Shri BISHNULAL UPADHYAYA (Gohpur) : Sir, will the Marnai project will be taken up in the Second Five Year Plan.

Shri KAMAKHYA PRASAD TRIPATHI : There is no possibility of the inclusion of this project in the Second Five Year Plan.

Inundation of river Marnai in Gohpur Mouza in Tezpur Subdivision

Shri MOHI KANTA DAS (Barchalla) asked :

242. Will the Minister-in-charge of Embankment and Drainage be pleased to state—

(a) Whether Government are aware that the river Marnai in Gohpur Mouza in Tezpur Subdivision, inundates every year a vast area of paddy fields and damages the crops thereof ?

(b) Whether Government has received several public petitions praying for construction of embankments on both the banks of the Marnai river ?

(c) Whether it is a fact that survey work was completed last year ?

(d) When do Government propose to undertake the construction of the embankments ?

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Education for Minister-in-charge, Flood Control, etc.) replied :

242. (a) Government are aware of some flooding but there is no major flood problem in the area.

(b)—Yes.

(c)—No. Only preliminary investigation was carried out.

(d)—There is no provision for this scheme in the flood control programme of the Second Five Year Plan.

Regarding Lower Primary School Teachers

Shri SARAT CHANDRA GOSWAMI (Kamalpur) asked :

243. Will the Education Minister be pleased to state—

(a) Whether it is a fact that the untrained Lower Primary School teachers who have been in service continually for 15 years or more or whose age exceeded 40 years have been recognised as trained teachers so far as their pay and prospects are concerned ?

(b) Whether it is a fact that the Gauhati School Board has not extended this benefit to many teachers of the above description who formerly served in Lower Primary Schools but were subsequently transferred to non-Government Middle Vernacular Schools managed by a School Board and thereby they are getting less pay than Lower Primary School teachers or what they would have got if they were in the Lower Primary Schools ?

(c) If so, whether Government propose to direct such School Boards to remove this discrepancy with retrospective effect ?

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Education) replied :

243. (a)—Yes.

(b)—Such benefit at present does not extend to Non-Government Middle Vernacular Schools.

(c)—Under consideration.

Rehabilitation loan to flood-affected people of Pub Samaria, Rampur and Dakhin Sarubangshar mouzas.

Shri HARESWAR GOSWAMI (Rampur) asked :

244. Will the Minister-in-charge of Revenue be pleased to state—

(a) Whether any rehabilitation loan was granted to people of Pub Samaria, Rampur and Dakhin Sarubangshar Mouzas affected by last flood and erosion?

(b) What was the amount sanctioned to each family?

(c) Whether it is a fact that there are still several hundred families who have not been granted such loan?

(d) Whether Government have received any recommendation for issue of such loan and if so, what steps have been taken on those recommendations?

Shri HARESWAR DAS (Minister, Revenue) replied :

244. (a)—Yes.

(b)—Rs.300.

(c)—Government have no such information.

(d)—A proposal was received for grant of rehabilitation loans to another 231 families of Pub Samaria Mauza. But on enquiry it was found that these people had already shifted their houses before the list of deserving persons was prepared. This showed that they had sufficient means of their own and it was not considered necessary to issue any loans to them.

Shri HARESWAR GOSWAMI (Rampur) : Sir, when the proposal for granting loans to the 31 families was received ?

Shri HARESWAR DAS (Minister, Revenue) : I can supply the information later about the exact date. But it was after the distribution of the loans to the first number of families.

Shri HARESWAR GOSWAMI : In answer (d) it is stated "But on enquiry it was found that these people had already shifted their houses before the list of deserving persons was prepared". Was it because they had property or because they could not remain there due to the fury of the river Brahmaputra ?

Shri HARESWAR DAS : Our report is that those families had already constructed their houses elsewhere. The rehabilitation loan is generally granted to remove the houses and to construct them elsewhere. So, when those families already constructed their houses elsewhere their cases for grant of loan was not considered.

Rice-cut compensation paid by Tea Estates

Shrimati LILY SEN GUPTA (Lahowal) : asked.

245. Will the Minister-in-charge of Labour be pleased to state—

- (a) The number of Tea Estates in the State who have paid rice-cut compensation in accordance with the award of the Supreme Court of India ?
- (b) Whether it is a fact that majority of the gardens have not paid this compensation ?
- (c) Whether it is a fact that upto this date not a single garden has paid this compensation in full ?
- (d) If so, whether Government propose to take any steps against the defaulting gardens ?
- (e) Whether it is a fact that the Government of Assam's order modifying the award of the Labour Appellate Tribunal on rice-cut compensation has helped many tea estates to avoid payment ?

(f) Whether the modification order is still applicable after the publication of the award of the Supreme Court of India in the Gazette?

(g) If the reply be in the negative whether Government will issue a press communique clarifying the whole issue?

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Labour) replied :

245. (a)—401.

(b)—No. In fact, information has been received that in 1955 alone the Indian Tea Association has paid Rs. 51 lakhs as rice-cut compensation in Assam Valley.

(c)—No.

(d), (e), (f) & (g)—A Bill to withdraw the order modifying the award of the Appellate Tribunal has already been introduced in this Session of the Assembly. After the Bill has been passed, Government will take steps to withdraw the order modifying the award of the Labour Appellate Tribunal.

***Shri NILMONEY BORTHAKUR (Dibrugarh)** : Is it a fact that some tea gardens have not paid rice-cut compensation till late?

***Shri KAMAKHYA PRASAD TRIPATHI** : There may be some tea gardens who have not paid.

***Shri BISWADEB SARMA (Balipara)** : It is said that in 1955 alone the amount of Rs. 51 lakhs was paid. May I know for what period it was paid?

***Shri KAMAKHYA PRASAD TRIPATHI** : It was paid for previous period.

***Shri GAURISANKAR BHATTACHARYA (Gauhati)** : With regard to (b), the question was "whether it is a fact that majority of the gardens have not paid this compensation?". The answer is "No". Then the answer to question (a) is "401". Now, when out of a total of about 900 gardens payment has been made by 401, have not the majority of the gardens failed to pay the compensation?

***Shri KAMAKHYA PRASAD TRIPATHI** : This is fighting with words. What was intended was that it is not true that most of the gardens have not paid.

***Shri GAURISANKAR BHATTACHARYA** : Whether the majority received payment?

***Mr. SPEAKER** : His question was whether it is not a fact that the majority of the gardens did not pay the compensation, as 401 does not constitute a majority of 900.

***Shri KAMAKHYA PRASAD TRIPATHI (Minister, Labour)** : Quite true, so far as the number of gardens is concerned; but so far as acreage is concerned, our answer would be correct.

***Shri HARESWAR GOSWAMI (Rampur)** : But the question was about the number of gardens and not about the acreage.

***Mr. SPEAKER** : Some people go by number and some go by contents (*laughter*).

***Shri KAMAKHYA PRASAD TRIPATHI** : Very true, Sir.

***Shrimati KOMOL KUMARI BARUA (Katonigaon)** : Is it a fact that rice-cut compensation was not paid to the female workers in some gardens ?

***Shri KAMAKHYA PRASAD TRIPATHI** : It was a rice-cut compensation. The rice which the male workers obtained was more in quantity than what the female workers got. The result was that when compensation was paid, the males got more and the females less and in some gardens the females did not get it at all.

Amount spent by Government to maintain law and order during Congress Session at Pragjyotishpur.

Shri KHOGENDRA NATH BARBARUAH (Amguri) asked :

246. Will the Chief Minister be pleased to state —

(a) What is the amount spent by the Government while maintaining law and order during the Congress Session at Pragjyotishpur in the month of January, 1958 ?

(b) Whether Government will realise the amount from the said organisation ?

**Speech not corrected.*

Shri BIMALA PRASAD CHALIHA (Chief Minister) replied :

246. (a)—An expenditure of Rs. 2,57,948 has been booked. But there may be some outstanding dues still to be paid.

(b)—No. It is the primary duty of Government to maintain law and order. As such the question of realising the amount from anybody does not arise.

Theft cases in Kajnibari Tea Estate

Shri DEVENDRA NATH HAZARIKA (Saikhowa) asked :

247. Will the Chief Minister be pleased to state—

- (a) Whether it is a fact that there was a case at Kajnibari Tea Estate within Tinsukia Police Station where there were thefts of tea and cement from the garden ?
- (b) Whether it is a fact that two persons were arrested on two different dates in connection with this case ?
- (c) Whether it is a fact that one suspect is a owner of a motor vehicle of Panitola and the other was driver of the vehicle ?
- (d) Whether it is a fact that the owner of the motor vehicle was sent to Hazat at Dibrugarh and the driver was granted bail at Tinsukia Police Station on two different days ?
- (e) Whether it is a fact that bail was granted at late hours of night due to instructions from the Circle Inspector ?
- (f) Whether it is a fact that the case went without detection due to the reasons of releasing the driver on bail ?

Shri BIMALA PRASAD CHALIHA (Chief Minister) replied :

247. (a)—Yes.

(b)—Three persons were arrested in this connection, viz., Shri Jiban Ram Agarwalla and his father Shri Scwprasad Agarwalla on 25th September 1957 and their Driver Biren Das on 26th September 1957.

(c)—Shri Jiban Ram Agarwalla owns a Car No.ASL.
4685.

(d)—Yes. Shri Jiban Ram Agarwalla and his father Shri Sewprasad Agarwalla who were arrested on 25th September 1957 were forwarded to Court on 26th September 1957 and were bailed out on the same date and the Driver Biren Das who was arrested on 26th September 1957 was released on bail on the same day.

(e)—Yes, the Driver was released on bail at the instance of the Circle Inspector in the evening of the 26th September 1957 as after interrogation it was considered he had not been driving the vehicle on 25th September 1957.

(f)—No. It is not a fact.

**Burglary and dacoity cases reported to Nalbari,
Barama and Tamulpur Police Stations**

Shri PRABHAT NARAYAN CHOUDHURY (Nalbari-East) asked :

248. Will the Chief Minister be pleased to state—

(a) How many burglary and dacoity cases were reported in each Police Stations of Nalbari, Barama and Tamulpur in Kamrup District during the years 1956 to 1957 ?

(b) How many of them have been detected ?

(c) In how many of them charge-sheets were submitted and how many of them ended with conviction (information may be supplied thana-wise) ?

Shri BIMALA PRASAD CHALIHA (Chief Minister) replied :

248. (a)—

Name of Thana						Years	Cases reported	
							Burglary	Dacoity
(1)						(2)	(3)	(4)
Nalbari	..	..	..	..	..	1956	133	2
						1957	107	Nil
Barama	..	..	..	..	..	1956	57	3
						1957	48	1
Tamulpur	..	..	..	..	..	1956	Nil	Nil
						1957	23	5

(b)—

Name of Thana							Years	Cases detected	
								Burglary	Dacoity
(1)							(2)	(3)	(4)
Nalbari	..	..	..	..	..	..	1956	8	Nil
							1957	11	Nil
Barama	..	..	..	..	..	..	1956	10	2
							1957	7	1
Tamulpur	..	..	..	..	..	..	1956	Nil	Nil
							1957	6	2

(c)—

Name of Thana				Years	Cases charge-sheeted		Cases ended in conviction	
					Burglary	Dacoity	Burglary	Dacoity
(1)				(2)	(3)	(4)	(5)	(6)
Nalbari	..	..	..	1956	8	Nil	3	Nil
				1957	11	Nil	1	Nil
Barama	=	..	..	1956	10	1	4	Nil
				1957	7	1	2	Nil
Tamulpur	..	..	..	1956	Nil	Nil	Nil	Nil
				1957	6	1	Nil	Nil

(Some of the cases reported are still under investigation and cases charge-sheeted are subjudice).

Shri PRABHAT NARAYAN CHOUDHURY (Nalbari-East) : In 1956, the number of burglary cases reported from the Nalbari thana was 133 and in 1957 the number was 107, but the number of cases detected were 8 and 11 respectively. Is not the percentage of detection very low compared to the cases reported and why this is so ?

Shri BIMALA PRASAD CHALIHA (Chief Minister) : Sir, as a matter of fact some of these cases are still under investigation; yet, as the hon. Member has pointed out, the difference is very big. It shows either that some of these reports were made out of spite or due to other reasons, or the investigation side was weak. In any case I agree with the hon. Member that the difference between the cases reported and the cases detected is too big at the moment and it deserves looking into.

Shri GAURISANKAR BHATTACHARYYA (Gauhati) : May I know whether this difference is due to the inefficiency of the Police or the inadequacy of the force there ?

Shri BIMALA PRASAD CHALIHA : Sir, with regard to efficiency of the Police, I think they share the efficiency or inefficiency of the society as a whole. But whether it is due to the shortage of Police personnel, I shall enquire about it.

Shri LALIT KUMAR DALEY (Moran: Reserved for Scheduled Tribes) : May I know whether crime is increasing and at the same time detection is decreasing ?

Shri BIMALA PRASAD CHALIHA : No, Sir, from the figures I gave to the House in reply to another question some time ago, it will be seen that crime is not increasing. As a matter of fact, the crime position has improved in course of the last few years. But as I said, Sir, we will look into the matter why there is such a difference.

Veterinary Dispensary at Dalgaon

Md. MATLEBUDDIN (Dalgaon) asked :

249. Will the Minister-in-charge of Veterinary be pleased to state—

- (a) Why the construction of the Veterinary dispensary at Dalgaon the sanction of which was made in the year 1954 has not yet been completed ?

(b) Whether Government are aware that a large number of cattle lately died in the Mangaldai Subdivision ?

(c) If so, what is the number ?

(d) What is the amount of cattle loan granted to the Mangaldai Subdivision in the year 1957-58 ?

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Education, for Minister, Veterinary) replied :

249. (a)—The establishment of a dispensary at Dalgaon was sanctioned not in 1954, but during the financial year 1955-56. A sum of Rs.20,000 was sanctioned as grant-in-aid to the Mangaldai Local Board for construction of the Veterinary dispensary buildings under supervision of the Public Works Department. The site was to be given as free gift either by the Local Board or private owners. Information has been received in July, 1957 that the site has already been selected and handed over to the Local Board and the construction has already been completed and the dispensary is functioning from the last part of July, 1957.

