





# Assam Legislative Assembly Debates

## OFFICIAL REPORT

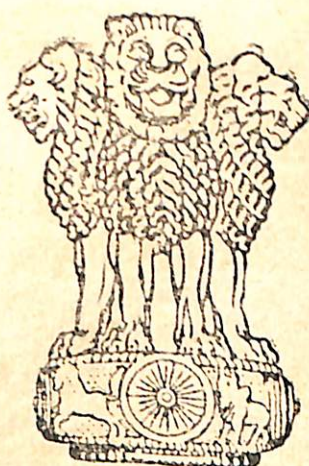
SEVENTH SESSION OF THE ASSAM LEGISLATIVE  
ASSEMBLY ASSEMBLED AFTER THE FIRST  
GENERAL ELECTION UNDER THE  
SOVEREIGN DEMOCRATIC REPUBLICAN  
CONSTITUTION OF  
INDIA

MARCH SESSION

VOLUME I

No. 11

The 17th March, 1955



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Legislative Assembly

Debates

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VOLUME

II

1911

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# DEBATES OF THE ASSAM LEGISLATIVE ASSEMBLY, 1955

(March Session)

Vol. I, No.11

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**Proceedings of the Seventh Session of the Assam Legislative Assembly assembled after the first General Election under the Sovereign Democratic Republican Constitution of India**

The Assembly met in the Assembly Chamber, Shillong, at 10 A.M., on Thursday, the 17th March, 1955.

**P R E S E N T**

Shri Kuladhar Chaliha, B.L., Speaker, in the Chair, the nine Ministers, the two Deputy Ministers, the two Parliamentary Secretaries and seventy Members.

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**QUESTIONS AND ANSWERS**

**STARRED QUESTIONS**

(To which oral answers were given)

**Procedures and Principles followed by Government at the time of vesting second and first class powers to the third and second class Magistrates respectively.**

**Shri MAL CHANDRA PEGU** asked :

\*18. Will the Judicial Minister be pleased to state—

- (a) What are the procedures and principles followed by Government at the time of vesting second and first class powers to the third and second class Magistrates respectively ?
- (b) Whether the works of the respective Magistrates are thoroughly examined before they are invested with second and first class powers ?
- (c) Whether Government propose to give up the present procedures and principles of vesting second and first class powers to the third and second class Magistrates and thoroughly investigate their works before upgrading their powers ?

**Shri BAIDYANATH MOOKERJEE (Minister)** replied :

18. (a)—The experience of a Magistrate is taken into consideration for investing him with higher powers. Ordinarily second and first class powers are given to Magistrates who have exercised third and second class powers respectively for six months.



(b)—Higher magisterial powers are given on the recommendation of the District Magistrate who satisfies himself about the desirability of such investment.

(c)—As the present procedure and principle are based on thorough investigation of each individual case, the question of changing such procedure and principle does not arise.

**M. MOINUL HAQUE CHAUDHURY:** Do Government consider six months' experience as sufficient for investing with first class powers ?

**Shri BAIDYANATH MOOKERJEE (Minister):** It is a question of opinion, Sir. At least Government think so generally.

**M. MOINUL HAQUE CHAUDHURY:** Is Government aware that such delegation of powers is not good for the administration of justice ?

**Shri BAIDYANATH MOOKERJEE (Minister):** Government has no such information, Sir.

**Shri MAL CHANDRA PEGU:** May I know whether the Deputy Commissioners and Subdivisional Officers who recommend the cases of the Magistrates for investing first class powers examine them before they recommend their cases to the Government ?

**Shri BAIDYANATH MOOKERJEE (Minister):** Any other examination of the Magistrates does not arise, Sir. The examination is based on the examination of the records. It will be an absurd proposition to call the Magistrate and examine him by putting questions before delegation of higher powers.

**Mr. SPEAKER:** You mean to say that their records are examined ?

**Shri BAIDYANATH MOOKERJEE (Minister):** Yes, Sir.

**Shri BIMALA KANTA BORA:** Is it not desirable to consult the President of the Bar, Sir ?

**Shri BAIDYANATH MOOKERJEE (Minister):** No, Sir.



## UNSTARRED QUESTIONS

(To which answers were laid on the table)

**Amount spent under First Five-Year Plan for  
Nowgong District**

**Mrs. USHA BARTHAKEUR** asked :

34. Will Government be pleased to state the amount spent till December, 1954 under the Five-Year Plan for Nowgong District stating the works executed under the Plan ?

**Shri BAIDYANATH MOOKERJEE (Minister)** replied :

34.—Figures of expenditure under the First Five-Year Plan for the Nowgong District for the period ending 31st March, 1954 have already been compiled and published in the Nowgong District Plan, a copy of which is placed on the Library Table. From this it will be seen that the expenditure in the first three years of the First Five-Year Plan for Nowgong was Rs.55.23 lakhs. The publication also indicates the works on which the expenditure was made.

The information to be obtained by compilation of figures of expenditure till the end of December, 1954 will not be commensurate with the labour and expenditure involved. Figures of expenditure upto the end of March, 1955 will be published in due course.

**Street Beggars in Assam**

**Shri MAHENDRA NATH DEKA** asked :

35. (a) Will Government be pleased to state the number of street beggars in the State of Assam ?

(b) If not, do Government propose to make a Census of them ?

36. (a) Are Government aware that hundreds of street beggars including child bearing mothers with children have been residing on the Brahmaputra sands near Fancybazar, Gauhati, in unhealthy and wretched huts ?

(b) Do Government propose to prepare a scheme for establishment of vagrants' houses for their accommodation and for their maintenance ?

**Shri BISHNURAM MEDHI (Chief Minister)** replied :

35. (a) & (b)—The number of street beggars is not known. According to the Census of 1951 the number of persons recorded as beggars and vagrants is 11,322.



36. (a)—Enquiries are being made into the actual position.

(b)—The entire question of dealing with beggars is already under consideration in connection with a proposal for legislation which has been proposed by the Government of India.

**Announcement of the result of Election of Members to the Committee to consider the draft amendment to the Assam Legislative Assembly Rules**

**Mr. SPEAKER:** I have great pleasure to inform the House that both the Government and Opposition Parties by mutual settlement have made election to the Committee to consider the draft amendment to the Assam Legislative Assembly Rules uncontested by limiting the number of candidates according to the numbers to be elected. The following hon. Members are therefore declared elected.

1. Shri Lila Kanta Barah.
2. Shri Mohendra Nath Deka.
3. Maulavi Faiznur Ali.
4. Maulavi Sahadat Ali Mandal.
5. Shri Biswadev Sarma.
6. Shri Radhika Ram Das.

**The Assam Non-Agricultural Urban Areas Tenancy Bill, 1953**

**Shri HARESWAR DAS (Deputy Minister):** Mr. Speaker, Sir, I beg to move that the recommendation of the President conveyed in the Message of the Governor and the amendments proposed by the President to the Assam Non-Agricultural Urban Areas Tenancy Bill, 1953, be considered in detail.

**Mr. SPEAKER:** The Motion moved is that the recommendation of the President conveyed in the Message of the Governor and the amendments proposed by the President to the Assam Non-Agricultural Urban Areas Tenancy Bill, 1953, be considered in detail.

**Shri HARESWAR GOSWAMI:** Mr. Speaker, Sir, I shall request the Deputy Minister-in-charge of Revenue to give us in greater details the implications of the amendments, because from the Bill or from the Message it is very difficult to fit in the amendments and also to see how the Bill stands after the amendments.



**Mr. SPEAKER:** Did you not get the original Bill ?

**Shri HARESWAR DAS (Deputy Minister):** It was supplied to all hon. Members, Sir.

**Shri HARESWAR GOSWAMI:** A short statement may give us some idea, Sir.

**Shri HARESWAR DAS (Deputy Minister):** Copies of the recommendations have been supplied to all the hon. Members, Sir, so they are to read it and know what the amendments are.

**Mr. SPEAKER:** The idea is probably that they are not prepared and if you give them some idea it will help them.

**Shri HARESWAR GOSWAMI:** The Bill was sent to us long ago, Sir. We would like to know how far the present amended Bill will affect the Bill, Sir.

**Shri HARESWAR DAS (Deputy Minister):** As desired, I would draw the notice of the hon. Member to clause 5 of the proposed recommendation, that is, the only clause the hon. Member will have to read and understand.

**Mr. SPEAKER:** It will be better if you move serially.

### Long Title

**Shri HARESWAR DAS (Deputy Minister):** Sir, I beg to move that in the Long Title between the words "regulate" and "the" the words "in certain respects" shall be inserted.

**Mr. SPEAKER:** Motion moved is that in the Long Title between the words "regulate" and "the" the words "in certain respects" shall be inserted.

(The Motion was put by the Chair as a question before the House, and adopted.)

### Preamble

**Shri HARESWAR DAS (Deputy Minister):** I beg to move that in the Preamble—

(i) Add the words "in certain respects" between the words "regulate" and "the".

(ii) Add the words "in the Sixth Year of the Republic of India" between the words "enacted" and "as".



When it is incorporated the Preamble will stand like this :

“Whereas it is expedient to regulate in certain respects the relationship between landlord and tenant in respect of non-agricultural lands in the Urban areas of the State of Assam.

It is hereby enacted in the Sixth Year of the Republic of India as follows :—”

**Mr. SPEAKER:** The amendment moved is that in the Preamble add the words “in certain respects” between the words “regulate” and “the”, and then add the words “in the Sixth Year of the Republic of India” between the words “enacted,” and “as”.

(The amendment was put by the Chair as a question before the House and adopted.)

### Clause 1

**Shri HARESWAR DAS (Deputy Minister):** I beg to move that for clause 1, *substitute* the following :—

“1. **Short title, extent and commencement.**—(1) This Act may be called the Assam Non-Agricultural Urban Areas Tenancy Act, 1955.

(2) It extends—

- (a) to the Urban areas in the State of Assam ; and
- (b) to any other areas which have been or may hereafter be declared town lands under clause (a) of Rule 64 of the Settlement Rules made under the Assam Land and Revenue Regulation, 1886 (Regulation I of 1886) or the Assam Land Revenue Re-assessment Act, 1936 (Assam Act, VIII of 1936).

(3) It shall come into force on such date as the State Government may, by notification in the official Gazette appoint”

**Mr. SPEAKER:** Amendment moved is : That for Clause 1, *substitute* the following :—

“1. **Short title, extent and commencement.**—(1) This Act may be called the Assam Non-Agricultural Urban Areas Tenancy Act, 1955.

(2) It extends—

- (a) to the Urban areas in the State of Assam ; and
- (b) to any other areas which have been or may hereafter be declared town lands under clause (a) of Rule 64 of the Settlement Rules made under the Assam Land and Revenue Regulation, 1886 (Regulation I of 1886) or the Assam Land Revenue Re-assessment Act, 1936 (Assam Act VII of 1936).



(3) It shall come into force on such date as the State Government may, by notification in the official Gazette appoint”.

**Shri HARESWAR GOSWAMI:** Mr. Speaker, Sir, I have no amendment, but I rise only on a point of clarification. What I find in the original Bill as passed by the Assembly in Clause (2) (b) is this: the Act extends in the first instance to the urban areas in the District of Cachar excluding Karimganj Subdivision and the towns of Gauhati, Tezpur and Dhubri; and it delegates power to the State Government to extend it to other urban areas of Assam. In the present amendment we find that the Act has been extended to all urban areas in the State of Assam. It is definitely an improvement, and if I am right, perhaps this amendment has been put to avoid the defect of discriminating one town against another town and of discriminating one tenant against another tenant. If that be so, then why in clause (3) it is said that “It shall come into force on such date as the State Government may, by notification in the official Gazette appoint”? I want only a clarification whether the notification will mean that when it will be implemented, it will be implemented in all urban towns! Whether any power has been left to the State Government under this clause to implement it in certain towns or when it will be implemented it will come into force in all urban areas of Assam?

**Shri HARESWAR DAS (Deputy Minister):** Mr. Speaker, Sir, the apprehension of my Friend is not correct. It is clear here that it extends to the urban areas in the State of Assam. So when it is enforced it will be enforced in all urban areas and there cannot be any discrimination between one urban area and another urban area. There is absolutely no reason for apprehension about that.

**Mr. SPEAKER:** The question is that for clause 1, the following should be substituted:—

“1. **Short title, extent and commencement.**—(1) This Act may be called the Assam Non-Agricultural Urban Areas Tenancy Act, 1955.

(2) It extends—

- (a) to the urban areas in the State of Assam; and
- (b) to any other areas which have been or may hereafter be declared town lands under clause (a) of Rule 64 of the Settlement Rules made under the Assam Land and Revenue Regulation, 1886 (Regulation I of 1886) or the Assam Land Revenue Re-assessment Act, 1936 (Assam Act VIII of 1936).



(3) It shall come into force on such date as the State Government may, by notification in the official Gazette appoint”.

(The Motion was adopted.)

### Clause 2

**Shri HARESWAR DAS (Deputy Minister):** Sir, I beg to move (1) that in the first proviso—

(i) In clause (a) for the words “rules under” the words “the rules made under” shall be substituted.

(ii) Add the word “or” after the semi-colon at the end of clause (a).

(iii) In clause (c) for the letter “A” the word “any” shall be substituted.

(2) That in the second proviso—

Add the word “the” between the words “and” and “tenant”.

**Mr. SPEAKER :** Amendment moved is: (1) that in the first proviso—

(i) In clause (a) for the words “rules under” the word “the rules made under” shall be substituted.

(ii) Add the word “or” after the semi-colon at the end of clause (a).

(iii) In clause (c) for the letter “A” the word “any” shall be substituted.

(2) That in the second proviso—

Add the word “the” between the words “and” and “tenant”.

(The Motion was put by the Chair as a question before the House and adopted.)

### Clause 3

**Shri HARESWAR DAS (Deputy Minister):** Mr. Speaker, Sir, I beg to move—

(1) That sub-clause (a) of Clause 3 shall be deleted and the existing sub-clauses (b), (c) and (d) shall be re-numbered as sub-clauses (a), (b) and (c) respectively;

(2) that in Clause 3, after sub-clause (c) as so re-numbered, the following shall be added as new sub-clause (d):—“(d) ‘permanent structure’ in relation to any locality means a structure which is regarded as permanent in that locality.”

**Mr. SPEAKER :** Amendment moved is:

(1) That sub-clause (a) of Clause 3 shall be deleted and the existing sub-clauses (b), (c) and (d) shall be re-numbered as sub-clauses (a), (b) and (c) respectively;



(2) that in Clause 3, after sub-clause (c) as so re-numbered the following shall be added as new sub-clause (d): — “(d) ‘permanent structure’ in relation to any locality means a structure which is regarded as permanent in that locality.”

**Shri HARESWAR GOSWAMI:** Mr. Speaker, Sir, here also I have no amendment, but what I find ‘building’ in the original Bill means unless there is anything repugnant in the subject-matter or context includes a house or any other structure whether made of masonry, bricks, wood, mud, metal, bamboo, sungrass or any other material whatsoever, but does not include the land on which it stands. As against that, we find a new clause (d) which reads “‘permanent structure’ in relation to any locality means a structure which is regarded as permanent in that locality”. Sir, my difficulty is, although permanent structure will include houses, but, shed, etc., which are included in the definition of building, I would like to know whether these things will come under the definition of ‘permanent structure’. I am doubtful about it and in that way the present amended Bill will appear to seek to limit the definition of building and it will go against the interests of the tenant. I do not know whether this amendment is necessary so as not to fall within the mischief of unreasonable restriction as laid down in the Constitution. What I feel is that even if we keep these things and make the definition of permanent structure more elaborate so as to include huts or any other structure and when we do that then there are certain tenants who are really very badly affected will get real protection. We have to give protection to them also but permanent structure may not include such houses and I therefore consider the present amendment really abridges the definition of building and may affect the poor tenants who want more protection from the State.

**Shri HARESWAR DAS (Deputy Minister):** Mr. Speaker, Sir, there is another side of the picture. That there was a definition in the original Bill for “building” is correct. But that definition defeats the very purpose of the Bill, because the definition of building there means any structure. Now all tenants are not poor. There may be a big and rich tenant who has taken lease of a very good plot of land. He may construct a cowshed there and that will come within the definition of building and he will be protected from eviction. But actually we do not like to give protection to such *mala fide* tenants. He may construct an *ekchala* and keep scrap iron there and say it is his business



he will be protected. We do not like to protect such tenants as they are *mala fide* ones. The words "permanent structure" will be found in Clause 5. These words have been newly introduced and so the definition is necessary. This definition of permanent structure will meet the points raised by my Friend. In certain areas thatched houses may be regarded as permanent, in other areas Corrugated Iron Sheet-roofed-houses or cement concrete houses. The whole matter is left to the Court to decide and the people themselves will have to decide. It is very difficult to define permanent structure and so it has been kept wide to include any structure. This definition will meet the purpose.