(b)—Yes.

(c)—23, 595.

(d)—Cattle loan is granted by Revenue Department and it has been ascertained from them that upto February, 1958, they have sanctioned a sum of Rs.50,000 as cattle loan for Mangaldai Subdivision.

Shri HIRALAL PATWARY (Panery): Is it not a fact that the Mangaldai Local Board did not utilise the amount given by Government in time ?

Shri KAMAKHYA PRASAD TRIPATHI: Obviously the Mangaldai Local Board took a little time to come to a conclusion and find out the land. Now, everything is complete ; the land has been found, construction of houses has been completed and the dispensary has been functioning.

Na-Dihing Bund

Shri DEVENDRA NATH HAZARIKA (Saikhowa) asked :

250. Will the Minister-in-charge of Embankment and Drainage be pleased to state—

- (a) Whether it is a fact that an embankment has been constructed on south bank of the Brahmaputra in Saikhowa Constituency and the embankment from Hahkhati Nepali Gaon to Mohong Bill is known as Na-Dihing Bund ?
- (b) Whether it is a fact that the current of Na-Dihing is almost as strong as the current of the Brahmaputra in that area ?
- (c) Whether it is a fact that this portion of the Bund from Hahkhati to Mohong is not equally strong as the Brahmaputra Bund near Saikhowa ?
- (d) Whether it is a fact that the public of the locality pointed out to the officials of Public Works Department that the current of the river during flood season may break the Bund in that area ?
- (e) Whether there is a proposal to make this portion of the Bund equally strong as the Brahmaputra Bund ?

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Education, for Minister, Flood Control) replied :

250. (a)—Yes.

(b)—No. Current of the Na-Dihing is less than the current of the Brahmaputra along the Dykes.

(c)—Yes. The portion of the bund from Hahkhati to Mohong being a Tributary Dyke along the Na-Dihing has a lesser crest-width and free board than the Brahmaputra dyke near Saikhowa.

(d)—Yes. But there was no breach last year in the bund in that area.

(e)—There is no such proposal.

Shri DEVENDRA NATH HAZARIKA (Saikhowa): May I know, whether it is a fact that during the flood season or rainy season there remains no gap between the current of Na-Dihing and that of the Brahmaputra ?

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Education): It would be a fruitless enterprise to try to gauge the different rates of currents in the two rivers here. We have to be guided by the reports we get in the matter.

Shri DEVENDRA NATH HAZARIKA: May I know whether the current of the Brahmaputra and the current of Na-Dihing become one during the rainy season ?

Shri KAMAKHYA PRASAD TRIPATHI: In some places, it may be.

Shri LALIT KUMAR DALEY (Moran : Reserved for Scheduled Tribes): May I know whether Government have made adequate provision to prevent breaches in case of flood ?

Shri KAMAKHYA PRASAD TRIPATHI: We have taken all possible steps to prevent breaches. But as it is known, 100 per cent fool-proof preventive measures are not possible anywhere in the world.

Brahmaputra Bund in Saikhowa Constituency

Shri DEVENDRA NATH HAZARIKA (Saikhowa) asked :

251. Will the Minister-in-charge of Embankment and Drainage be pleased to state---

- (a) Whether it is a fact that the Brahmaputra Bund in Saikhowa Constituency has been curved at 11th mile 4th furlong ?
- (b) Whether it is a fact that the Bund there is below the standard ?
- (c) If so, Whether Government propose to raise the Bund there ?

252. Will the Minister-in-charge of Embankment and Drainage be pleased to state—

- (a) Whether it is a fact that alignment for extension of the Brahmaputra Bund in Saikhowa Constituency beyond 15th mile has been made?
- (b) Whether it is fact that the proposed embankment according to the alignment would cross the Ajukhajan at two places?
- (c) Whether it is a fact that public of that area fears that the embankment there might be damaged by the Ajukhajan and submitted representation to the officials of the Public Works Department expressing this fear?
- (d) Whether Government propose to divert the Ajukhajan there and raise the Bund according to the alignment?
- (e) If there is no proposal to divert the Ajukhajan whether Government propose to make new alignment avoiding the Ajukhajan?

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Education for Minister, Flood Control) replied :

251. (a)—Yes. There is a smooth curve.

(b)—In view of higher flood level which was experienced than for what the bund was originally designed, the Brahmaputra bund now requires raising.

(c)—Yes.

252. (a) & (b)—The final alignment has not yet been fixed as necessary investigations are still in progress.

(c)—Yes.

(d) & (e)—Does not arise in view of reply at (a) above.

Shri DEVENDRA NATH HAZARIKA (Saikhowa): With regard to 251 (c), may I know when this work will commence?

Shri KAMAKHYA PRASAD TRIPATHI: It is difficult to give any exact date now.

Shri DEVENDRA NATH HAZARIKA: May I know whether the Ajukhajan and the probable difficulties from it will be taken into consideration in making the final alignment?

Shri KAMAKHYA PRASAD TRIPATHI: It will be considered.

**Announcement by the Speaker of the changes made
in the Programme by the Business Advisory
Committee**

Mr. SPEAKER : The questions are over. I have a statement to make. Under Assembly Rule 230, I hereby report to the Assembly that the Business Advisory Committee at its meeting held on the 3rd March, 1958 considered the representation submitted by some of the Muslim Members and settled that there should be recess from 8th April to 23rd April, 1958 instead of from 2nd April to 16th April, 1958 in the Provisional Programme originally made so that the Muslim Members may celebrate the Id-Ul-Fitr festival along with the Bihu ceremony with the members of their family at home. It was also settled that 6th March, 1958 is to be observed as a recess and the Session should be extended till Thursday, the 1st May, 1958.

2. The Business Advisory Committee at its meeting held on the 15th March, 1958 again settled as follows—

- (a) There should be a combined programme of business for 17th and 18th March, 1958 as there may be considerable debates on the Government Bills already fixed on the 17th March, 1958 and little or no debate on voting on Vote on Account Budget for 1958-59.
- (b) In order to commemorate the date of the great martyr, U Tirot Singh of Nongstoin on the 29th March, 1958, that day is to be observed as a holiday.
- (c) The Assam Appropriation Vote of Accounts (No.2) Bill, 1958 and the Assam Finance Bill, 1958 should be fixed for all the stages of consideration and passing on the 28th March, 1958 after disposal of the business already fixed on that day.
- (d) The Assam non-Agricultural Urban Areas Tenancy (Amendment) Bill, 1958 (Provisional) and the Assam Consolidation of Land Holdings Bill, 1958 (Provisional) are to be fixed on the 1st April, 1958 instead of on the 29th March, 1958.

3. The time table for consideration of Government Bills and other Government business are accordingly fixed in the revised Provisional Programme.

Announcement by the Speaker of the names of Members elected unopposed to the State Soldiers', Sailors' and Airmens' Board.

Mr. SPEAKER: The results of the election to the State Soldiers, Sailor's and Airmens' Board, Assam are as follows. The number of candidates being equal to the number of seats vacant, the following have been elected unanimously:—

Shri Kamala Prasad Agarwalla
and

Shri Mathias Tudu.

The Assam Appropriation (No.1) Bill, 1958

Mr. SPEAKER: Now, before I call upon the Finance Minister to introduce the Assam Appropriation (No.1) Bill, 1958, I am reading out a communication from the Governor:—

“Under the provision of Article 207 (1) of the Constitution of India, I, Saiyid Fazl Ali, Governor of Assam, recommend the introduction of the Assam Appropriation (No.1) Bill, 1958.

S. FAZL ALI,
Governor of Assam.”

Before I call upon to introduce the Bill, I would mention the practice of this Appropriation Bill. The Appropriation Bill is a formal thing except in special circumstances as in the last year when certain items were guillotined for want of time. This matter was discussed and considered at the Speakers' Conference and it was found out that except in such circumstances where the Members could not participate in the general discussion of the Budget and also during the demands on grants for want of time when certain items had to be guillotined, this was a formal thing. In fact, it was found that in the House of Commons the Appropriation Bill was passed only in 3 minutes. I discussed this matter with the Leader of the Opposition and he agreed. So the Appropriation Bill in the present circumstances is going to be a formal thing because Members will get time to discuss both at the time of the general discussion of the Budget and at the time demands on grants are moved.

Will the House agree to this ?

(Voices...Yes, Sir. Yes, Sir.).

Shri DEBESWAR SARMA (Minister, Finance): Sir, I beg to introduce the Assam Appropriation (No.1) Bill, 1958.

Mr. SPEAKER: The question is that the Assam Appropriation (No.1) Bill, 1958, be introduced.

(The question was adopted.)

Mr. SPEAKER: I read out another message from the Governor:—

“Under the provision of Article 207(3) of the Constitution of India, I Sayid Fazl Ali, Governor of Assam, recommend that the Assam Appropriation (No.1) Bill, 1958, be taken into consideration by the Assam Legislative Assembly.

S. FAZL ALI,
Governor of Assam”.

Shri DEBESWAR SARMA: Sir, I beg to move that the Assam Appropriation (No.1) Bill, 1958 be taken into consideration.

Mr. SPEAKER: The question is that the Assam Appropriation (No.1) Bill, 1958 be taken into consideration.

(The question was adopted.)

Mr. DEBESWAR SARMA: Sir, I beg to move that the Assam Appropriation (No.1) Bill, 1958, be passed.

Shri SPEAKER: The question is that the Assam Appropriation (No.1) Bill, 1958, be passed.

(The question was adopted.)

The Assam Municipal (Amendment) Bill, 1958

***Shri BIMALA PRASAD CHALIHA (Chief Minister):** Sir, I beg to move that the Assam Municipal (Amendment) Bill, 1958, be taken into consideration.

***Mr. SPEAKER:** The Motion moved is that the Assam Municipal (Amendment) Bill, 1958, be taken into consideration.

*Speech not corrected.

***Shri HARESWAR GOSWAMI (Rampur) :** Mr. Speaker, Sir, I take my stand to oppose the Bill. The Bill although appears to be very innocuous in its present form is full of very vital consequences. Sir, the statement of objects and reasons states thus:—

“The amendment involves—

Continuance of...

- (a) all Municipal Board constituted under the Assam Municipal Act, 1923, to function for the remaining period of their terms as if they were constituted under the Assam Municipal Act, 1956 ; and
- (b) all municipalities constituted, limits defined, regulations and divisions made, licenses and notices issued, taxes, tolls, rates and fees imposed or assessed, budgets passed, assessments made, plan approved, permission or sanctions granted under the Assam Municipal Act, 1923 which were in force before the commencement of the Assam Municipal Act, 1956 in so far as they are not inconsistent with the 1956 Act.

“Language of Section 2 of the Assam Municipal Act, 1956 is not quite clear and therefore any opinion given on it may not stand the scrutiny of the Court, there being much scope for difference of opinion and thereby leading to great deal of controversy. In order to remove the anomaly it is proposed to amend Section 2 of the Assam Municipal Act, 1956.”

Now, Sir, this Act was passed in 1956 and it was given effect to from the 1st of November 1957. As you will see that this amendment refers to Section 2 of the Act, that is it affects the whole fate of the Act and because of bad drafting this amendment has been brought today. This is not only the fate of this Act, Sir, we will have occasion on other Acts as well in which we will find also that bad draftsmanship is the cause for bringing amendments to various Acts and it is high time that we consider about the drafting of Acts and how best we can do it. I need not say that many Acts we have passed in this House and in some sections they have either no relevancy with some foregoing sections or the wording is so that it is contradictory in itself and therefore it is essential that we give some thought to the question of drafting a Bill also and there I find that particularly in this Act this drafting has been very bad.

Secondly, regarding the statement of objects and reasons, I find that in one paragraph it is stated thus—

“Language of Section 2 of the Assam Municipal Act, 1956 is not quite clear.....” Sir, I did not expect that Government would put this paragraph in the Statement of Objects and Reasons after the passing of a judgment of the hon. High Court of Assam, which is the highest legal authority in our State. This case is from Jorhat Town regarding the Jorhat Municipality there.

The learned High Court has clearly stated and in unambiguous terms that the original section is quite clear and elections held up till now are elections held under the old Act and the new Act envisages the holding of new elections. Now, under sections 12 and 13 it is provided: “12. The election of Commissioners shall be conducted in accordance with rules prescribed under this Act”. We do not know whether rules have been prescribed or not. Secondly—“13. The State Government may, in case of new municipalities of its own motion, and in case of municipalities already in existence at the time the notification is made after consideration of the views of the Board at a meeting, by notification, divide a Municipality into wards for the purpose of election of Commissioners and determine the number of Commissioners to be elected from each Ward”. Therefore Sir, as soon as the new Act comes into operation the only function of the old Board is to delimit the constituencies and advise Government regarding this delimitation of constituencies and under section 12, new elections are to be held. Therefore, those old Boards in existence up till now whether in Jorhat or other places have been considered by the highest court of our land that their elections were held under the old Act and therefore as soon as the new Act comes into force there is necessity of holding new elections. This pronouncement, as I have already stated, Sir, was made by the highest court of our land. Now, to obviate or outmanoeuvre that decision this amendment has been made. Here also what I am objecting to is that the Judiciary is as important as the Legislative which is a separate organ and it has its own independence; when we say that the language of section 2 of the Act of 1956 is not quite clear and therefore any opinion given on it may not stand the scrutiny of the court, there being much scope for difference of opinion and thereby leading to great deal of controversy, my submission is that by putting this in, facts have been suppressed and as a matter of fact, the High Court has given its opinion in this

matter and to say now that it will not stand scrutiny of the court, is a mis-statement of facts. It should not have been stated in this way. I think Mr. Chaliha, our Chief Minister who is a straight forward man, could have said clearly that in view of the decision given by the highest court in our land it is necessary to amend the Act. I would have immediately accepted this. But it has been put in such a way as if there was no decision at all, as if the decision of the High Court is not clear and it can be challenged and therefore it is necessary to provide against such a contingency, my submission is that it is not a proper statement of objects and reasons of this Bill.