**Shri HARESWAR GOSWAMI:** Whether this definition will not go against the people and whether it will protect them?

**Shri HARESWAR DAS (Deputy Minister):** It will protect them because any particular shed or house is regarded as permanent structure in that area.

**Mr. SPEAKER:** The question is :

(1) That sub-clause (a) of Clause 3 shall be deleted and the existing sub-clauses (b), (c) and (d) shall be re-numbered as sub-clauses (a), (b), and (c) respectively ;

(2) that in clause 3, after sub-clause (c) as so re-numbered, the following shall be added as new sub-clause (d)—“(d) ‘permanent structure’ in relation to any locality means a structure which is regarded as permanent in that locality.”

(The Motion was adopted.)

### Clauses 4 and 5

**Shri HARESWAR DAS (Deputy Minister):** Mr. Speaker, Sir, I beg to move that Clauses 4 and 5 be deleted.

**Mr. SPEAKER:** The Motion moved is that Clauses 4 and 5 be deleted.

(The Motion was put by the Chair as a question before the House and adopted.)



## Clause 6

**Shri HARESWAR DAS (Deputy Minister):** Sir, I beg to move that—

- (1) Clause 6 be re-numbered as Clause 4 ;
- (2) in the proviso to original Clause 6, now re-numbered as Clause 4, the words “previously paid by a tenant” occurring therein shall be substituted by the words “at which rent has been previously paid by a tenant immediately before the dispute”.

**Mr. SPEAKER:** The Motion moved is:

- (1) that Clause 6 be re-numbered as clause 4 ;
- (2) that in the proviso to original clause 6, now re-numbered as clause 4, the words “previously paid by a tenant” occurring therein shall be substituted by the words “at which rent has been previously paid by a tenant immediately before the dispute”.

(The Motion was put by the Chair as a question before the House and adopted.)

## Clause 7

**Shri HARESWAR DAS (Deputy Minister):** Sir, I beg to move that for clause 7 the following as clause 5 be substituted and add a new clause 6 thereafter as follows:—

“5. *Protection from eviction.*—(1) Notwithstanding anything in any contract or in any law for the time being in force—(a) where under the terms of a contract entered into between a landlord and his tenant whether before or after the commencement of this Act, a tenant is entitled to build, and has in pursuance of such terms actually built within the period of five years from the date of such contract, a permanent structure on the land of the tenancy for residential or business purposes, or where a tenant not being so entitled to build, has actually built any such structure on the land of the tenancy for any of the purposes aforesaid with the knowledge and acquiescence of the landlord, the tenant shall not be ejected by the landlord from the tenancy except on the ground of non-payment of rent ; (b) where a tenant has effected improvements on the land of the tenancy under the terms whereof he is not entitled to effect such improvements, the tenant shall not be ejected by the landlord from the land of the tenancy unless compensation for reasonable improvements has been paid to the tenant.

(2) No tenant shall be ejected by his landlord from the land of the tenancy except in execution of a decree for ejectment passed by a competent Civil court.



(3) No decree for ejectment passed on the ground of non-payment of rent shall be executed within a period of thirty days from the date of the decree and if the tenant pays into the Court whose duty it is to execute the decree the entire amount payable under the decree within the aforesaid period, the Court shall record the decree as satisfied”.

Now, the new clause 6 is as follows :

**“6. Compensation for improvements.**—In a suit for ejectment against a tenant if any question arises—

- (a) whether the tenant has effected any improvement on the land of the tenancy, or
- (b) whether such improvement is reasonable improvement, or
- (c) whether any compensation may be paid for such an improvement, and if so, how much, the question shall be decided by the Court having regard to the circumstances of each case.

**Explanation.**—Any structure which a tenant is, under the terms of a contract referred to in clause (a) of sub-section (1) of Section 5, entitled to build but has actually built after the expiry of the period of five years referred to in that clause shall be deemed to be a reasonable improvement within the meaning of this section”.

**Mr. SPEAKER :** The amendment moved is that for clause 7, the following be substituted as clause 5 and add a new clause 6 thereafter as follows :—

**“5. Protection from eviction.**—(1) Notwithstanding anything in any contract or in any law for the time being in force—  
(a) where under the terms of a contract entered into between a landlord and his tenant whether before or after the commencement of this Act, a tenant is entitled to build, and has in pursuance of such terms actually built within the period of five years from the date of such contract, a permanent structure on the land of the tenancy for residential or business purposes, or where a tenant not being so entitled to build, has actually built any such structure on the land of the tenancy for any of the purposes aforesaid with the knowledge and acquiescence of the landlord, the tenant shall not be ejected by the landlord from the tenancy except on the ground of non-payment of rent ; (b) where a tenant has effected improvements on the land of the tenancy under the terms whereof he is not entitled to effect such improvements, the tenant shall not be ejected by the landlord from the land of the tenancy unless compensation for reasonable improvements has been paid to the tenant.



(2) No tenant shall be ejected by his landlord from the land of the tenancy except in execution of a decree for ejectment passed by a competent Civil court.

(3) No decree for ejectment passed on the ground of non-payment of rent shall be executed within a period of thirty days from the date of the decree and if the tenant pays into the Court whose duty it is to execute the decree the entire amount payable under the decree within the aforesaid period, the Court shall record the decree as satisfied.

**6. Compensation for improvements.**—In a suit for ejectment against a tenant if any question arises—

(a) whether the tenant has effected any improvement on the land of the tenancy, or

(b) whether such improvement is reasonable improvement, or

(c) whether any compensation may be paid for such an improvement, and if so, how much, the question shall be decided by the Court having regard to the circumstances of each case

**Explanation.**—Any structure which a tenant is, under the terms of a contract referred to in clause (a) of sub-section (1) of Section 5, entitled to build but has actually built after the expiry of the period of five years referred to in that clause shall be deemed to be a reasonable improvement within the meaning of this section."

**Shri HARESWAR GOSWAMI:** Mr. Speaker, Sir, I want to speak a few words in this connection. Sir, the main clauses in this Bill are clauses 5 and 6—"Protection from eviction and compensation for improvement"—Otherwise this Bill deletes many of the clauses that were incorporated in the original Bill as passed by this House. As you will see, Sir, clauses 4 and 5 have been deleted and towards the end also we find clauses 11, 12, 13, 14 and 15 have been deleted; there also very important clauses regarding suits, have been deleted. But, Sir, I am not objecting to these amendments for one thing. That is, this piece of legislation is a very urgent one and it has been pending for the last four years. It has become so contentious that every time we pass something, the Central Government or the President does not give us assent. So it is better to have some legislation and give the tenant some kind of protection than not to have it at all. But what do we find? Actually the Bill should have been renamed altogether because it touches



only one aspect, namely, the aspect of eviction and compensation. But regarding occupancy right, this has been given a good-bye for all time.

Sir, you will see also that clause 4 has been deleted by this Bill. The clause says—"No person who has possessed any land as a tenant continuously for a period of twelve years, either wholly or partly, before or after the commencement of this Act, shall be evicted therefrom so long as he continues the payment of rent, if any, to his landlord and fulfils other conditions not inconsistent with the provisions of this Act" and "Provided further that on the death of such a tenant his rights shall descend in the same manner as any immovable property". Here occupancy right is given to the tenant within a period of 12 years and if within these 12 years he dies, his tenancy will continue, because it is explained here that, in computing the period of twelve years, a tenant shall be entitled to tack to the length of his possession any periods during which his predecessors-in-interest were in possession of the land. There is here a tacking of his predecessors-in-interest. But what do we see to day? By this amending Bill it is only within five years if under the contract he builds a permanent structure on the land then he will be protected under the Act and he will not be evicted if he pays the rent. There is nothing under this amending Bill what would happen afterwards if his predecessor dies and he is in possession of the land. These things are not mentioned here, although at the moment the burning problem is how to give a tenant protection from the unscrupulous eviction by his landlord. That was to some extent provided in this Bill. The man needs certain rights when he has enjoyed the land. In that way, Sir, this Bill is a retrograde step.

However, Sir, as I have already stated that it is time that the tenants should be given some kind of protection? With that view only I accept the amendment and I would also request the Minister-in-charge to look to the other aspect of the thing, that is, occupancy rights, etc., and I believe that if these limited rights are given then they will not offend the Constitution of India. From that view also we can give certain rights to the tenants. I request the Minister-in-charge that these aspects of the matter should be kept in view.

My another point is this regarding pending suits. In clause 15 it is written: "The provisions of this Act shall have



effect in respect of all suits or proceedings, excluding proceedings in execution for ejectment of a person, which are pending at the date of commencement of this Act." If this also goes then the protection intended to be given may also be nullified.

**Shri HARESWAR DAS (Deputy Minister):** Sir, the implication of this clause 4 was discussed in this House when the Bill was passed. The Attorney General opined that it would conflict with the Constitution. Reasonable restrictions under the Constitution may be put. But here the right itself was taken away and so it would clash with the Constitution. The Attorney General also opined that if a right itself is sought to be taken away then the question of reasonable restriction does not come in at all. In case of acquisition there must be provision for compensation. There are no provisions here for payment of compensation to the landlord when the tenant acquires the limited right of occupancy.

There is another loophole, that is to say, by 12 years possession the tenant will acquire the right of occupancy even though he does not construct any house or structure or does not do anything on the land. We want to give protection to those persons only who took lease of the land, constructed their houses thereon and resided there either with their families or for the purpose of business. In clause 4 of the Bill it was provided that a person may acquire limited right of occupancy after possession of 12 years by doing nothing on the land and after acquisition of the right of occupancy, he may let it out to others. To avoid such loopholes this new clause 5 has been substituted. It confers better right on the tenant, because if you take lease of a plot of land and construct a house you do not acquire any right, but actually you are acquiring a permanent right so long you pay rent. For the benefit of the tenant a provision of 5 years is given for construction of structures. Suppose a plot of land is let out, next year the landlord may say that it is one year and the tenant has not constructed any structure and for that he should vacate the land. The landlord should wait for five years and in this period if the tenant constructs any structure then he is protected. The tenant can construct a structure even in the first year and then he is protected and cannot be evicted provided he goes on paying the rent. Though our provisions were turned down by the Government of India, the provisions they suggest confers almost permanent right on the tenant on the condition that he goes on paying regularly the rent due to the landlord.



**Mr. SPEAKER:** The question is that :

For clause 7, *substitute* the following as clause 5 and *add* a new clause 6 thereafter as follows:—

“5. **Protection from eviction.**—(1) Notwithstanding anything in any contract or in any law for the time being in force—

(a) where under the terms of a contract entered into between a landlord and his tenant whether before or after the commencement of this Act, a tenant is entitled to build, and has in pursuance of such terms actually built within the period of five years from the date of such contract, a permanent structure on the land of the tenancy for residential or business purposes, or where a tenant not being so entitled to build has actually built any such structure on the land of the tenancy for any of the purposes aforesaid with the knowledge and acquiescence of the landlord, the tenant shall not be ejected by the landlord from the tenancy except on the ground of non-payment of rent;

b) where a tenant has effected improvements on the land of the tenancy under the terms whereof he is not entitled to effect such improvements, the tenant shall not be ejected by the landlord from the land of the tenancy unless compensation for reasonable improvements has been paid to the tenant.

(2) No tenant shall be ejected by his landlord from the land of the tenancy except in execution of a decree for ejectment passed by a competent Civil court.

(3) No decree for ejectment passed on the ground of non-payment of rent shall be executed within a period of thirty days from the date of the decree and if the tenant pays into the Court whose duty it is to execute the decree the entire amount payable under the decree within the aforesaid period, the Court shall record the decree as satisfied.

6. **Compensation for improvements.**—In a suit for ejectment against a tenant if any question arises—

(a) whether the tenant has effected any improvement on the land of the tenancy, or

(b) whether such improvement is reasonable improvement, or



- (c) whether any compensation may be paid for such an improvement, and if so, how much, the question shall be decided by the Court having regard to the circumstances of each case.

**Explanation.**—Any structure which a tenant is, under the terms of a contract referred to in clause (a) of subsection (1) of Section 5, entitled to build but has actually built after the expiry of the period of five years referred to in that clause shall be deemed to be a reasonable improvement within the meaning of this section."

(The Motion was adopted).

### Clause 8

**Shri HARESWAR DAS (Deputy Minister) :** Sir, I beg to move that :

"*Re-number* clause 8 as clause 7 and *add* the words 'of rent' between the words 'Enhancement' and 'by' in the heading."

**Mr. SPEAKER :** The Motion moved is :

"*Re-number* clause 8 as clause 7 and *add* the words 'of rent' between the word 'Enhancement' and 'by' in the heading."

(The Motion was put by the Chair as a question before the House and adopted).

### Clause 9

**Shri HARESWAR DAS (Deputy Minister) :** I beg to move that :

1. *Re-number* clause 9 as clause 8.
2. *Add* the words "of rent" between the words "Enhancement" and "without" in the heading.
3. *Substitute* the word and figure "section 7" for the word and figure "section 8".

**Mr. SPEAKER :** The Motion moved is :

1. *Re-number* clause 9 as clause 8.
2. *Add* the words "of rent" between the words "Enhancement" and "without" in the heading.
3. *Substitute* the word and figure "section 7" for the word and figure "section 8".

(The Motion was put by the Chair as a question before the House and adopted).



## Clause 10

**Shri HARESWAR DAS (Deputy Minister):** Sir, I beg to move that:

*Re-number* clause 10 as clause 9 and *add* the words "of rent" between the words "Enhancement" and "by" in the heading.

**Mr. SPEAKER:** The Motion moved is :

*Re-number* clause 10 as clause 9 and *add* the words "of rent" between the words "Enhancement" and "by" in the heading.  
(The Motion was put by the Chair as a question before the House and adopted).

## Clause 11

**Shri HARESWAR DAS (Deputy Minister):** Sir, I beg to move that:

"*Re-number* clause 11 as clause 10."

**Mr. SPEAKER:** The Amendment moved is :

"*Re-number* clause 11 as clause 10."  
(The Motion was put by the Chair as a question before the House and adopted).

## Clauses 12-15

**Shri HARESWAR DAS (Deputy Minister):** Sir, I beg to move that "Clauses 12, 13, 14 and 15 be deleted."

**Mr. SPEAKER:** The Amendment moved is that:

"Clauses 12, 13, 14 and 15 be deleted."  
(The Motion was put by the Chair as a question before the House and adopted).

## Clauses 16-18

**Shri HARESWAR DAS (Deputy Minister):** Sir, I beg to move that:

"*Re-number* clauses 16, 17 and 18 as clauses 11, 12 and 13 respectively."

**Mr. SPEAKER:** The Amendment moved is :

"*Re-number* clauses 16, 17 and 18 as clauses 11, 12 and 13 respectively."  
(The Motion was put by the Chair as a question before the House and adopted).

## Clause 19

**Shri HARESWAR DAS (Deputy Minister):** Mr. Speaker, Sir, I beg to move that the existing clause 19 shall be *re-numbered* as clause 14 and *substituted* by the following:—

"14. *Repeal.*—The Sylhet Non-Agricultural Urban Areas Tenancy Act, 1947 (Assam Act X of 1947) is hereby repealed."



**Mr. SPEAKER :** Motion moved is that the existing clause 19 shall be *re-numbered* as clause 14 and *substituted* by the following :—

“14. *Repeal.*—The Sylhet Non-Agricultural Urban Areas Tenancy Act, 1947 (Assam Act X of 1947) is hereby repealed.”

**Shri RANENDRA MOHON DAS :** Mr. Speaker, Sir, I beg to speak a few words against clause 19 in so far it relates to the question of substitution, *i.e.*, “The Sylhet Non-Agricultural Urban Areas Tenancy Act, 1947 (Assam Act X of 1947) is hereby repealed.”