Then, Sir, regarding the Bill itself, we sent this Bill to the Select Committee and it took a long time to emerge out of the Select Committee; there also we committed mistakes. Now, here in the parent Act no distinction was made between a Municipality constituted and a Municipal Board constituted. It is one thing to constitute a Municipality and another thing to constitute a Municipal Board. Here all that they did is this they constituted a Municipality under the old Act. Sir, you will find that this Assam Municipal Act came into force on the 1st November, 1957 on and from that date the Assam Municipal Act, 1923, shall be repealed. Now, what happens? Here it says, "Provided that (a) the said repeal shall not affect the validity or invalidity of anything already done under the said enactment"; then it went on to say "(b) all Municipalities constituted, limits defined, regulations and divisions made, licenses and notices issued, taxes, tolls, rates and fees imposed or assessed, budgets passed, assessments made, plans approved permissions or sanctions granted under the Municipal Act, 1923 shall so far as they are in force, at the commencement of this Act, be deemed to have been respectively constituted, defined, issued, imposed, assessed, passed, made, approved or granted under this Act, and shall (unless previously altered, modified cancelled, suspended, surrendered or withdrawn, as the case may be, under this Act) remain in force for the period if any, assessed, passed, made, approved or granted". What it said here is only of Municipalities.

***Shri DEBESWAR SARMAH (Minister, Finance) :**
Sir, my Friend, the Leader of the Opposition, is referring to a particular decision of the High Court, but we have not the advantage of seeing it; will it be possible for our Friend to give us also a chance to see that decision?

***Shri HARESWAR GOSWAMI (Rampur) :** I am sorry Sir, I cannot give that particular judgement as I have it not with me but so far as I remember and I think I remember it correctly, these are the wordings, namely, that there should be a distinction between a Municipality and a Municipal Board whereas.

Shri DEBESWAR SARMAH (Minister, Finance) : My information is more confused : I have never been a member of any Municipal Board.

***Shri GAURISANKAR BHATTACHARYYA (Gauhati) :** A Municipality has a geographical entity of its own whereas a Municipal Board is a corporate body.

***Shri HARESWAR GOSWAMI :** Yes, a Municipal Board may change but a Municipality remains, and.....

***Shri GAURISANKAR BHATTACHARYYA :** A Government may change but the State remains.

***Shri DEBESWAR SARMAH :** I was under the impression that Municipality and Municipal Board are the same.

***Shri HARESWAR GOSWAMI :** One point is clear that Municipalities and Municipal Boards are not the same things. Under Sections 12 and 13 of the Parent Act, the Municipal Boards are to be renewed and elections therefore, are to be held under the new Act to give advice with regard to the delimitation of constituencies.

***Mr. SPEAKER :** I consulted the dictionary and noticed that the word Municipality means a self-governing town. It is like a territorial thing. And in the Assam Municipal Act, 1956, the word Municipality means any local area declared by or under this Act to be a Municipality.

***Shri HARESWAR GOSWAMI :** Then again, Sir, under section 4 of the Parent Act it is said that 'the Provincial Government may, by notification or by any other means as it may determine, signify its intention to constitute the town as a Municipality and under section 2 of the Assam Municipal Act, 1956, it is said that all Municipalities which have already been constituted will remain as Municipalities and under section 4 of the same Act, it is said that the State Government may, by notification in the official Gazette and by such other means as it may determine, declare its intention to constitute a town as

a Municipality. The Municipal Boards come under section 10 of the Assam Municipal Act, 1956. The constitution of Municipalities comes under chapter 2 and the constitution of Local Boards comes under chapter 3 and therefore, that is the distinction. Therefore, I said that elections held now are elections held under the 1923 Act.

The Municipal Boards constituted on the basis of these elections will function as interim bodies and their function is not to administer the Municipalities but as is laid down in section 13 of the Assam Municipal Act, 1956, will simply advise the Government or any other authority. Therefore, this has created a condition in as much as new elections have not been held over the State after the delimitation of constituencies and to obviate this difficulty this Bill has been brought forward. Now Sir, under the old Act the tenure of the Bill is for three years and under the new Act the tenure is for four years. Therefore if the old Act will remain under the Amending Act the tenure of the Bill will remain for three or four years, that is a difficulty, of course that is not a very big difficulty because it may be said that the new Bill has been brought forward; so the old Bill will continue for four years from the date of election. Sir, regarding the Jorhat Municipality, the matter has been dragging on for a pretty long time. The elections were to held on the appointed date but as the electoral rolls were not done according to rules, the electoral rolls were ordered to be prepared according to the rules and elections, therefore, had to be postponed. Under the Ordinance the Governor granted 9 months' time and elections have to be completed within these 9 months and according to the Act the elections in all the wards except one ward were completed before the appointed date under the old Act and under the new Act the results of the elections have to be announced but the results were not announced, not only in September/October but till January.

***Shri DEBESWAR SARMA (Minister, Finance)** : It is correct the results were not announced because all elections were not completed.

***Shri HARESWAR GOSWAMI (Rampur)** : Unfortunately it has become like a legal discussion. This is the point to be clarified. Under section 17 of the old Act it is stated—"The Commissioner in the case of Assam Valley Division and the

Deputy Commissioner in the case of the Surma Valley and Hills Divisions shall cause the result of the general election to be published in the Gazette and the date of the Gazette containing the publication shall be deemed to be the date of completion of the general election. Therefore, as far as election was concerned, although elections in all wards except in one ward were completed the result were not announced as desired under section 17 of the old Act. In the meantime there was a stay order from the Hon. High Court when the matter came up for hearing before it, if I remember aright, it was on the 14th of December, as to whether or not the elections were valid under the new Act and whether the Municipal Boards so constituted can function as new Boards. Therefore, Sir, as far as the election after 1st of November is concerned, my submission is that it should not have been held, or if it was to be held at all, it should be held under the new Act, but that was not done so, therefore, the Hon. High Court accepted some of the arguments that elections were not held under the old Act and therefore, the Municipalities were created under the old Act have only to give advice to the Government. Now, Sir, this is the story. I don't know whether this was drafted before the Hon. High Court's decision or whether it was not published at all in the Gazette before the judgement of the Hon. High Court. The High Court Judgement was given in the month of January. This Act was passed after that. Therefore, Sir, my submission is that we are acting against the decision of the Hon. High Court, because as the decision has been given we are put into difficulty, therefore we come to this August House to see and pass this Act, because the Members belong to the Congress and the majority is there whereby they expect to carry out this Amending Bill without any difficulty.

My view is this, that we have to respect the decision of the highest court of the land and if we are put in difficulty only because of that, if we want to circumvent, if we want to out-manoeuvre the decision of the High Court by means of passing this kind of legislation thinking that the Government has a majority behind it then that is wrong. Secondly, in preparing the Bill the drafting should be very carefully done. In this matter at least the drafting has been very bad, and thirdly, my submission is that when it has given certain rights to the people and those rights are meant to be exercised by them, when we find that from the 1st of November, 1957 the Bill has come into operation and the Bill has given certain rights to the people with a view to enable them to exercise

those rights ; if we commit any illegality on the basis of the old Act, it would be very improper. The Finance Minister said—"What will happen if the election is held in one ward and not in other Wards". In the provision of the Act that contingency has not been envisaged. It is not possible for me to express my opinion on this, but the fact remains that this Act came into operation from the 1st November and the election was held after the 1st November. So there was no necessity to hold the election on the basis of the old Act. The Hon. High Court also held that the election should not have been held on the basis of the old Act. All these situations should not be out-manoeuvred by this legislation and because of the principle involved, I oppose this Bill, Sir.

Shri TARUN SEN DEKA (Nalbari:West:) Mr. Speaker, Sir, the Municipal Boards constituted under the Municipal Act of 1933 were not Democratic in the sense that only a very limited number of voters acquired the right to vote in electing Members to the Boards. The section in the old Act, Sub-section 2 (a) of Section 12 allowed only graduates, the intermediates and the persons who paid not less than Rs. 2 as the tax in aggregate to elect the Members of the Board. So it is quite evident that under the old Act the majority of the population in the Municipal areas were deprived of voting ; particularly the poor persons such as the Rikshaw-pullers, workers in the mills, poor teachers and other less qualified people constituting about 70 to 80 per cent of the town population could not vote. So the Boards which were elected or which were constituted under the old Act were not really Democratic. As a result of it the office bearers viz, the Chairman and others did not pay any attention to the areas where the poor persons generally live. In the areas where the Rikshaw-pullers, the scavengers and other working classes live in the Municipal authorities paid little or no attention. After the enactment of the 1956 Act according to Section 14 of it the right to vote extended to those persons who passed the Matriculation, Middle English, M. V. and Sanskrit Board examinations, and also to those persons who paid in aggregate one rupee as tax. Previously under the old Act only one person of a family who paid Rs. 2 as tax was allowed but in the new Act according to Section 14 all the persons of a family who pay one rupee in place of two rupees all of them are allowed to vote, if they attain majority. It is evident that according to the new Act a greater number of people in the towns were entitled or rather they were given the right to vote. Although there are many things to speak against the respective provisions of the new Act, still

it can be said that it was more democratic than the old one. As soon as the new Act was passed we expected that the Boards would be reconstituted according to the new Act. But surprisingly enough by bringing this amendment of Section 2, Government desire to keep in tact the old Boards. Almost all the Members of the House know the scandals that are going on at present in different Municipal Boards. For example, if we go into the activities and functions of the Municipal Board of Gauhati what is happening there? We find thousands of rupees are being misused or misappropriated and also taxes from the rich people and people in higher position are not realised and lakhs and lakhs of rupees are pending to be realised. Such is the case in regard to the Shillong Municipal Board where also we have come to know that thousands of rupees of taxes are still to be realised from big persons. Such is the case in case of Dibrugarh, Barpeta and Nalbari Municipal Boards. It is going on almost throughout the whole of Assam. If we examine we shall find that lakhs of rupees are still to be realised in different Municipal Boards of the State. (At this stage the Speaker vacated the chair and the Deputy Speaker occupied it). That is, because almost all the Members of the Municipal Boards come from the upper class, from the upper strata of the society. Although there are some Members from the lowest class who were elected to the Boards, their number is very few and they cannot pass their resolutions or they cannot rather carry out their intentions in the respective Boards. So for the greater interest of the greater masses of the population are concerned we say that this amendments should not be allowed to pass. If this Government really represents the interest of the poor masses of the different Municipalities in the State Government should withdraw the amendment, because the old Boards are not the Boards of the toiling people.

Sir, one point I would like to say that the old Members of the Boards who are not persons elected by the people they have become Chairman through back door methods and with the help of the Government. For example, at Nalbari, the present Chairman who is not elected by the voters has been nominated by the Government and he is the Chairman. Such is the case in different Municipalities of the State where elected representatives of the people, are not Chairman or main office bearers. So the old Boards which were constituted according to the provisions of the old Act should not be allowed to function any more and as this amendment has sought further extention of old Boards, I strongly object it.

Then Sir, from the nature of the amendment, it is quite evident that though this Act has been passed by the Legislature in 1956, Government do not feel the difficulties, or they do not realise the trouble facing by the poor masses living in the Municipalities of the State. And that is why the Government want to extend the period. It does not tally with the interest of the people and as such I lodge protest to it.

Shri GAURISANKAR BHATTACHARYYA (Gauhati): Mr. Deputy Speaker, Sir, I rise to oppose this Amending Bill. I do not propose to traverse the legislative sphere, because that has been ably put by my honourable friend Shri Goswami. He has referred to the provision of sub-section 2 of Section 17 of the Assam Municipality Act, 1923, with regard to the modification that was to be given when an election was over. We also find the analogous provision in the Act of 1956 in sub-section (2) of section 26 of the Act. So we find that in our Assam Municipal Act, 1956, there is no real difficulty which necessitates an amendment as proposed. If there would have arisen a real necessity from the peoples' point of view we would have supported the proposed amendments. As a matter of fact, we do not envisage any major difficulty in the Municipal administration which warrants the present Amendment. But there will be a little difficulty, and that difficulty is that the old Boards, those which were constituted under the Act of 1923 will not be able to continue long. They shall have to be, so to say, care taker Boards in order to make de-limitation of constituencies and to prepare voters' list as required under the Act of 1956, and they will also arrange for the fresh Boards under the new Act. So far as my information goes, the popular demand is to that effect, and it is why some Boards, perhaps including the Municipal Board of Tezpur and also Golaghat, thought it proper not to hurry for election under the old Act, but have deveded to wait till the new Act comes into force and election with a more enlarged franchise could be held under the new Act. I think that is a very healthy outlook, because we cannot forget that so far as the Act of 1923 is concerned, that has become from the present concept of our popular Government and Local Self-Government out of date. That Act was made just after the Reforms of 1919 and then after that there was the introduction of Diarchy in this country. After 1923 there had taken place a good deal of political and economic changes in our country, and then came the Simon Commission, the Round Table Conferences and then the Government of India Act, 1935 and ultimately came the Constitution

of free India, and yet the old Municipal Act of 1933 still continues. So this is anachronism. Therefore, if the difficulties as pointed out by the High Court or as envisaged by the Government have not come, in fact difficulty has come at the inordinate delay of the Government to constitute the Boards according to the Act.