Sir, the Sylhet Non-Agricultural Urban Areas Tenancy Act, 1947 (Assam Act X of 1947) is prevalent in the Karimganj Subdivision, and in my opinion this Act serves the interest of the tenants of Karimganj much better than the Bill we are now proceeding with. When in the last year this Assam Non-Agricultural Urban Areas Tenancy Bill was brought before the House we also from this side of the House as well as some Government Members moved certain amendments as a result of which Karimganj Subdivision was excluded from the operation of the present Assam Non-Agricultural Urban Areas Tenancy Bill. Sir, I cannot understand now how the Government is going to usurp or taking away the rights enjoyed by the tenants in Karimganj, though, of course, it goes against my own interest. I want some clarification from the Government on this point.

**Shri HARESWAR DAS (Deputy Minister) :** There is a saying like “Living in fools’ Paradise”. Of course, thereby I do not mean any aspersion to my Friend. I do not like that Government should live in such a paradise. We have taken the highest legal opinion, and we were told that the day that Act is questioned in the Law Court, that will be declared *ultra vires*.

**Shri RANENDRA MOHAN DAS :** But up till now nothing like that has been done.

**Shri HARESWAR DAS (Deputy Minister) :** So, Sir, we cannot rely on that Act. Secondly, this amendment confers much more rights to the tenants than the Sylhet Non-Agricultural Urban Areas Tenancy Act.

**Mr. SPEAKER :** Have you got a copy of that Act ?

**Shri HARESWAR DAS (Deputy Minister) :** I do not have the Act with me now, but I know that from the standpoint of the tenants this Amendment is much more welcome to



them, though from the stand-point of the landlords that Act serves their purpose better. I hope tenants will welcome this Bill more than the other.

**Mr. SPEAKER:** The question is that the existing clause 19 shall be *re-numbered* as clause 14 and *substituted* by the following:—

“14. **Repeal.**—The Sylhet Non-Agricultural Urban Areas Tenancy Act, 1947 (Assam Act X of 1947) is hereby repealed.

(The Motion was adopted).

**Shri HARESWAR DAS (Deputy Minister):** Mr. Speaker, Sir, I beg to move that the Assam Non-Agricultural Urban Areas Tenancy Bill, 1953, as now amended, be passed.

**Mr. SPEAKER:** The Motion moved is that the Assam Non-Agricultural Urban Areas Tenancy Bill, 1953, as now amended, be passed.

**Shri HARESWAR GOSWAMI:** Mr. Speaker, Sir, at long last we have been able to pass the Assam Non-Agricultural Urban Areas Tenancy Bill, and I hope that it will not come across any hurdle in getting the assent of the President. Sir, my only request is that the problem is so urgent and so pressing that even three years back we took up the matter and wanted to legislate on it. Already we are very late and in the meantime, some greedy and unscrupulous landlords getting the scent of such a Bill as this is going to be passed into an Act trying their utmost to eject their tenants who have got permanent structures on land, and already hundreds of tenants have been evicted in many towns of Assam. Now that the Bill is passed and as we do hope it will not meet with any hurdle in getting the assent of the President, I request the Government to see that not a day is lost as soon as it gets the assent in enforcing the Act in all the towns of Assam. If this is done, though its powers are still very limited, I hope people will get substantive protection and the purpose for which the Bill is now passed will be served.

**Mr. SPEAKER:** The question is that the Assam Non-Agricultural Urban Areas Tenancy Bill, 1953, as now amended, be passed.

(The Motion was adopted).



**The Assam Stamp (Amendment) Bill, 1955**

**Shri MOTIRAM BORA (Minister):** Mr. Speaker, Sir, there is no amendment to my Bill, i. e., the Assam Stamp (Amendment) Bill, 1955.

As there is no amendment, I beg to move that the Assam Stamp (Amendment) Bill, 1955, be passed.

Sir, this is a small measure. The present Act expires on the 31st March, 1955, and we now want to have something like a permanent measure in the interest of revenue. I hope the House will agree to this.

**Mr. SPEAKER:** The Motion moved is that the Assam Stamp (Amendment) Bill, 1955, be passed.

(After a pause)

The question is that the Assam Stamp (Amendment) Bill, 1955, be passed.

(The Motion was adopted.)

**The Assam Finance Bill, 1955**

**Shri MOTIRAM BORA (Minister):** Mr. Speaker, Sir, there is also no amendment to the Assam Finance Bill, 1955, which I have placed before the House. This is also a small measure. The rate of agricultural income-tax that was accepted last time is sought to be laid down in the present Bill. I hope the House will agree to this.

**Mr. SPEAKER:** The Motion moved is that the Assam Finance Bill, 1955 be passed.

(After a pause)

The question is that the Assam Finance Bill, 1955 be passed.  
(The Motion was adopted.)

**The Assam Appropriation (No.1) Bill, 1955**

**Mr. SPEAKER:** I have received a Message from the Governor which I am reading out:—

“Under the provisions of Article 207 of the Constitution of India, I, Jairamdas Doulatram, Governor of Assam, recommend the introduction in the Legislative Assembly of Assam, the Assam Appropriation (No.1) Bill, 1955 and also the consideration of the said Bill by the said Assembly.”

**Shri MOTIRAM BORA (Minister):** Mr. Speaker, Sir, I beg to introduce the Assam Appropriation (No.1) Bill, 1955, and to move that the Bill be taken into consideration.



**Mr. SPEAKER:** Motion moved is that the Assam Appropriation (No.1) Bill, 1955, be taken into consideration.

(After a pause)

The question is that the Assam Appropriation (No.1) Bill, 1955, be taken into consideration.

(The Motion was adopted).

**Shri MOTIRAM BORA (Minister):** Mr. Speaker, Sir, I beg to move that the Assam Appropriation (No.1) Bill, 1955, be passed.

**Mr. SPEAKER:** Motion moved is that the Assam Appropriation (No.1) Bill, 1955, be passed.

(After a pause).

The question is that the Assam Appropriation (No.1) Bill, 1955, be passed.

(The Motion was adopted).

### Assam Acquisition of Land for Flood Control and Prevention of Erosion Bill, 1955

#### Clause 2

**Shri MOHI KANTA DAS (Parliamentary Secretary):** Mr. Speaker, Sir, I beg to move that for sub-clause (2) of clause 2 the following shall be substituted.—

“(2) ‘Collector’ means the Deputy Commissioner or Sub-divisional Officer in charge of a Subdivision”.

This amendment is designed to make the definition of the word “Collector” clearer and more comprehensive.

**Mr. SPEAKER:** Motion moved is that for sub-clause (2) of clause 2 the following shall be substituted.—

“(2) ‘Collector’ means the Deputy Commissioner or Sub-divisional Officer in charge of a Subdivision”.

**Shri HARESWAR DAS (Deputy Minister):** I accept the amendment, Sir.

**Mr. SPEAKER:** The question is that for sub-clause (2) of clause 2 the following shall be substituted:—

“(2) ‘Collector’ means the Deputy Commissioner or Sub-divisional Officer in charge of a Subdivision.”

(The Motion was adopted).



## Clause 3

**Shri MOHI KANTA DAS (Parliamentary Secretary):**

Mr. Speaker, Sir, I beg to move:

(i) That in clause 3 after the words "State Government" occurring in lines one and two the following shall be inserted.—  
"or such officer as is empowered in this behalf by the State Government".

(ii) That after the words, "State Government" occurring in line four, the words "or such officer" shall be inserted;

(iii) That in clause 3 for the words, "published in the official Gazette" occurring in the third and fourth lines the words "in writing" shall be substituted.

**Mr. SPEAKER:** Motion moved is:

(i) That in clause 3 after the words, "State Government" occurring in lines one and two the following shall be inserted.—  
"or such officer as is empowered in this behalf by the State Government.

(ii) That after the words, "State Government" occurring in line four, the words, "or such officer" shall be inserted;

(iii) That in clause 3 for the words, "published in the official Gazette" occurring in the fourth and the fifth lines the words, "in writing" shall be substituted.

**Shri HARESWAR DAS (Deputy Minister):** I accept the amendment, Sir.**Mr. SPEAKER:** The question is:

(i) That in clause 3 after the words, "State Government" occurring in lines one and two the following shall be inserted.—  
"or such officer as is empowered in this behalf by the State Government".

(ii) That after the words, "State Government" occurring in line four, the words, "or such officer" shall be inserted;

(iii) That in clause 3 for the words, "published in the official Gazette" occurring in the fourth and the fifth lines the words, "in writing" shall be substituted.

(The Motion was adopted).