This House very clearly remembers how much this House has been agitating for a thorough reforms in the Municipal administration of our State. I have been a Member of this House since 1952 and I have noticed from March 1952 onwards that every section of this House has been expressing opinion that there must be a thorough change and a complete over haul of the Municipal administration in our State, because our Municipalities and Town Committees are not actually what they should have been. Let us take one instance. In 1923, the population of Gauhati town—thereby I mean the Gauhati Municipality was something like 20,000. Now, the population has been almost about a lakh: it will perhaps be one lakh twenty thousand. Similarly, in other municipalities also the population has increased and new areas have been brought under municipal or town committees. This shows that there is development and a trend towards urbanization. In spite of the slogan “back to the village” and with however force we might cry to that end the trend in our country today is towards urbanization. Therefore, if the Municipal Act be one which does not properly fit in with the circumstances that exist in the country today and if the municipal administration do not cope with the demands of the people in their day to day affairs then we must say that the machinery, the administrative machinery or set up lag behind the urges and necessities of the people, and this creates a difficulty not only for the municipal boards but also for the advancement of our country. Therefore, as I have said at the very beginning, whether the difficulty is easing or not is not a material thing. The material thing is why should there be no election in all the municipalities and town committees of Assam immediately and at a time. Let us see, Sir, what is done in England. Of course I must say that I am too poor a man to have the money to travel to England, Soviet Union, America, etc. as some of my friends opposite, and whatever I have read my knowledge from that reading is very limited. I have however read about the constitutional history of England and about the present thing there. My friend Mr. Ahmed must have seen with his own eyes that in England the Borough and Country

Council elections are held throughout the country at a time and that has a very important and salutary effect not only for the administration of the Boroughs and Counties but also to feel the pulse of the people. That should be our eyeopener and that I think should be the principle for our next General Election. While coming to England my friend Mr. Ahmed I think must have passed through Paris in France where also the municipal and commune election are held at a time. In other countries also municipal elections are held at the same time. Not to speak of the countries abroad, even in our own country India we have seen that municipal elections in all the cities, towns and smaller towns in the Uttar Pradesh are held simultaneously. Similar is the case in the Central Province. So, Sir, there is no reason why there should be a deviation from this healthy tradition which is practised in our country and also in the countries from where we generally take pride in taking inspiration. Therefore, Sir, I feel that there is no ground for this Amending Bill in order to give a further breathing space for the municipal boards which have already become outdated. My Friend, Mr. Deka, has pointed out very clearly that though the Municipal Act of 1956 does not fully conform to the aspirations of our people yet it has gone further from the Municipal Act of 1923. In the matter of franchise the Municipal Act of 1956 has provided wide powers. Previously only those who paid the rate of Rs.2 a year could have a vote. Now a man who pays one rupee can vote. Not only that, a man who resides in a house of a rate payer also can vote. This shows that very few people have been left out from the right of franchise under the new Act.

With regard to the powers and functions of the Board also there has been a great deal of improvement in the Municipal Act of 1956, and with the restriction on nomination, a great deal of democratisation has taken place. Delay in enforcing the Act of 1956 has negated all these. Only a few weeks ago, in the town of Nowgong and also in the town of Jorhat different factions of the ruling party were fighting one another in the matter of nomination. Government of course, being very truthful, may deny it, but we the sinners know very well what went for getting the pets nominated in the Municipal Board of Nowgong and how the manœuvre for election for Chairmanship and Vice-Chairmanship was being conducted at Jorhat. These things are very well known to us. All the truthful ones of the Government party get benefit of this existing Municipal Act. In the Act of 1956 also there is some provision for nomination no doubt, but it appears to be much restricted. We know, how at times the Chairman of a Board used to be

placed by the Government. The Chairman of the Board and one gentleman had to be nominated and the other was appointed by the Government as the Chairman. I do not know whether the Chairman or by his party he referred to the members of the Board, but for Heaven's sake don't call it a Government Board. Interested quarters feel that the Municipalities under the 1923 Act should continue as before. It is not a new thing. This is like the Amendment of the Special Mr. Ahmed who had been to America and knew what was a logical corollary to the Special Amendment. The war between the Supreme Court and the President. These very things are now practised in our administration in this way.

Not even going to America we know the story in the Mahabharata. I don't know whether Mr. Ahmed has read the Mahabharata, but at any rate, we have read the story of Ghatotkocha, who found that he had got in a blow and a blow from an arrow that he was sure to die. Ghatotkocha thought "I have a few moments yet at my disposal and I will utilise them in order to do something positively for me and negatively for the other side". Therefore, Ghatotkocha expanded his body so much that it became just like a mountain and at the moment he was dying he leaned towards the enemy's side so that by the weight of his inflated body hundreds of enemy soldiers died. Now our Municipal Board also find themselves in the same position as that of Ghatotkocha because of the Act of 1956. At that time the Minister who piloted the Bill was not, I presume, a believer in the Mahabharata, but at any rate he created a situation where the Ghatotkocha found himself in a tight corner and by this Amending Bill now, that Ghatotkocha wants to expand his body so that even at the last moment there may be some more pressure on the common people. Pressure in what form? My friend Shri Deka had said that big guys of the town the "basti ghughus", as they are called in the Calcutta Corporation control the words. They have got some pocket constituencies and by means of them these "basti ghughus" control the Board and at the time of running the administration, so far as the poorer sections of the people are concerned, they get distress warrants, their properties are attached and taxes realised. But so far as these big people are concerned, you will find that in almost every municipality in Assam, thousands of rupees are in arrears. What happens? I am saying this with all responsibility that in their case, ultimately there comes a petition to the Deputy Commissioner or the Commissioner of Divisions or to the Government praying "I am in difficulty and so there may be some remission" and they often

get it. So, after accumulating thousands of rupees as arrears of municipal taxes, they get remission. But so far as the poorer sections of the people are concerned, even for small arrears their properties are attached and sold. These big people, the "basti ghughus", who control the Municipal Boards, think that the breathing time that may be provided by this Bill must be taken full advantage of and, therefore, this Bill if it does anything will only help these tax-evaders ; if it helps any body, it will help only those who have come to power through the favours of the party that rule, through nominations and so on ; if it helps any body, it will only help those people who corrupt the entire society by keeping some wards in their pockets. That is the only help that will be given under this Bill. So far as the common people are concerned, this Bill will not help them at all. Why should there be not an election immediately under the 1956 Act ? From 1953 onwards this House had been agitating that the constitution of the municipal boards should be changed and after a great deal of delay and debate the present Act had been passed and was brought into force from 1st November 1957. And yet, why should there not be elections under that Act in all the municipalities in Assam ? I do not find any reason for it except that Government appears to be very sympathetic towards those people who are getting some undue opportunities.

Then again, Sir, it must be seen what more powers and functions are sought to be given to the municipal boards. Let us see what the Bill itself provides. By extending their life, what shall be done ? This we find in clause 2 (b) itself: "all Municipalities constituted, limits defined, regulations and divisions made, all rules and bye-laws, orders, appointments and assessments made, licenses and notices issued, taxes, tolls, rates and fees imposed or assessed, budgets passed, plans approved, permissions or sanctions granted, contracts entered into, suits instituted and proceedings taken under the Assam Municipal Act, 1923, etc. etc.". So everything on earth that touches a man's day-to-day life can be done by the Municipal Boards. Now, Sir, in the present democratic form of Government, in a free democratic republic, do you propose to deprive the people from getting real democracy ? Can you bring about that democracy by extending the life of an outmoded and already rotting and stinking system for some time more ? So, Sir, apart from the legalistic point of view, from the point of view of popular democracy, from the point of view of the crying need of the common people living in the urban areas and from the point of view of the urge and wish expressed in this House from

1953 onwards, I feel that the Government instead of spending some energy in preparing such a Bill would have done much better to arrange things so that elections could be held in all the municipalities in Assam according to the Act, which had been passed by this House in 1956, so that every town in Assam might enjoy the fruits which the Act of 1956 promised.

After all, we pass Acts not to adorn our libraries though, of course, it also happens that due to the great efficiency of our Government Press, we do not always get Acts in the library and even by paying money you cannot get Acts from the Government Book Depot. But apart from that, we do not pass legislations simply for our psychological satisfaction that we have, after all, as legislators done something. We have passed Acts not for any psychological satisfaction but because we feel that the society needs them. An Act which goes ahead of the time is not as infructuous as an Act which fails to cater to the needs of the society. When a legislature after a great deal of scrutiny passes an Act, I think the entire country, through their elected representatives, expresses its will and determination that this must be done. At the very beginning the Government had been seeking some opportunity to delay matters and in the Act itself, Sir, you will find that unlike many other Acts, it was stated that it would come into force when the Government so notifies in the Gazette. Generally in a social legislation where we want to help the society at large through a piece of legislation what is done? It is that this piece of legislation shall come into force at once. That is what is generally done, but so far as this Municipal Act is concerned, the Government somehow managed by the great majority that it has, of course, I am not going to call it a "brute majority", but great majority had this legislation passed. Unfortunately, the Act was passed in 1956 and effect of the same was given only in November 1957 as the Government had no other alternative but to put the Act in force. Now, they have come with this amendment, and the custodians of the democracy have shown that let us give to the people very sweet words but when it is time for action let us take such measures that democracy is denied to the vast majority of the people and that power is concentrated in the hands of the few. So, the proposed Amending Bill though, apparently innocuous and technically simple, is a reactionary move. It is a move against the people and it is meant for the vested interests and therefore I oppose this Bill.

***Shri NILMONEY BORTHAKUR (Dibrugarh):** Mr. Deputy Speaker, Sir, this Bill is one of the most undemocratic pieces of legislations, sought to be introduced in the State. Now, this is an attempt to bring the old Devil back to life. We thought that the Assam Municipal Act, 1923 is dead and gone. The old Act was conceived of by the British in order to deny civil rights of the people and provisions were made in the old Act in such a way so that there would be overall control of the British. Now, the people were grateful to the Government because this new Act was brought into being and it was made effective from November, 1957 but as my Friend, Mr. Gaurisankar Bhattacharyya stated that bringing of this dead thing is an act aimed at killing people, harming them and denying them the civil rights. This Act of 1956 is definitely an improvement on the old Act because in the new Act there is an impress of our Constitution as democratic rights have been recognised in the Constitution and the spirits and principles of those rights were incorporated in the new Act. In the new Act although adult franchise was not adopted but franchise right has been granted to the permanent inhabitants. By this new Act we expected that the old principles would be removed. The old ruling cliques would disappear. We now find how our Municipalities are running. There is malpractice, inefficiency and bad administration in every Municipality because there are reactionaries in every one of them. We know how old Boards were constituted. They were created to give jobs and contracts to a favoured few. For example, we find in the Dibrugarh Municipal Board that some persons have been nominated as Members but they actually do not reside within the Municipal areas, but, Sir, by this Bill their Memberships are sought to be continued. We have seen how Municipal lands are leased out to reactionary people and these people have built permanent structures, so by this Bill reactionaries are going to be benefited.

Sir, I am surprised by the statement of objects and reasons. The last paragraph reads:—

“Language of Section 2 of the Assam Municipal Act, 1956 is not quite clear and therefore any opinion given on it may not stand the scrutiny of the court, there being much scope for difference of opinion and thereby leading to great deal of controversy. In order to remove the anomaly it is proposed to amend Section 2 of the Assam Municipal Act, 1956.”

By this statement it seems that the Government is criticising themselves. If the language apart from issues which have been referred to by my Friend, Mr. Goswami, that in view of the pronouncement of the High Court already given on the new Act this paragraph proves that Government is criticising themselves. The language of the old Act was not clear the language of the present Act is most confusing. In this connection I read (b) of the statement of objects and reasons:—

“All Municipalities constituted, limits defined, regulations and divisions made, licenses and notices issued, taxes, tolls, rates and fees imposed or assessed, budgets passed, assessments made, plans approved, permissions or sanctions granted under the Assam Municipal Act, 1923 which were in force before the commencement of the Assam Municipal Act, 1956, in so far as they are not inconsistent with the 1956 Act.”

That means that whatever action or actions have been taken by the old Boards would be legal and this Bill seeks to legalise all the deeds of the old Boards. If the actions taken by the old Boards say for leasing out lands of the Board for a period of 50 years then such actions would have to be taken as legal and supposing a new Board want a revision that would not be allowed under this new provision in the Amending Bill. So, this statement of objects and reasons is going to create more legal difficulties and anomalies. Therefore in future in drafting a Bill utmost care should be taken in its drafting so that Bills can merge out of the Parliament or Assembly which can go to the benefit of the common people, legal experts, Government and others.

I will quote here regarding draftsmen from the book, Parliament, Second Edition, 1957, by Sir Iver Jennings, as follows:—

“To say what a Bill is required to do is one thing ; to put it in a proper form is another. Bills have to be drafted for lawyers to interpret and administrators to put into force. Mr. Balfour spent much time on the clauses for the Education Bill, 1902. The draftsman to whom they were shown said ‘You have written a very good popular account of the Bill. A good popular account will not do ;

It must be written by lawyers for lawyers". Thus Mr. Pitt's financial Bills were drafted by a lawyer. Again, a system in the British Parliament is that the Bill must be drafted by experts, that is, it must be drafted by lawyers. But that office in the British Parliament disappeared and an office similar to that was created from the beginning of the 20th century. From this point of view, the drafting of the present Bill is still worse. Hence, this criticism which the Government has invited to themselves and I think they will have more scope to criticise themselves in future, if this Bill is passed now.

Then again, Sir, although the 1956 Act was put into operation on the 1st of November 1957, no rules have been framed at all till this day. As rules have not come out so interpretation of the Act is vague. If the language of the old Act is not clear or if there are any defects, these can be corrected by rules. In other words, rules should have been framed to help in the interpretation of the old Act, but that has not been done till today. Therefore, whatever democratic advance that was made in the old Act is sought to be taken back. This is a retrograde step, a step backward and not forward.

Now, we find also that if this Bill is passed it will have the effect of giving extension to the life of Municipalities. Municipalities that were constituted in 1957 will have another life of four years more, so more time will thus be given to the old Boards. This is definitely against the spirit of the Act and against the spirit of the changing times. Therefore, Government should have thought several times before extending the life of old Municipalities. Now, it has been the convention in almost all countries to have Municipal elections all at a time. In England they have elections to the Country Councils all at a time, so also in Italy, because by holding these elections in between two General Elections the attitude and mind of the people can be gauged or a sort of plebiscite of the people can be had to know their minds. Here also we could have done the same and hold our Municipal elections all at a time and thereby we can judge the public mind. But Sir, that democratic right has been denied to us.

Sir, I do not want to take much time of the House. So with these words I oppose the Assam Municipal (Amendment) Bill, 1958, and I hope that Government would at least not press for those provisions for extending the lives of the Municipalities.

Maulvi ABDUL MATLIB MAZUMDER (Hailakandi):

Sir, regarding the drafting of this Amending Bill, I have heard the speeches delivered by Members of the Opposition. Sir, I am glad to hear at least this much. When we were passing the present Act of 1956 there was no Member in the Opposition who did say that no real advance was made in the Bill of 1923. But now because it suits them, because it suits their purpose they say that the Bill of 1956 has marked a great advance on the Bill of 1923. Sir, the argument that has been advocated by the Members of the Opposition that this Bill will extend the lives of Municipalities which were constituted some three years ago has no foundation. Sir, most of the Municipalities were formed two or three years ago but only a few of them probably have been constituted recently. The same principle is there in the Bill of 1923 as in the Bill of 1956. Members were elected by franchise of the rate payers. Hitherto Sir, we have not heard that some Municipalities were guilty of embezzlement or misappropriation of public money. Whatever that may be, it is now admitted that the Bill of 1956 that was passed by us has marked a decided advance on the Bill of 1923 and that credit goes to the Government.

Sir, as regards defect in the drafting of the present Bill; this Bill was sent to the Select Committee for scrutiny and Members of the Opposition also were in this Select Committee and after due and careful consideration of the Select Committee the Bill was passed by this House. Now it has been found that there are some defects in drafting of the Bill. Although it is possible to run the administration of the Municipalities, still to make the wordings of this Bill clearer this amendment has been brought. The Leader of the Opposition has said that there is a recent decision of the High Court which might affect the drafting adversely. Although on being questioned he could not quote the actual wording of the judgment, I think it would be advisable that before we ascertain the decision of the High Court, we refer the present Bill to a Select Committee. I think that will be a better course since the Members of the Opposition have said the drafting of this Bill is not clear.

Sir, in my opinion the criticisms that have been levelled against that is some intention that has been ascribed, are without any foundation at all. They are not based on facts. The apprehension that the life of a Municipality will be extended or that the Bill will do greater harm than good to the people, all these are without any basis because Municipalities up till now have been running their administration without any blame

excepting in case of certain Municipalities on specific matter ; the general administration of almost all the Municipalities have been rather fine. Therefore, Sir, I propose that the Bill be referred to a Select Committee consisting of the following Members:—

1. The Minister-in-charge.
2. The Mover (*i. e.*, Mvi. Abdul Matlib Mazumder).
3. Shri Radhika Ram Das.
4. „ Tarun Sen Deka.
5. „ Hareswar Goswami.
6. „ Dandeswar Hazarika.
7. „ Ramnath Das.

The Select Committee is to submit its Report by 21st April, 1958.

One-third of the Members will form the quorum.

Mr. DEPUTY SPEAKER: The amendment moved is that the Assam Municipal (Amendment) Bill, 1958, be referred to a Select Committee consisting of the following Members:—

1. The Minister-in-charge.
2. „ Mover (*i. e.*, Mvi. Abdul Matlib Mazumder).
3. Shri Radhika Ram Das.
4. „ Tarun Sen Deka.
5. „ Hareswar Goswami.
6. „ Dandeswar Hazarika.
7. „ Ramnath Das.

The Select Committee is to submit its Report by the 21st April, 1958.

One-third of the Members will form the quorum.

Shri HARESWAR GOSWAMI (Rampur) : Sir, on this Amendment I think I can speak because this is a new amendment. I am grateful to the Ex-Minister, Maulavi Abdul Matlib Mazumder for bringing this new amendment. Sir, I can quite see that it will be useful to go through the judgment of the Hon'ble High Court before any amendment can be accepted. I am not clear about two things. It is not only the want of wisdom in bringing in this Bill at the present moment, at the present juncture when the High Court passed the judgment that I want to sympathise but the other aspect has to be looked also and this aspect was very clearly stated by my friend Shri Bhattacharjee. Sir, the Act has come into force from 1st of November, why should we not give effect to the present Act ?

Mr. DEPUTY SPEAKER: Are you opposing the Amendment ?

Shri HARESWAR GOSWAMI : I am opposing the Amendment on the ground that why should we give effect to the Act, as it is. The Act was brought into operation from 1st November. Its fruits should be enjoyed by every one immediately otherwise the whole purpose of the Bill will be nullified, therefore, I am opposing this amendment. If we send it to the Select Committee it means delay, why should we send it ? After all this Bill seeks only to amend sections 2(a) and 2(b). If we send this Bill to a Select Committee what will be the consequence, the consequence will be that new elections will have to be withheld. What will those Municipalities say? For example the Gauhati Municipality has already run for more than two years the tenure of which will expire on the third year, therefore, we will not be giving benefits to the people but the benefits will go to the Municipal Commissioners who instead of three years will be able to remain in office for four years. In Jorhat where elections should have been held before September, 1956, could not be completed even in December 1957. So also elections were not complete in Nalbari and other places. On the otherhand if elections are held at a time in all the Municipalities, the fruits could be enjoyed by the enlarged electorates and secondly the Government will be able to gauge the minds of the town dwellers whether the people are supporting the Congress or some other party or whether the people are behind any other party. Sir, the elections of Borough or Country Councils are very important but they are held at a time. Similarly if Municipal and Local Board elections are completed at one time they will automatically become the integral

part of the administration itself and the administration will be able to respond to popular will as expressed in the elections. It should not be difficult to give effect to that, the High Court has made a distinction between Municipalities constituted and Boards of such Municipalities whereas the parent Act the Municipalities constituted have been saved; the Boards are to be elected under the new Act and the existing Boards are Boards elected under the old Act. Therefore, I say that this amendment is not at all necessary, this amendment will only lingers matters. Let us for the time being content ourselves with the situation that new elections will have to be held and new Boards will have to be constituted on the basis of the enlarged franchise and the new Boards which we envisage in the new Act will be a new thing altogether, they will have tenure for four years. They will have of less number of nominated members. Why should we not allow the new Act to come into full force with all these implications, why do we interfere in the implementation of the new Act and thereby allow the Members who are not desirable to remain there. So I think this amendment has no meaning and it will only take more time, and therefore, I am opposing this amendment. I hope Mr. Mazumder will see his way to withdraw it.

Shri GAURISANKAR BHATTACHARYYA (Gauhati): May I get a clarification from the hon. Member who has moved the amendment to the effect that the Bill be referred to a Select Committee, or from the Government as to what do they hope to gain by prolonging the life of the old Municipal Boards? That is No.1. Secondly, is there any legal or constitutional or political bar to the dissolution of the Boards which were constituted under the Act of 1923, even when they have run the full term that they were entitled to enjoy? I think, Sir, their life ought not to be extended. It does not become automatically extended. They are elected for a limited period of time. There is, to my understanding, no reason why a Municipal Board cannot be dissolved even earlier than the full term especially when it is in the interest of democracy and good Government in the urban areas.

Adjournment

The Assembly was then adjourned for lunch till 2 P.M.

(After lunch)

Shri FAKHRUDDIN ALI AHMED (Minister): Mr. Deputy Speaker, Sir.

I have with attention listened to the objections raised in connection with this Bill. The objections may be classified into two categories—(1) legal and (2) on other grounds such as political, moral and what not. Before I reply to the legal objections raised by my hon. Friend, Mr. Goswami, I should like to refer to the few observations which have been made by Mr. Gaurisankar Bhattacharyya.

Sir, it may be open to him to level charges against the Government and even to doubt our *bonafides* or to impute motives to us. No argument can be of any use when he has made up his mind to do so. I should like to state that the charges and allegations made by him are both incorrect and baseless. I want to make it clear that it is not the intention of the Government that the Act, which was passed in 1956, should be shelved and the Municipal Boards should be allowed to continue under the Act of 1923. I think it is only fair to make it very clear that so far as we are concerned we do wish that the provisions of the Act of 1956 be put into operation as early as possible. I hope with this assurance, there will be little ground for our Friends to feel that we want to keep the Act of 1923 going in order to give protection to some of our Friends. My hon. Friends, however, will agree that for implementing the provisions of the Act of 1956, rules have to be framed. It may therefore, be necessary for the Government to publish the rules framed and thus to utilise the provisions contained in the Act of 1923. I may also assure the hon. Members that so far as we are concerned it will not take very long before the rules are finalised. In order to have elections under the new rules, the elections, in some places may have to be postponed, but such postponement will be resorted to not under the Act of 1923 but that will be done under the provisions of the Act of 1956. Therefore, I think there is no case for assertion that we intend to continue with the old Act of 1923 for the purpose of giving long life as Members to some of our supporters and what not.

So far as the legal aspect is concerned, I would ask the hon. Leader of the Opposition to read the Act itself. In

the Act of 1956, the relevant provision is Section 2. There we find that, on and from a date on which this Act comes into force, the Assam Municipal Act of 1923 shall be repealed. That provision is there. We do not propose to amend that provision. I may straightaway say that, I personally feel that what was enacted under the proviso to Section 2 of Act 1956, was itself redundant for the simple reason that it is not necessary to provide specifically what is provided for in the Assam General Clauses Act under Section 26. I am sure, my hon. Friend is aware of the provision of the General Clauses Act which reads as follows:—

“Where any enactment is repealed and re-enacted with or without modification, then unless it is otherwise expressly provided, any appointment, notification, order, scheme, rule, form or bye-law made or issued under the repealed enactment, shall so far as it is not consistent with the provisions re-enacted, continue in force and be deemed to have been made or issued under the provisions so re-enacted, unless and until it is superseded by any appointment, notification, order, scheme, rule, form or bye-law made or issued under the provisions so re-enacted.”

So, Sir, my submission is that in view of existence of Section 26 of the Assam General Clauses Act, the proviso to Section 2 of the Act 1956, was not necessary because there is no provision in the Act itself which seeks to provide differently from what is already in the Assam General Clauses Act. But having done so the defect was brought to the notice of the Government that the wordings of proviso to Section 2 of the Act were not in conformity with the wordings of Section 26 of the General Clauses Act. What is now sought to be done is to bring the proviso to Section 2 in conformity with Section 26 of the Assam General Clauses Act. Nothing more than that is sought to be done. So far as the present amendment is concerned, my hon. Friends are under the wrong impression that it is intended for the purpose of delaying the election or keeping the Municipal Boards constituted under the Act 1923 alive. My hon. Friends have not realised the fact that, under the Act 1956, there is no provision whatsoever under which the Boards constituted or elected under the Act of 1923, will automatically cease to exist as soon as the Act of 1956 comes into operations. Therefore, what is meant by my hon. Friends in Opposition, I have not been able to follow. So far as the Act of 1956 is concerned, those provisions relating to election will come into

force when new elections are held, but there is no provision in the Act of 1956 by which the old Municipal Boards will come to an end as soon as the Act of 1956 comes into operation. My friends will realize that under the Act of 1923 the Board has a life of three years and unless and until that period expires, there is no provision under which those Boards can be dissolved. Of course, there is a provision as for instance in Section 298 of the old Act and a similar provision in the Act of 1956, by which Government have power or authority to dissolve a Board if they are satisfied that a particular Board has not been discharging its responsibilities efficiently. Only in such contingency the Government have power to dissolve. Therefore such Boards as were constituted under the Act of 1923 will continue to function till their period expires. To-day, whether we want their continuation or do not want that cannot be done. This question ought to have been considered by my Friends in the Opposition when the Act of 1956 was being considered. But having once decided not to dissolve those Boards which were constituted under the Act of 1923, now simply by levelling the criticism against the Government we cannot do away with those Boards because there is no provision to do so. Therefore it is not correct to say that through the proposed amendment we want to give more life to the Boards which were constituted under the Act of 1923. That is not the object of this amendment and I think this is very clear.

Secondly, if my Friends will look at the amendment which is sought to be provided under Section 2(a), it reads as follows :—

“All Municipal Boards constituted under the said Act shall continue to function for the remaining period of their terms as if they were constituted under this Act”. Here I will emphasise the words “for the remaining period”. The purpose of the amendment is not to give more life to the Boards constituted under the Act of 1923 but only to legalise such Act as will be done by those Boards for the remaining period of their life as to-day we have no power, whatsoever, the Act does not give any such power to the Legislature or to the Executive to dissolve the Board constituted under the Act of 1923. Therefore “for the remaining period,” that is to say, for such period as has not expired, a provision is to be made to carry out the provisions of existing Boards is that it was not necessary to make such a provision in view of Section 26 of the Assam General Clauses Act, but once such provision has been made

it was necessary that the proviso to Section 2 should be in conformity with what the language laid down under Section 26 of the Assam General Act. Further, the Leader of the Opposition has stated that the words "said Act" may give rise to different interpretations. It may be so interpreted. In one case it may mean the Act of 1923 and in another case the Act of 1956. This gives rise to some doubt and may also open the door for different interpretations. Therefore, I think, this is a matter which has to be carefully looked into. For that purpose it is necessary that this matter should be thrashed out in Select Committee for which a proposal has been made by Maulavi Abdul Matlib Mazumdar.

Now, so far as the ruling of the Assam High Court is concerned, I do not know how far that ruling is relevant to the present matter we are considering. I am not so definite as my Friend is also not very certain about it. That ruling has not been reported in any of the journals till now and we have not had the advantage of reading the same. If there is such a ruling of the High Court as has been referred by my Friend we ought to have been given an opportunity to examine the same. But since the ruling is not available nor it is possible for the Leader of the Opposition to supply the aspect of the question referred to by Mr. Goswami also can be considered by the Select Committee. I submit that the deductions derived from the ruling of the High Court referred to by my Friend has no relevancy whatsoever, to the present matter which we are considering. But if my Friend is so sure that there is such relevancy the best thing for us would be to call for that ruling and have it examine before the Select Committee in order to find out to what extent the High Court ruling is relevant to this matter. If decision referred to has been taken by the High Court, certainly it deserves for consideration and we should not do any thing which will involve either the State or any party in unnecessary litigation.