## Clause 4

**Shri MOHI KANTA DAS (Parliamentary Secretary):**

Mr. Speaker, Sir, I beg to move that clause 4 shall be substituted by the following:—



“4—Service on owner or occupier affected by the order of acquisition—

The Collector shall cause the order passed under section 3 to be served in such manner as may be prescribed on the owner of the land and on the occupier in cases where the owner is not in occupation of the land and also a notice to the same effect stating that claims to compensation for all interests in the land may be made to him within such time as may be prescribed.

Provided that when the person to be so served is not readily traceable or the ownership of the land is in dispute, the Collector shall cause the above order and notice to be published in such other manner as may be prescribed”.

**Mr. SPEAKER** Motion moved is:

That clause 4 shall be substituted by the following:

“4 Service on owner or occupier affected by the order of acquisition—

The Collector shall cause the order passed under section 3 to be served in such manner as may be prescribed on the owner of the land and on the occupier in cases where the owner is not in occupation of the land and also a notice to the same effect stating that claims to compensation for all interests in the land may be made to him within such time as may be prescribed.

Provided that when the person to be so served is not readily traceable or the ownership of the land is in dispute, the Collector shall cause the above order and notice to be published in such other manner as may be prescribed”.

**Shri HARESWAR DAS (Deputy Minister):** I accept the amendment, Sir.

**Mr. SPEAKER:** The question is:

That clause 4 shall be substituted by the following:

“4. Service on owner or occupier affected by the order of acquisition—

The Collector shall cause the order passed under section 3 to be served in such manner as may be prescribed on the owner of the land and on the occupier in cases where the owner is not in occupation of the land and also a notice to the same effect stating that claims to compensation for all interests in the land may be made to him within such time as may be prescribed.

Provided that when the person to be so served is not readily traceable or the ownership of the land is in dispute, the



Collector shall cause the above order and notice to be published in such other manner as may be prescribed".

(The Motion was adopted)

*Clause 5*

**Shri MOHI KANTA DAS (Parliamentary Secretary)**

Mr. Speaker, Sir, I beg to move:

That in sub-clause (1) of clause 5 the letter and word "a notice" occurring in the first line shall be substituted by the words "an order" and the word "notice" occurring in the fourth line shall be substituted by the word "order".

That after sub-clause (2) of clause 5 the following shall be inserted as sub-clause (3):—

"(3) On such vesting, the order passed under section 3 shall be published in the official Gazette in the manner prescribed."

**Mr. SPEAKER:** Motion moved is:

That in sub-clause (1) of clause 5 the letter and words, "a notice" occurring in the first line shall be substituted by the words, "an order" and the word "notice" occurring in the fourth line shall be substituted by the word, "order".

That after sub-clause (2) of clause 5 the following shall be inserted as sub-clause (3):—

"(3) On such vesting, the order passed under section 3 shall be published in the official Gazette in the manner prescribed."

**Shri HARESWAR DAS (Deputy Minister):** I accept the amendment, Sir.

**Mr. SPEAKER:** The question is:

That in sub-clause (1) of clause 5 the letter and words, "a notice" occurring in the first line shall be substituted by the words, "an order" and the word "notice" occurring in the fourth line shall be substituted by the word, "order".

That after sub-clause (2) of clause 5 the following shall be inserted as sub-clause (3):

"(3) On such vesting, the order passed under section 3 shall be published in the official Gazette in the manner prescribed."

(The Motion was adopted)



**Mr. SPEAKER :** The question is that clauses 2 to 5 as amended do form part of the Bill.

(This was adopted)

The question in that clauses 6 to 16 do form part of the Bill.

(This was adopted)

The question is that the long title and the preamble do part of the Bill.

(This was adopted)

**Shri HARESWAR DAS (Deputy Minister) :** Mr. Speaker, Sir, I beg to move that the Assam Acquisition of Land for Flood Control and Prevention of Erosion Bill, 1955, as amended, be passed.

**Mr. SPEAKER :** The Motion moved is that the Assam Acquisition of Land for Flood Control and Prevention of Erosion Bill, 1955, as amended, be passed.

(After a pause)

The question is that the Assam Acquisition of Land for Flood Control and Prevention of Erosion Bill, 1955 as amended be passed.

(The Motion was adopted)

### **The Assam Adoption of Standard Weights Bill, 1954**

**Shri RAMNATH DAS (Minister) :** Mr. Speaker, Sir, as there is no amendment to this Bill, I beg to move that the Assam Adoption of Standard Weights Bill, 1954, as reported by the Select Committee, be passed.

**Mr. SPEAKER :** The Motion moved is that the Assam Adoption of Standard Weights Bill, 1954, as reported by the Select Committee, be passed.

(After a pause)

The question is that the Assam Adoption of Standard Weights Bill, 1954 as reported by the Select Committee, be passed.

(The Motion was adopted)



**The Assam Displaced Persons Rehabilitation Loans, (Amendment) Bill, 1955**

**Shri BAIDYANATH MOOKERJEE (Minister):** Mr. Speaker, Sir, as there is no amendment to any clause of the Bill, I beg to move that the Assam Displaced Persons (Rehabilitation Loans) (Amendment) Bill, 1955, be passed.

**Mr. SPEAKER:** The Motion moved is that the Assam Displaced Persons (Rehabilitation Loans) (Amendment) Bill, 1955, be passed.

*(After a pause)*

The question is that the Assam Displaced Persons (Rehabilitation Loans) (Amendment) Bill, 1955, be passed.

*(The Motion was adopted)*

*(At this stage the Speaker vacated and the Deputy Speaker occupied the Chair.)*

**The Criminal Law Amendment (Extension to Autonomous District) Bill, 1955**

**Shri MOHI KANTA DAS (Parliamentary Secretary):** Mr. Deputy Speaker, Sir, as there is no amendment to this Bill, I beg to move that the Criminal Law Amendment (Extension to Autonomous Districts) Bill, 1955, be passed.

**Mr. DEPUTY SPEAKER:** The Motion moved is that the Criminal Law Amendment (Extension to Autonomous Districts) Bill, 1955, be passed.

*(After a pause)*

The question is that the Criminal Law Amendment (Extension to Autonomous Districts) Bill, 1955, be passed.

*(The Motion was adopted)*



## The Assam Tea Plantations Provident Fund Scheme Bill, 1955

**Shri OMEO KUMAR DAS (Minister):** Mr. Deputy Speaker, Sir, I beg to introduce the Assam Tea Plantations Provident Fund Scheme Bill, 1955, and to move that the Bill be taken into consideration.

**Mr. DEPUTY SPEAKER:** There is a message from the Governor of Assam. It is dated the 12th March, 1955, and the message states: "I recommend under Article 207(3) of the Constitution of India that the Assam Tea Plantations Provident Fund Scheme Bill, 1955 be taken into consideration by the Assam Legislative Assembly.

JAIRAMDAS DOULATRAM  
Governor of Assam";

The Motion moved is that the Assam Tea Plantations Provident Fund Scheme Bill, 1955, be taken into consideration.

**Shri OMEO KUMAR DAS (Minister):** Sir, while moving this motion I feel that I may remind the hon. Members of the House about the background of the Bill. Hon. Members are aware that in the Budget Session of 1952, a Bill, namely, the Assam Tea Plantations Compulsory Savings Fund Scheme Bill, was introduced and passed inspite of the objection by the Labour friends. Sir, the Bill, after it was sent to the President of India for assent, was referred back with suggestion for certain modifications. However, Sir, in the meantime there was fall in the prices of tea affecting the industry. This subsequently led to large scale retrenchment in many of the tea gardens. As such it was not felt opportune to introduce the Bill as suggested with modifications by the Government of India.

Sir, towards the beginning of 1954 there was again rise of prices in tea and it was felt that the matter should be taken up again, and after discussions with the Tea Industry and also with the Labour Representatives, a Bill was drafted and sent to the Government of India for concurrence, this being a Concurrent subject. Recently we have received the concurrence from the Government of India. As such, I have now come up with this Bill.