Thirdly, so far as the principle of holding elections of Board at the same time is concerned my Friend Mr. Gaurisankar Bhattacharyya has referred to what prevails in Great Britain and other places. I entirely agree with him and I think it is only fit and proper that elections for these Municipal Boards and other local authorities should be held simultaneously. I think, so far as that principle is concerned there can be no dispute but unfortunately again I would say that this is a matter which has to be considered and a new provision has to be brought in order

to give effect to that principle. So far as the present provisions under the Act of 1956 are concerned, I am afraid they do not permit us to hold elections in all Municipal Boards at the same time. That is a matter which we may consider and keep in mind, but it is not relevant so far as the present amendment is concerned. Later on we may come forward with suitable amendment of the Act of 1956 so that the desired object may be given effect to, but as I have said that this is a matter which cannot be considered now. So far as the present amendment is concerned, the enunciation of the principle is of little importance and use to us at the present moment. But we shall certainly keep the suggestion in mind. He said that one of our States, namely, the Uttar Pradesh, is following that principle. If that is so, I do not see any reason why we should also not give consideration to that aspect and adopt the same principle which has been followed by one of our own States.

I appeal to the Members of the Opposition not to seek to justify their objections by putting such motives as have no foundation.

There is not the least basis that by coming forward with this amendment we intend to extend the life of the Board constituted under the Act of 1923. As I have already explained to the House, Sir, when these amendments proposed adopted it will not permit such postponement. On the other hand there exists a provision in the Act of 1956 under which the Government have the power of extending the life of the municipal body for a period of one year. I should like to inform the House that so far as we are concerned we shall use that provision only when it is absolutely necessary. As for instance when we are in the process of framing rules under the new Act it may be necessary to extend the life of such municipal bodies as may be expiring by the end of this month or so. In that case also we may extend the life of those municipal bodies as for a period of few months, so that elections may be held under the rules which are being framed. I hope when this assurance is given there will no longer be any impression in the mind of any hon. Member that we have come forward with this amendment because we are reactionary people or because we have any motive.

In view of what I have explained I appeal to the hon. Members to agree to the proposal put by my Friend Mr. Mazumder. We can thrash out all the points in the Select Committee where we can also examine the judgement of the High Court which my Friend has referred to.

Thank you, Sir.

Shri BIMALA PRASAD CHALIHA (Chief Minister): Mr. Deputy Speaker, Sir, Government views after hearing the debate on this Bill has been made clear by my colleague. But I feel that I should add a few words since our motive so far as this Bill is concerned has been questioned. I should like to make it perfectly clear that there is nothing in our mind of the kind of things the hon. Members have mentioned at all. The suspicion has arisen because the hon. Members perhaps did not carefully go through this Bill, as has been pointed by my colleague. By this Amending Bill we are only going to substitute the proviso of Section 2 and not the rest of it. In that case it will give a different meaning. Section 2 reads as: "on and from the date on which this Act comes into force, the Assam Municipal Act, 1923, shall be repealed". Then follows this proviso. Government has to go by the legal advice, and it has been pointed out by our Law Department that the wordings of the proviso of the present Section 2 is not quite clear and so these are likely to be misinterpreted, and so there was a suggestion that the proviso of this Section should be amended. Similarly in respect of Section 26 of The Assam General Clauses Act also the Law Department suggested that in order to take full advantage of it the particular proviso of Section 2 of the Assam Municipal Act needs amendment. Therefore, Sir, under those circumstances this Bill has been brought before the House. To be more frank, Sir, there was a suggestion for inserting a clause in this Amending Bill to enable the Government to extend the life of the Municipal Boards but the Government turned down the suggestion.

Shri HARESWAR GOSWAMI (Rampur): The old Act, 1923 has been repealed and is dead and a new Act comes into operation. This new Act gives 4 years as the period of a Board. Now, will this period be further extended or not?

Shri BIMALA PRASAD CHALIHA: The life of a particular Board under the present Act will not be extended without notification.

With regard to the High Court judgement we have no information. We are not impressed by the various reasons put forward by the hon. Members in the Opposition. We intend to refer this Bill to a Select Committee because we are anxious to know about the judgment of the hon. High Court in this respect. Nothing is available from our Department nor from the Leader of the Opposition at the moment. We will however go into the matter when this will be considered

by the Select Committee. In this transition period that is the time taken for giving the Act of 1923 a good-bye and enforcing the new Act—there will be certain problems which will have to be tackled by the Government. Therefore, in order to meet such emergencies, provision has been made in the 1956 Act itself giving some liberty to the Government to extend the life of the Commissioners. Now, in some of the Municipal Boards elections have been held under the new Act. Elections are also due to be held to some town committees very soon and we will try to be ready for that. But until we are ready, we shall have to take shelter under Section 26 of the Assam Municipal Act.

Now, Sir, hon. Member Shri Gauri Sankar Bhattacharyya has referred to about fractions and what not in our party. I would submit, Sir, that we are human beings and we may have fractions but, at the same time, we know how to make up. I would also submit that in a democracy, we have the right of expressing our views, unlike in many other countries. Because of that freedom we may differ sometimes but I do not consider it to be wrong or sinful. Since we have that freedom we take advantage of it to give expression to our views. Therefore, there is nothing wrong in it, particularly when we know how to make up our differences.

Then, Sir, regarding holding these elections simultaneously in all the Municipal Boards and the Town Committees, of course, this will be an ideal thing and we are anxious to do it. But that was not foreseen by the hon. Members in the opposition when they considered the 1956 Bill. In the absence of any provision in the Act, our hands are tied now, but certainly we will keep this in mind.

With regard to the proposal for Select Committee, my colleague has stated the Government position. We would like to accept the amendment of the hon. Member Maulavi Abdul Matlib Majumdar. With regard to its composition, if the hon. Members of the other side think that there should be some alteration here and there, we are prepared to consider. Therefore, Sir, I hope the hon. Members will appreciate our point of view and will be good enough to agree to this proposal of referring this Bill to a Select Committee.

THE ASSAM TEA PLANTATIONS PROVIDENT FUND 1129
SCHEME (AMENDMENT) BILL, 1958

Mr. DEPUTY SPEAKER: I put the question. The question is that the Assam Municipal (Amendment) Bill, 1958, be referred to a Select Committee consisting of the following Members:—

The Minister-in-charge.

The Mover, (Maulavi Abdul Matlib Mazumdar).

Shri Radhika Ram Das.

Shri Tarun Sen Deka.

Shri Hareswar Goswami.

Shri Dandeswar Hazarika.

Shri Ramnath Das.

The Select Committee is to submit its report by 21st April, 1958.

The House divided.

Mr. DEPUTY SPEAKER: The result of the Division is—

Ayes—46.

Noes—10

The Motion is adopted and the Bill is referred to a Select Committee.

**The Assam Tea Plantations Provident Fund Scheme
(Amendment) Bill, 1958**

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Labour): Mr. Deputy Speaker, Sir, I beg to move that the Assam Tea Plantations Provident Fund Scheme (Amendment) Bill, 1958, be taken into consideration.

Sir, by this Bill it is intended to expand the scope of the Bill. It will be remembered that when the original Act was being passed there were great criticisms to extend the scope of the Bill. At that time it was being introduced for the first time in the Plantation industry. As a matter of fact, Assam was the foremost of all the Plantation States in India to introduce this Bill and for that reason the then hon. Labour Minister of Assam had to fight very hard with the Government of India to obtain concurrence for introducing this Bill. At present, of course, Government of India have agreed to extend the Central Act to Plantations but that is not necessary for the State of Assam because we have our own Act and the same have worked for a few years now and we have a great deal of experience of the Act and we have collected an amount

of over five crores in this fund. In the light of the experiences gained and in the light of our policy in this regard in the State, it is now proposed to extend the benefit. Now, the first expansion which is intended is to make the Act uniformly applicable to tea estates about 50 acres. Before the provision was that a garden producing less than 456 pounds could be excluded but now we find that so far as larger tea gardens are concerned this provision is not necessary. When I say larger estates it means estates having more than 50 acres but in this Act 50 acres will be large enough. In regard to gardens having 50 acres and over 50 acres it has been found necessary to retain this limitation. If this is done and the result compares like this. At present the number of gardens included are 585 and those excluded are 204. The total is 789. After the amendment is complete, the result would be that the number of gardens included would be 687, those excluded would be 102 only—total would be 789. So we are getting new coverage to as many as 102 gardens.

The other point which is also very vital is that in tea gardens there are employees who are not covered by this Act. On the understanding that various types of provident funds were prevalent in tea gardens these people were not included originally. It is now desired that these persons also may be included in our scheme ; so we have made provisions in this Bill so that such persons also may be included. But we have not been able to make provision for varying provision. The reason is that in certain tea gardens some of these people get a higher rate of contribution. There are those getting $12\frac{1}{2}$ per cent there are others getting 10 per cent or $8\frac{1}{4}$ per cent and $6\frac{1}{4}$ per cent. All these various rates are prevailing. For this reason naturally if they are included in our scheme they have to be included only in this $6\frac{1}{4}$ per cent. So in joining our scheme those that were getting more will be downgraded which we do not desire. Therefore Sir, we have made provision that it should be optional. That is, those who are getting more may decide to opt for our scheme or to remain outside. If they want to remain outside, they can do so, but if they want to opt for our scheme, they would be quite acceptable and would be able to join this Fund.

So far as other Provident Funds are concerned, formerly they are not recognised, but now all these are to be recognised so

that the difficulty which used to arise when an Estate changed hands whereby this provident fund is used to be liquidated, need not arise any more. Then there is a small provision for contribution. The Government of India have provided that this charge should be not out of contributions by employers, so we also are falling in line with the Government of India Provident Fund and we will be asking the employers to foot the bill with regard to this small and other charges which we have already noticed. These are particularly the main features of this Bill. This is a progressive measure. Progress knows no bounds, it goes on from precedent to precedent. There may be hon. Members who would not be satisfied with the amount of progress, but I have no doubt that a march one step forward will merit their appreciation and support.

***Shri NILMONEY BORTHAKUR (Dibrugarh) :** Mr. Deputy Speaker, Sir, I beg to move, that the Assam Tea Plantations Provident Fund Scheme (Amendment) Bill, 1958, be referred to a Select Committee consisting of the following members—

CHAIRMAN—

1. Minister in-charge of the Bill.

MEMBERS—

2. Shri Sarbeswar Bordoloi.
3. Shri Biswadev Sarma.
4. Shri Gaurisankar Roy.
5. Shrimati Lily Sen Gupta.
6. Shri Gourisankar Bhattacharyya.
7. The Mover.

The Committee will submit the report of the Select Committee by the 5th April, 1958.

Now, Sir, this Bill seeks to amend or remove certain drawbacks from the parent Act. This Act is one of the most progressive piece of legislation in the country. As a matter of fact Assam has got to be proud of two legislations—one is the

Agricultural Income-Tax Act and the second is this Tea Plantation Provident Fund Scheme Act. If we compare with other States we will find that in these two directions we have much advanced. But then in this Bill we have seen a lot of anomalies as a result of which about a lakh and a half of tea garden workers have been deprived of the benefit of this Provident Fund Scheme—I means the busy labourers. These busy workers who though work in the tea plantations reside outside the gardens, therefore the Act does not cover them. Moreover the word 'labourer' is defined in such a way that it leaves out various categories of tea plantation labourers. Now this Bill seeks to remove some of these defects and to include other categories of workers also who work in tea plantations. We have instances to cite that some tea gardens, mention may be made in this connection of the Brahmaputra Tea Company owned by the Mundhras—now the famous Mundhras of the Chagla Commission—this Company evaded the provision of the parent Act and do not contribute towards provident fund. Now by a modest calculation this Company owe the State a sum of more than 2 lakhs of rupees which they have not paid because in the parent Act there was no provision of realising the amount which was unpaid or kept unpaid by default. Now this Bill seeks to remove some of these defects and here the method of realising the money is provided for. So, so far as this provision is concerned it will be helpful to the plantation workers.

Then there is another difficulty. The difficulty about Primary Committees. Now, these Committees are so constituted where there are representatives of the labour, representatives of the employees, representatives of Government and so on. Now, in most cases the representatives of labour are illiterate or semi-literate, most of them do not know to write down the proceedings in the meetings with the results that in most of these meetings the views and ideas of the employers dominate, they write down the proceedings to their own liking and to suit their own purposes and made the illiterate or semi-literate representatives of the workers to sign such proceedings. So this defect in the Bill should be removed. Another thing Sir, is that these primary committees do not function at all, meetings are not convened for years together. Now, no specific provision has been made in this Bill to remove these defects excepting relegating the entire power to Government. Here this relevant clause in this Bill says :—"If any difficulty arises in giving effect to the provision of this Act, the Government may by order make such

other provision or give such direction, not in consistent with the provisions of this Act, as appear to it to be necessary or expedient for the removal of the difficulty or doubt, an the order of the Government in such cases shall be final"—Now, Government willfully exercise the right conferred on them by this clause if this Bill is passed into an Act. Government will exercise this power through their Department, either through their Labour Officers or some other officers of the Labour Department. Whatever that may be, it means that whatever decision that officer makes will be final and no appeal can lie against such decision. So, what is the gaurantee that decision would be given by the Labour Department or its officers not to be detrimental to the interest of the labourers? If in such primary committees it is decided by the employers in such a way that the entire committee be removed or replaced or restricted in its working, in that case, that difficulty cannot be removed. So here this section is not happy.

It gives over-riding power to the Government. Again we find the same defect in the previous Bill which we were discussing, the Assam Municipal (Amendment) Bill, 1958 and it was stated because of the intention to amend the Act a Special Officer was appointed to work for three years and a sum of Rs.3,000 was spent in drafting that Bill. Here what we find in clause 2 of the Assam Tea Plantations Provident Fund Scheme (Amendment) Bill, 1958 the definition of the word "labourer" is sought to be substituted by the word "employee". For the labourer there is no question of employee as it appears from the Schedule in clause I (a), but the whole intention of this particular clause is to substitute the word labourer by the word employee. The whole Bill has been brought under a major head to substitute the word labourer by the word employee, we have to see whether for workers in the industrial Regulation Act this change of definition is necessary. As a matter of fact this change is not necessary only in this Act but it is also necessary in all other Acts where workers are concerned because this amendment has been brought in after the encouragement is received from the non-official Bill by Shri Sarbeswar Bardoloi. The transport workers in the tea gardens also have to carry tea chests, specially in big tea gardens where mechanisation has been introduced the workers have to always deal with tractors, caterpillars, etc., therefore, those workers should also be included in the definition, otherwise the definition given in this particular Bill only will not improve the condition of the transport workers, such as those who work in the petrol pump, 'godowns

etc. Here we find in the explanation of the word "employed", it means a person who has been or is likely to be employed for a continuous period exceeding six months. Here I should say that not a single garden employee works for more than six months continuously. These people are generally absent so if this provision of the Bill is adhered to in respect of the tea garden workers, it will certainly defeat the purpose of this Bill. Then again it is said in the Bill that "an employee who during a period of six months has actually worked on the plantation for not less than 2/3rd of the period, the plantation was in operation in the year shall be deemed to have completed six months continuously in the plantation". This is very vague because the total number of workers who will report themselves for work on the basis of 2/3rd of the working days for a period of not less than six months will be very small because absence is very high among these peoples they, at the sametime, are illiterate, illnourished and it is also physically impossible on their part to work continuously, for 2/3rd of the period the plantation was in operation and they themselves will not be able to understand what interpretation the law will give when they will go to the Court of Law. Here if the purpose of the Government is to extend the scope of the parent Act and give chance to all plantation workers the benefit of the scheme in that case will include all kind of workers whose total wages may amount to Rs.500 and if the definition of the Bill is to cover all workers or employees, in that case they may reap the benifit of this Bill and we may bear in mind that it is absolutely impossible on the part of the employees to fulfil the conditions as laid down in sub-clause (3) of clause 2.

We find Sir, quite a number of workers of the different categories have been used together but the number of workers is the most important thing, therefore, the definition may be passed on the number of workers who work in plantation where plantation is going on in the gardens. Now, Sir, I come to Clause 3 because several schemes may be in operation but the defect of this section is that the total contribution of workers to a scheme which is in operation has not been specifically provided here. Along with the contribution of employee the amount should be credited to his account and this matter should be specifically provided in the Bill otherwise there is no guaranteeing of crediting his share of employment, so that provision should be specifically provided in this clause.

One more point whenever Government thought it wise to extend the cope of the parent Act to give facilities to the tea gardens plantation workers one more facility should be there, that is we know that bonus has become a regular feature as part of this is paid in the form of National Savings Certificates. Some workers were forced to purchase the National Savings Certificates but part of the bonus so purchased is in the shape of National Savings Certificates. Most of these people do not know what to do with the National Savings Certificates, and in some cases these certificates were lost. From my personal experience, I may say that I purchased lot of deventures during the war time but subsequently these were lost. In this cases, provision should be there in the Provident Fund Scheme whereby the workers may deposit a part of the bonus or extra income in his Provident Fund Account in that case he will have to deposit his bonus or extra income in the Provident Fund Account. We cannot expect the plantation workers to open their Savings Account in the Bank. His only Bank is his Bomboo Bank (*laughter*) i.e., he makes a whole in a piece of bomboo and deposits his money there. Of course it is safe unless the house catches fire, but it does not yield any interest. Now if a provision is made in the Act so that he can deposit his money according to his wishes, in that case the facilities should be given accordingly, because the Provident Fund Scheme is for the benefit of the dependent of the worker after his retirement after his discharge from the service. Moreover by this arrangement, viz., if we make a provision so that a part of the bonus or the extra income is deposited in the Provident Fund Scheme he will be benefited and at the same time the people of the State as a whole will also be benefited inasmuch as the money will be utilised in nation building works. The money will be in the hands of a Board of Trustee and because we are in short of fund to carry out the various nation building works in the State that money may be utilised for these purposes which will benefit the people of the State as a whole. Therefore a provision should be incorporated in this Bill. With these observations, Sir, I commend my motion Assam Tea Plantations Provident Fund Scheme (Amendment) Bill, 1958, for the acceptance of the House.

Mr. DEPUTY SPEAKER : The Amendment moved is that the Bill be referred to a Select Committee consisting of the following members.

1. The Minister in-charge of Labour
2. Sri Sarbeswar Bordoloi
3. Sri Biswadev Sarma

} Members.

4. Sri Gaurisankar Roy

5. Srimati Lily Sen Gupta

6. Sri Gaurisankar Bhattacharayya, and

7. The Mover

Members.

The Select Committee is to submit its Report by the 5th April, 1958.

***Sri HARESWAR GOSWAMI (Rampur):** Mr. Deputy Speaker, Sir, in support of the Motion just moved by my Friend Sri Borthakur I shall only add a few words. For the purpose of this main Act was to make a provision for framing a compulsory Provident Fund scheme for the labour working in the tea plantations in Assam, so the whole purpose is to give certain benefits to the workers in the tea plantation, and therefore we have to see whether we have made any exception to that. Sir, I do not understand why that objective not be kept in view. We should not abridge the word 'Plantation'. The definition to the word 'Plantation' is nothing new. It has been incorporated in the old Act; there also the word 'Plantation' is there. At p. 6—Plantation means any tea plantation with an area not less than 25 acres and with 20 or more labourers in employ on any day of the twelve months before the enforcement of the scheme and it says that the production of the crop should be 456 lb. Sir, it is almost the same what is used in G (1). On the other hand there is an alternative and G (2) have been put in so as to show whether it concerns with the yield. Yield for 50 acres to come to 456 lbs. Then also that which is 50 or below 50 acres that will be excluded. We have not given a good-bye of the figure 456 lbs. We have kept it, because by 25 acres we can produce 456 lbs. and also by 50 acres we can produce 456 lbs. So far we do not make any distinction. But the only thing is that if this 50 acres produce more than 456 lbs. then our employees will have to be given the benefit. My point is this: just now my Friend Sri Tripathi said that in accordance with the old scheme they brought 405 gardens and excluded 285; according to the new

*Speech not corrected.

scheme they brought 687 gardens and excluded 102 gardens. The present petition is However, in that we want to make a progressive move. On the other hand the point has to be decided once for all. Here two points are involved. If it is plantation by whatever definition we may call it the employees should get the benefit of the Provident Fund Scheme. If it is plantation, then whether it is 50 acres and whether it produces 456 lbs. or less, he has to derive the benefit. It must also bear the burden pertaining to plantation, *i. e.*, whatever may be the yield, the number of persons engaged, whatever may be acreage, if it is considered as a plantation then my submission is that the employees should get the benefit of the Provident Fund Scheme. The second question is more vital in nature. If I am right, in the Governor's address also there was a mention that uneconomic gardens are being tagged with bigger gardens. There is a move to make the gardens bigger. Now we have to decide whether we should keep the uneconomic gardens having only 25 or 50 acres. What is the justification of their existence? If they are to go then no mercy should be shown to them. There is no need for keeping their shadowy existence. If they are to go then only we can make them go. But they will have to bear all the burdens and liabilities imposed upon them under the Plantation Act. If we do not do that it will mean only an indirect encouragement to maintain these uneconomic gardens. So either I want all these points or all these questions which is a question of principle to be clarified and decided. We should decide whether these uneconomic gardens should remain, and if I am correct, the Government policy is that they should not remain, they should be given some subsidy to discharge their financial obligations properly. If it is the policy that they should not remain then they should not be given such facilities. So it must be decided once for all whether we should allow these uneconomic gardens to remain. If we maintain them on that ground the labourers cannot be deprived of their dues. For those uneconomic gardens if necessary Government may give subsidy.

If the Government is of the opinion and if they do not want to maintain these uneconomic gardens then the liabilities of other gardens should also be imposed so that they may not get any opportunity to maintain in this way. Therefore, as I have said two things, or in the alternative do not make much difference. I do not know how my hon. Friend who is very intelligent and who has put it intelligently has got these difficulties. I think that principle is to be adopted.

So far as section 17 is concerned here also I have found difference as already stated by me as well as section 12 of the original Act which gives power to the State Government to make rules and the rules are meant for the implementation of the Act. So if there be any difficulty in implementing the provisions of the Act we have to clarify them. What is in section 17 ? If the words are correctly read that section 17 gives powers to the Government which says "If any difficulty arises in giving effect to the provisions of this Act, the Government by order make such other provisions or give such directions not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for the removal of the difficulty or doubt and the order of the Government in such cases shall be final."

This is nothing but giving legislative power to the Government and perhaps to the Labour Officers. As you say, make provision in the body of the Act and give power to the Legislature. I think in the absence of such a provision in the body of the Act, this is bad in principle. But that could have been obviated if the Government could make rules for which power has been given to them under Section 12 of the original Act. Therefore, I would also request the honourable Minister to look into this.

So far as other points are concerned, we should be more careful in drafting our Bills, which is very important. Head notes are as important as other things. This is also regarding explanation of the word "employee". We should be very fair in our legislative measures. The expression "employed" means a person who has been or is likely to be employed for a continuous period exceeding six months. After all in plantation areas there are workers and many workers remain [there. But how long they will remain ? The planters will say and the managers will say that they are not likely to be employed for more than six months. Therefore, we should be very categorical

about this. My honourable Friend, Shri Borthakur has pointed out "Why do you put in this manner. No body knows whether the employee may be given the benefit of Provident Fund?"

Then regarding bonus my honourable Friend, Shri Borthakur has clearly stated. I do not know how far it is possible to give the benefit to the workers by giving remuneration to them. When the workers leave the gardens, they should go with some money. Therefore these things are envisaged. We should consider how best they could keep this money.

So far as the employees are concerned, if we do not say including the share of the employers this will again create trouble. They may go to the High Court. So the explanation should be very clear.

There are so many difficulties. It is necessary to consider this Amending Bill in a quieter and calmer atmosphere with more reason in the Select Committee, and I think the Bill will serve the purpose for which it is introduced in this House.

Shri GAURISANKAR BHATTACHARYYA (Gauhati) :
Mr. Deputy Speaker, Sir.

While supporting the Motion for referring the Bill to a Select Committee as moved by my hon. Friend, Shri Borthakur. I want to make it clear that we are in agreement with the Minister in-charge of Labour when he says that this is a progressive piece of legislation. He, of course, was good enough to say that progress knows no bounds and there is room certainly for further improvement. I am in full agreement with that statement of his also.

Now, the point is when we discuss this Bill we should see whether it has gone far enough, That is to say, whether it is in full conformity with the situation and circumstances that exist. If it falls short of that we should try to see that it may go a little further and reach the circumstances and if it is really going ahead of the circumstances, then we can transform or improve the circumstances. This is because the Minister in-charge definitely knows that being human beings though we are creatures of circumstances, we also to a large extent are

creators of circumstances, and our task here as elected representatives of the people is not only to examine and see what things are but also to make our contribution to the shaping of society in a comprehensive manner. So, while giving my compliments to the Minister in-charge for whatever proposals he has brought, I want to make a few observations. I think, when the Bill will be further considered in a Select Committee, the collective wisdom will be able to make matters easy. Therefore, I feel this is very necessary in this Bill.

I want to draw the attention of the Minister to clause 2 sub-clause (3) (c). He has said that at the time of excluding those persons from the purview of the Provident Fund Scheme, the dearness allowance and the value of food concession has been taken into consideration. That is to say a person whose total wages exceeds Rs.500 per mensem, inclusive of dearness allowance and value of food concession will not come within the purview of this scheme. Has the Government considered this aspect also at the time of applying employers' contribution to the provident fund? That is to say, when a provident fund pool is to be made and when a definite share is to be given by the employers whether the Government took into consideration the total emolument monetary or otherwise. I am asking this because we know it is perhaps much better known by the Labour Minister himself—that the workers in the tea gardens or the employees there are given not only monetary wages but they are also given food concession, dearness allowance and many other facilities like housing, medical, and so on. So, all these things should be taken into consideration when the employer is to give a definite ratio of the total emoluments towards the provident fund. I think this matter can be further discussed in the Select Committee if the Government agrees to that.

As has already been said by my Friend, Mr. Barthakur as well as by my Friend, Mr. Goswami, this provision for continuous period exceeding 6 months gives an opportunity of exclusion of many workers. Those of my friends who are connected with tea gardens in any way known very well that there is a class of labourers who are generally known as 'Faltu' labourers. In the Darrang circle and also in some other circles this terminology is used. These 'Faltu' labourers are not used continually for 6 months, not even 4 months. They have no work for months, then they are used for some days and again they are not used for some weeks, and then they

have to work and so on. These 'Faltu' labourers are mostly used in this manner. So, if this proviso is not changed then a large number of labourers who depend on the work in the tea gardens for their livelihood and who are generally known as 'Faltu' or extra labourers will be excluded from the scheme. So, there should be greater attention to see how these workers or at least most of them can be accommodated in the scheme. That will be possible only by a further and more exhaustive discussion in the Select Committee.