Sir, I feel it necessary that I must give the wage structure of the plantation workers in the State prior to fixation of minimum wages. Minimum wages were introduced in March, 1952 and prior to this the plantation workers in Cachar used to earn only 0-10-0 plus food concession in 1947 whereas the adult female



worker earned 0-8-0 plus food concession. Sir, in 1949 the rate of wages was 0-12-0 for male adult worker plus food concession and 0-10-0 for female adult worker plus food concession, that is an increase of 0-2-0 per worker. However, in 1950 the rate of wages was raised to Re.1-0-6 for adult male worker and 0-15-0 for female adult worker, without of course food concession. Towards the end of 1950 there was slump in the Cachar tea gardens, and many of the gardens were faced with crisis due to uneconomic nature of production ; as such, the Government of India instituted an Enquiry Committee and after discussions with the labour representatives the wage structure was slightly reduced to 0-14-0 and 0-12-0 for male adult worker and female adult worker respectively.

In Assam Valley although the male worker used to earn 0-10-0 plus food concession in 1947 and female worker used to earn 0-8-0 plus food concession, this was slightly raised in 1948 to 0-11-0 and 0-9-6 plus food concession and in 1950 the position was that a male worker used to earn 0-14-0 plus food concession and female worker used to earn 0-12-0 plus food concession.

But on the implementation of the Minimum Wages Act in March, 1952, the wage structure was raised as follows :—

In Kamrup, Nowgong and North Lakhimpur a male worker was given at the rate of Re.1-1-0 and the female worker was given at the rate of Re.1-0-0 plus food concession, while in the rest of Assam Valley an adult male worker was given at the rate of 1-2-0 and an adult female worker was given at the rate of Re.1-1-0 plus food concession. Wage structure was slightly changed when the slump on tea set in. An adult male worker in Kamrup, Nowgong, and North Lakhimpur was given at Re.1-9-0 and female worker Re.1-8-0 inclusive of the foods-tuff concession. This was, however, raised as soon as the market improved. A Committee was set up and this Committee fixed wages. On the other hand there was an agreement between the Industries and labour representatives with regard to the conversion of food concessions. Thus in Kamrup, Nowgong and North Lakhimpur the wage was fixed at Re.1-9-0 per male worker and Re.1-8-0 per female worker. While for the rest of the Assam Valley it was Re.1-11-0 for male worker and Re.1-9-0 for female worker. While with regard to Cachar there was two standards of minimum wages. With regard to the tea garden producing 5 maunds of tea per acre was fixed Re.1-6-0 for male and Re.1-5-0 for female. It will be seen that the labourers in the tea estates earned increases in their wages since 31st March, 1952. In cash the labourer in Kamrup, Nowgong and North Lakhimpur earned an increase by three annas,



food concession being converted into cash. While for the rest of Assam Valley the increase was by four annas per labour per day and for Cachar the increase was 0-2-6.

The House is aware that during the general discussion of the Budget there was mention in the House with regard to the increasing drunkenness among the tea garden labourers. The point was mentioned by many speakers in this House and it was pointed that there some steps should be taken for inducing the tea garden labourers to cultivate the habit of thrift. Government has also apprehended that the increased cash income might be utilised by the labourers in undesirable and unprofitable ways and we wanted to arrest a portion of it by compulsory deduction 0-1-0 per day per labour and thereby enable a saving whereon they could depend on the days of adversity. Accordingly this Bill was drafted after ascertaining the views of Labour and Industry ; suggestions for modification were made when it was referred to the Government of India. It was suggested that it should be redrafted on the line of the Employees Provident Fund Act. This Bill itself, as it may be pointed out, has been drafted on the model of the Employees Provident Fund Act which has been made applicable by the Government of India to the Heavy Industries such as Cement, Cigarettes, Iron, Textile, etc. Section 8 has protected the workers from and reduction of the wages on account of the employees' liability to contribute towards the fund ; on the other hand the uneconomic tea estates which have less acreage and which produce 450 lb., i. e., a tea garden with 25 acres has been exempted from the operation of the Act, and as such this Bill which has been introduced is a welfare measure for the tea garden labourers and I hope the House will accept this Motion for consideration.

**Mr. DEPUTY SPEAKER :** The Motion moved is that the Assam Tea Plantations Provident Fund Scheme Bill, 1955 be taken into consideration.

**Shri HARESWAR GOSWAMI :** Mr. Deputy Speaker, Sir, we are grateful to the Minister-in-charge of Labour for bringing this Bill before this House. Sir, in course of my speech on the Governor's address, I wanted to point out that we have not any Bill in our legislative programme so as to ameliorate the condition of the labourers. However, we welcome this even at this late hour. We are sure this Bill will benefit the labour to a great extent.

Sir, in the Statement of Objects and Reasons it is stated that the habit of saving is not common among tea garden labourers and artisans. In order to foster this habit among them and to help them to fall back upon their savings during difficult days



it is proposed to create a contributory Provident Fund compulsorily for labourers in Tea Estate in the State, hence the Bill. Sir, although the main contents of the Bill are undisputable, the approach of the Bill does not seem to be a very happy one. The labourers are accused of being spend-thrift *i.e.*, they spend too much of money, and therefore, because they are spend-thrift, we must do something to stop this habit and enable them to save money. But, Sir, if we look to the labour legislation not only of this country, but also of other countries, we find that the Provident Fund is not looked at as a mere preventive measure against spending. The Provident Fund Scheme is extended to those employees who are deprived of the benefit of pension after retirement. Even it is extended to those who get pension after retirement, so that they may fall back upon them in times of need ; therefore, Sir, it is not a measure just to prevent the spend-thrift habit of a particular man, but it is also to be considered as essential requirement for the people who have small earnings. Sir, in our State we find even people who have got good earnings, even employers, who are getting good sums of money, even for them there is a Provident Fund Scheme, more so is the necessity for people who have small earnings. So, Provident Fund Scheme is a progressive measure and such schemes are being extended to all categories of labour. Sir, had it only been just to stop labourers from spending there cannot be any justification for making contribution compulsory from the side of the employers. When we include in the Provident Fund Scheme contribution from the side of employer, we also admit that it is not only a measure just to prevent labourers from spending too much money but it is also a measure to create a fund on which labour can fall upon in times of their distress and miseries so that they can have some beneficial effects. Therefore, this fund, Sir, although I do not disagree with any of the provisions of this Bill, the angle is wrong and I am reiterating this, more so because when the Assam Compulsory Savings Act was placed before this House, I opposed the same measure as bad as at time that it was not possible for labour to save anything. To-day I find that my prognosis was correct because we find the Assam Compulsory Savings Act is a dead letter—I say it is a dead letter. The accusation that labourers spend a lot on drink and it must be stopped,—is not borne out by facts. The whole blame was given to the labourers and that is really not a fact. An impression has been created that labourers are getting more money and are spending more money on liquor. I would like to know whether they are spending more money on liquor because the price of liquor has gone up or more quantity is being consumed. My idea is that to-day they



are spending more on liquor because of high price. I do not support this consumption of liquor and more so when the price of liquor has gone up. Therefore, the increase on expenditure is not due to the increase in consumption of liquor but due to increase in the price of liquor. Therefore, it is wrong to go on saying all the time that the labourers are spending money on liquor. I admit that it is necessary to educate the labourers and thereby prevent them from spending more money on liquor. It is also necessary to stop this habit of drinking among them but these people who are in the Tea Gardens, who have no recreational facilities and are devoid of all avenues of amusements cannot be persuaded unless the economic and cultural condition of these people are raised. This habit of drinking is bad and I do not say it is good but to go on condemning a section of the people is not befitting, whereas in our State there are people who spend more money on liquor than the labourers. To found a Bill on an allegation that *per capita* consumption of liquor of a labourer has gone up more and more is wrong and gives a different colour to the whole thing. Therefore, I would request the Minister-in-charge that the Statement of Objects and Reasons should not be like this. We want a Provident Fund Scheme because in these days when the labour has secured an honourable status in our society, when they are entitled to the benefits that other employees are entitled to, they are also entitled to have the benefit of the Fund on which they can fall back upon in the days of their distress and misery.

Coming to the provisions of the Bill, I find the definition is rather incorrect. I was trying to get a copy of the Assam Compulsory Savings Act. So far as I remember, plantation has been defined differently. Plantation means a tea plantation with an area of not less than 10 acres there. It has been increased to 25 acres and also "where 20 or more labourers are employed". There it was 10, I remember distinctly. There, plantation was defined differently and how is it possible when that Act has not been repealed? If we have two definitions for the same thing in two different Acts, it will lead to confusion and that is bad.