Thirdly, in this (g) at page 2, as has been said by Mr. Barthakur, three standards have been brought—first with regard to the number of workers, the second with regard to the area and the third with regard to the produce. So, instead of these three why cannot there be only one standard. Why can the principle of the Factories Act on this point be not accepted when the Factories Act for this purpose is quite reasonable. It may be said in this connection that unfortunately in our State there are some very small gardens owned by our countrymen. History of the tea plantation in Assam shows that the Planters have always been taking advantage of their political power and influence. The British capitalists had monopolized the vast areas of Assam under the cover of waste land grant or fee-simple grant. They got them for a small amount. When some of our people have made some amount of capital investment in this tea plantation, it is also our duty to look to the legitimate interest of these Indian Planters who naturally find it difficult to stand the competition with the powerful British owned tea estates specially when they are combined in and all powerful organisation as the Indian Tea Association. Our Government will naturally feel for these weaker planters who are Indians. While agreeing on the principle that these Indian planters should be helped to grow and should be saved from unnecessary and improper competition I do not understand why the help that they need should not be given by the Government itself and should be left to the impoverished workers who work in their small estates. If we as a society or if we, the society organised in the Government, do feel that these small planters, weaker planters should be helped to stand on their legs then let the help be given from the Staterecoffee and not from the empty pocket of the impoverished labourers of those small tea estates. So, I think, instead of making an exception in this way there ought to be some other method of giving aid to those weaker planters. This question can be considered from another aspect. A worker employed in a small

Indian owned tea garden has less earning than a worker employed in a foreign owned tea garden although he has to do the same amount of work as the other. The Labour Minister who was the General Secretary of the Indian National Trade Union Congress and who was a delegate in the International Labour Organisation representing the workers of India, fought, if I remember aright, for equal wages and other benefits for doing the equal work.

If X does a particular unit of work in the garden A and if Y does the same work in another garden B, then how can the Labour Minister, with the professions he made at Geneva, Delhi and everywhere, now say that X should get less than Y or *vice versa*? But this provision, as put in page 2, will, of course, bring that differentiation. From the point of view of workers this could by no means be accepted. We strongly hold the principle "Equal pay for equal work" and we cannot budge an inch from it.

Now, another aspect to be remembered is this: we know that the plantation workers are illiterate and though there are certain schools in some of the tea gardens, my Friends connected with the labour movement know very well what these schools are. Whatever that may be, the position is that most of the tea plantation workers are illiterate and that being the case, there ought to be some provision in the Bill itself for providing them with pass books showing the credit they have in their provident fund accounts. We do not find any such provision for pass books for their provident fund accounts in the Bill.

Now, Sir, the Minister said that under the Amending Bill, only 102 tea gardens will be excluded; previously about double that number was excluded. As I said in the beginning, I am glad that he wants to take step further, but why these 102 gardens should be excluded? Why should when we are reconsidering the matter and doing so in the context of a welfare State and socialistic pattern of society, the labourers of 102 gardens in the State of Assam be excluded from this very primary right of social benefit? Sir, this provident fund benefit, the Labour Minister, I hope, will agree, is one of the most elementary demands of the working class movement. Why should under the leadership of the *Ex-General Secretary* of the Indian National Trade Union Congress, the labourers of these 102 gardens be deprived of the most elementary social benefit that workers in several modern and enlightened States do enjoy? The Minister has also said, in the Statement of Objects and Reasons,

that these provident funds are meant as retiring benefit. With all respect to him, I may say that this is not the whole truth. The provident fund of a worker or employee is a fund where he can take shelter in extraordinary difficulties even before his retiring age. For example, I know that Government employees, who are in the regular service of the Government, who have got provident fund facilities, can borrow from that fund at the time, for instance, of daughter's marriage or if some other serious difficulty arises when he cannot have money except from the Kabuliwala, who takes compound interest according to his own calculation. So, this provident fund is not only a security fund for old age but is also a security against any extraordinarily difficult time, and, therefore, it is only meet and proper that the workers should always be knowing where they stand, so far as their provident funds are concerned.

It has also been urged by my Friend Mr. Goswami and I don't want to dilate on this matter that this clause 17 in the Bill is a retrograde provision. I have got so much respect for the Labour Minister that I cannot use the word "reactionary"; so I say it is a retrograde step because it is very well established in all civilised countries, especially those countries where there is representative Government, that delegated legislation has been playing an important part and everyday it is going to play a more important part. Now, this right of delegated legislation should be enjoyed and exercised by the organs of the Government other than the legislature itself under the strict supervision and control of the legislature. In the old Act under Section 12 when Government was given the power of delegated legislation, i.e., to frame rules in conformity with the provisions of the Act.

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Labour): I did not understand when the hon. Member said that the power of delegated legislation should be enjoyed only by the legislature. Does he take this view.

Shri GAURISANKAR BHATTACHARYYA (Gauhati): No, the Executive exercises or uses the power of delegated legislation under the strict supervision and control of the legislature. In a modern State with expanding activities in various spheres, some kind of delegated power and delegated legislation is bound to be, because it is not possible for the legislature to make every provision in the Act itself for all contingencies to come and, therefore, that scope for delegated legislation or for framing rules in conformity with the Act is always there. This

is used to a great extent in some countries like France. Even in England specially since 19th century onwards the scope of delegated legislation is extending. In the United States where in the beginning, *i.e.*, the early part of the 19th century, there was a great deal of resistance to this power of delegated legislation on the part of the executive, even there this practice is growing. But at the same time, the control and supervision of the legislature over the executive, so far as the sphere of delegated legislation is concerned, is also tightening. Our Labour Minister was a Member of Parliament for the last five years and he knows that this is also being practised in our Lok Sabha. In our Lok Sabha, whenever any subordinate legislation is made, whenever rules under any particular Act are framed, they are placed before the House and they are put under the scrutiny of a Committee of the House and only after the House ratifies them, they become enforceable. Under our existing system also, when a set of rules is framed, they are made provisional. They are published in the Gazette for comments. If anybody wants to give his comments or suggest any modification in order to bring them in conformity with the spirit of the legislation, he is free to do so.

The Department concerned which would consider all these things and place its views and after these suggestions and objections are taken into consideration these rules are made final by the Legislature. At present according to the rules of our House we have taken a step and that is a progressive step. What is that? This Legislature will scrutinise these provisional rules and after scrutiny of this House those rules will be final. Now, when this House unanimously accepted the principle of control and supervision, direct control and supervision of delegated legislation by accepting the procedure and rules of this House, we find in this rule 17 a different thing. It is not only against the underlined principles of these rules and procedure of this House but it goes further backward than it was in Section 12 of the old Act. According to the provision brought in the present Bill, an Executive Officer will be the final authority. This is very dangerous. I need not further explain it as, I hope, the Minister-in-charge of Labour understands, it very well, perhaps, much better than me. In these things the rules do play a very important part and the executive direction also play an equally important part and if these are left the executive Government as a matter of fact, the local Labour Officer, there will be a great deal of danger for misuse and there will be a great deal of danger also of doing things

which actually belong to the Legislature. At any rate, this matter, I feel, should be discussed threadbare in all its aspects and if at all such a provision is felt necessary by the Government for quick and successful execution of the plan then Government should make it clear and the provision should be according to the principles which this House accepted and for that purpose this should be referred to a Select Committee which will make further and more exhaustive scrutiny. Instead of the Bill being rushed through this House, let there be a more careful study.

Sir, as I have at the outset said that we are thankful to the Minister for the principle because undoubtedly this is a good move on the part the Government because it will go to benefit the working class, the labourers however short it may be of our expectation. After all, it is a good effort. Because it is a good effort, we do not want to oppose the principle, rather we want to strengthen it. So, instead of passing the Bill in hurry, we are suggesting that it should be further discussed in a Select Committee in order to strengthen the principle which underlines this Bill and in order to make it free from the defects that are here and that have been discussed. Let the Government agree that the Bill be sent to a Select Committee so that this Bill may be one which we may be proud of.

Shri SARBESWAR BARDOLOI (Titabar): Mr. Deputy Speaker, Sir, I rise just to oppose the proposal of sending the Bill to a Select Committee because it will simply delay matters and as I have already stated in this House when I placed my non-official bill for amending the Tea Plantation Provident Fund Scheme Act that it is a progress and that this Government's amendment is a step further towards a progressive Act. The Assam Tea Plantations Provident Fund Act, 1955 is a very progressive Act and this amendment by Government is further progressive and so instead of delay this amendment should be accepted and it should be implemented as early as possible.

Sir, we are, as a matter of fact, very much anxious to see that the clerical staff and bustee labourers are benefitted by this Provident Fund Act and if we accept this, these categories of workers will be immediately benefitted and in the Government amendment these things are there. The Government first brought some amendment of the definition of the word

employer, hereby including the word proprietor they have widened the scope and besides they have the word employee instead of that of labourer and thus it includes the clerical and medical staff also.

Sir, on the other hand, my Friend, Shri Bhattacharyya, stated that the provision of dearness allowance and basic wages and certain other things are not included but here it is very clearly stated of all other wages except bonus and commission. Let me read out the Government amendment:—

“wages mean any amount capable of being expressed in terms of money for the time being payable to an employee by the employer for works in connection with a plantation and includes dearness allowances, value of food concessions, amount payable for plucking whether calculated on time or piece rates or otherwise, and leave with wages and maternity allowances or benefits but does not include (a) Bonus, (b) commission”.

Sir, it is very clearly stated that maternity benefit is included with piece rate and time rate wages and all rates including dearness allowance and food concessions. So, I think, this is definitely a progress and it does not deserve any delay in the matter.

Another improvement in this Act is that it was the intention of the first Act that the workers above 20 and plantation above 25 acres and the production above 456 lbs. will be covered but here there are definite improvements.

Now, production bar has been removed.

Adjournment

The Assembly was then adjourned till 10 A.M., on Tuesday, the 18th March, 1958.

SHILLONG:

The 16th February, 1959.

R. N. BARUA,
Secretary, Legislative Assembly,
Assam.

APPENDIX I

[Statement laid on the Library Table in reply to unstarred Question No.236(b)]

STATEMENT FROM AGRICULTURE DEPARTMENT

Year	Sibsagar	Lakhimpur	Nowgong	Darrang	Kamrup	Goalpara	Cachar	U.K. J. Hills	Garo Hills	Mizo Hills	U.M. & N. C. Hills	Naga Hills
1943-44	} Not readily available	...	25600	19115	15017	7153	1835	..	..	..	..	..
1944-45		...	10000	89380	13941	8946	153	..	..	..	..	..
1945-46		...	20165	11444	16278	6594	4738	..	..	..	..	..
1946-47	1750	...	14000	10274	9912	6235	1855	..	..	..	..	..
1947-48	1750	...	5300	15315	13240	16684	6870	..	..	..	..	..
1948-49	11424	30877	5010	10973	33380	21029	10152	5009	..	..	..	425
1949-50	10430	13142	8319	13209	27673	12859	8313	6445.10	330	210	652	2517
1950-51	11658	28439	6943	20257	37049	29392	11492	425.39	2755	834	459	938
1951-52	31105	37870	9635	22712	23348	33932	15270	483.53	5193	175	1244	1534
1952-53	22180	35061	2062	10037	58442	23905	22078	656.80	3275	120	500	1752
1953-54	14652	18913	12115	19375	30587	26874	17712	450.00	3065	207	700	1749
1954-55	23827	14656	7593	30400	13177	23050	34856	654.01	6630	8	850	1701
1955-56	49018	46732	26575	Not readily available.	48574	42129	30394	1636.98	5796	580	1000	833
1956-57	24025	26096	17274	19199	30309	18113	2882	966.36	399	1200	..	..
1957-58	...	400	200	..	..	3398	4301	197.83	1783	229	500	583

Statement form Public Works Department

Area Improved for Cultivation by Minor Irrigation and Major Irrigation Projects till 31st December 1957 (District-wise)

Type of Schemes	Kamrup	Goalpara	Nowgong	Sibsagar	Lakhimpur	Darrang	Cachar	United K. & J. Hills	United Mikir & North Cachar Hills	Garo Hills	Mizo Hills
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Flood Embankments ..	1,26,400	1,29,000	1,93,500	1,14,100	2,33,900	86,800	41,100	—	2,300	2,800	..
Drainages and Recla- mations.	13,000	10,200	18,000	11,500	24,500	21,500	20,500	—	..	..	..
Actual Irrigations ..	...	9,300	...	..	..	29,500	...	—	700	..	..

APPENDIX

[Statement laid on the Library Table in reply to unstarred Question No.236(c)]

A statement showing the results achieved under different G. M. F. Programme from the beginning of the First Five Year Plan

Name of Scheme	1951-52		1952-53		1953-54		1954-55		1955-56		1956-57	
	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
	Acreage covered (acres)	Addl. pro- duction ob- tained (tons)	Acreage covered (acres)	Addl. pro- duction ob- tained (tons)	Acreage covered (acres)	Addl. pro- duction ob- tained (tons)	Acreage covered (acres)	Addl. pro- duction ob- tained (tons)	Acreage covered (acres)	Addl. pro- duction ob- tained (tons)	Acreage covered (acres)	Addl. pro- duction ob- tained (tons)
(1)												
Tea garden land Utilization Scheme	..	..	..	..	10.54	2.63	14.22	3.55	0.06	0.01	..	..
Power Pump Irrigation Scheme	..	0.33	1.08	1.35	1.02	1.23	0.93	0.42	0.79	0.34	1.69	0.93
Supplementary Power Pump Irrigation Scheme.	..	..	0.45	0.45	0.84	0.92	1.01	0.45	0.29	0.13	..	.. This
Manure Manufacture and distribution scheme.	7.54	0.41	8.39	1.19	5.27	0.60	4.75	0.59	11.24	4.43	2.87	0.12
Seed Multiplication and distribution Scheme	38.78	13.76	17.75	19.22	13.78	13.44	47.54	9.85	32.31	6.40	12.08	8.37
Additional Power Pump Irrigation Scheme (for scarcity areas only).	..	..	..	..	..	..	0.14	0.06	1.11	0.50	..	..
Additional Boro Paddy seed multiplication and distribution scheme (for scarcity areas only).	..	..	..	..	..	..	..	..	4.88	4.75	..	..
Sulphate Ammonia	..	..	..	..	..	..	..	..	..	..	87.30	4.36
Soil Conservation	..	..	..	..	..	..	..	..	..	..	3.37	1.11
Total	..	47.06	14.50	22.21	49.55	18.82	58.59	14.92	50.68	13.56	117.31	14.89