**Shri OMEO KUMAR DAS (Minister):** That has not been enforced because it has not received the President's assent.

**Shri HARESWAR GOSWAMI:** It has not been repealed and the Compulsory Savings Act had almost for the same object. As has been stated there, plantation has been defined differently and here differently. These two definitions for the same thing are wrong and we should have stuck to the



old definition. Secondly, regarding section 3 of Compulsory Provident Fund Scheme, Sir, the contributions from employer and the labour has been left at par, *i. e.*, labour is to contribute  $6\frac{1}{4}$  per cent. and the employer also is to contribute  $6\frac{1}{4}$  per cent. But another point is that today the tea industry is having a boom and the tea labourers are not given bonus because this bonus system is not obtaining in the tea gardens. They are also deprived of other facilities and food concessions have been taken away. (Shri Purnananda Chetia.—Not yet taken away, Sir). Of course that has been converted into cash. When there is no bonus the contribution from the employer should have been more and I know of industries also where the contributions are not kept at par, I know of industries where the contribution from the side of the employer is more than the contribution from the side of the labour, for example. Cigarette Company (Voice—It is same). Then I think in certain textile industries and, if I remember aright, I have come across such cases where the contribution made by the employer is not always the same with that of the labour. It is more than what the labourer paid. In this particular case today and in view of the present state of affairs in the tea gardens when they are earning so much owing to the high rise in the price of tea and where they are selling tea at Rs.3-8-0 per pound or more and paying only Re.1-11-0 or Re.1-12-0 or something like that. Therefore, they are rightly entitled to get better amount of contribution from the side of the employer. Sir, not only that, what I want to emphasise is that even the maximum limit of contribution has been fixed. Now, we have fixed a limit at the lower level, *i. e.*,  $6\frac{1}{4}$  per cent. Even if we follow that we shall thus see that by our Act the employer has a limit of  $8\frac{1}{2}$  per cent. and the labour will not be satisfied with this. The Trade Unions should be given opportunity to extract as much as possible from the employer through collective bargain otherwise this will go against the principle of collective bargain. With fixed maximum limit it may not be possible for the Trade Unions, the well organised and better organised Unions to take advantage of a situation. With these observations, for the present, I would request the Minister-in-charge of Labour to see whether the Statement of Objects and Reasons can be revised and also to take all these points into consideration.

**Mr. DEPUTY SPEAKER:** The question is that the Assam Tea Plantations Provident Fund Scheme Bill, 1955 be taken into consideration.

(The Motion was adopted).



**The Assam Maternity Benefit (Amendment) Bill, 1955**

**Shri PURNANANDA CHETIA (Deputy Minister):** Mr. Deputy Speaker, Sir, we do not propose to introduce the Assam Maternity Benefit (Amendment) Bill, 1955, because extensive provisions will be made for maternity benefits in the Rules to be framed under the Plantation Labour Act although these Rules are yet to be finalised by the Government of India. So, Government will have ample time to examine these Rules when finalised and enforced and if afterwards, it is found necessary, Government will bring an amending Bill. So, at this stage Government do not propose to introduce this Bill. I, therefore, beg leave of the House to withdraw the introduction of this Bill now.

**Mr. DEPUTY SPEAKER:** In that case no discussion is necessary. The amending Bill is not introduced.

**The Assam Adhiars Protection and Regulation (Amendment) Bill, 1955**

**Shri HARESWAR DAS (Deputy Minister):** Mr. Deputy Speaker, Sir, I beg to introduce the Assam Adhiars Protection and Regulation (Amendment) Bill, 1955.

**Mr. DEPUTY SPEAKER:** The Motion moved is that the Assam Adhiars Protection and Regulation (Amendment) Bill, 1955 be introduced.

**Shri HARESWAR DAS (Deputy Minister):** Mr. Deputy Speaker, Sir, I beg to move that the Assam Adhiars Protection and Regulation (Amendment) Bill, 1955 be referred to a Select Committee consisting of the following Members:—  
(1) The Minister in charge of Revenue, Chairman, (2) the Deputy Minister-in-charge of Revenue, (3) Shri Mohendra Mohan Choudhury, (4) Shri Robin Kakoti, (5) Shri Radhika Ram Das, (6) Shri Bijoy Chandra Bhagavati, (7) Shri Girindranath Gogoi, (8) M. Moinul Haque Choudhury, (9) Shri Mahendra Nath Deka and (10) Shri Gaurisankar Bhattacharyya. Five Members will form the quorum. The Committee will report on or before 15th May, 1955.

**Mr. DEPUTY SPEAKER:** The Motion moved is that the Assam Adhiars Protection and Regulation (Amendment) Bill, 1955, be referred to a Select Committee consisting of the following Members:—

- (1) The Minister-in-charge of Revenue, Chairman.
- (2) The Deputy Minister-in-charge of Revenue.
- (3) Shri Mohendra Mohan Choudhury.



- (4) Shri Robin Kakoti ; (5) Shri Radhika Ram Das,  
 (6) Shri Bijoy Chandra Bhagavati.  
 (7) Shri Girindranath Gogoi ;  
 (8) M. Moinul Haque Choudhury ;  
 (9) Shri Mohendra Nath Deka ; and  
 (10) Shri Gaurisankar Bhattacharyya.

Five Members will form the quorum. The Committee will report on or before the 15th May, 1955.

(The Motion was then put by the Chair as a question before the House and was adopted).

**Government Resolution** *re: the approval of an expenditure of Rs.21,000 under the head "37.—Education".*

**Shri OMEO KUMAR DAS (Minister) :** Mr. Deputy Speaker, Sir, I beg to move that this Assembly do approve of an expenditure of Rs.21,000 under the head "37.—Education" by re-appropriation from Savings from the sanctioned grant as indicated below :—

	General	Sixth Schedule (Part 'A') Arcas	Total
<b>"37.—Education"—</b>			
	Rs.	Rs.	Rs.
1. Grant originally voted by the Assembly.	2,55,55,400	27,25,900	2,82,81,300
2. Sub-head under which the Appropriation will be accounted for—			
(1) R.—Scholarships— Special Scholarships	21,000	...	21,000
Total ...	21,000	...	(21,000)
3. Sub-head from which the amount is to be re-appropriated—			
(1) Primary Schools—L.— Grants to the Assam Primary Education Board.	21,000	...	21,000
Total ...	21,000	...	21,000

### EXPLANATORY NOTES

2. (i) The amount is required for grant of Special Scholarships to the children of political sufferers and to poor and meritorious students.

3. (i) The saving is due to non-transfer of Middle Vernacular Schools from the Local Boards to the School Boards.



**Mr. DEPUTY SPEAKER :** The Motion moved is that this Assembly do approve of an expenditure of Rs.21,000 under the head "37—Education" by re-appropriation from Savings from the sanctioned grant as indicated below :—

	General	Sixth Schedule (Part 'A') Areas	Total
<b>"37,—Education".—</b>			
	Rs.	Rs..	Rs.
1. Grant originally voted by the Assembly.	2,55,55,400	27,25,900	2,82,81,300
2. Sub-head under which the Appropriation will be accounted for—			
(1) R.—Scholarships—			
Special Scholarships ...	21,000	...	21,000
Total ...	21,000	...	21,000
3. Sub-head from which the amount is to be re-appropriated—			
(1) Primary Schools—L.—	21,000	...	21,000
Grants to the Assam Primary Education Board.			
Total ...	21,000	..	21,000

(The Motion was then put by the Chair as a question before the House and was adopted).

**Government Resolution re :the approval of an expenditure of Rs.5,000 under the head "37.—Education"**

**Shri OMEO KUMAR DAS (Minister) :** Mr. Deputy Speaker, Sir, I beg to move that this Assembly do approve of an expenditure of Rs.5,000 under the head "37—Education"



by re-appropriation from Savings from the sanctioned grant as indicated below :—

	General	Sixth Schedule (Part 'A') Areas	Total
	Rs.	Rs.	Rs.
<b>"37.—Education"—</b>			
1. Grant originally voted by the Assembly.	2,55,55,400	27,25,900	2,82,81,300
2. Sub-head under which the Appropriation will be accounted for—			
(1) P.—Direction—Allowances and Honoraria ...	5,000	...	5,000
Total ...	5,000	...	5,000
3. Sub-head from which the amount is to be re-appropriated.			
(1) L.—Grants to the Assam Primary Education Board ...	5,000	...	5,000
Total ...	5,000	...	5,000

### EXPLANATORY NOTES

2. (i) The amount is required to meet the Travelling Allowance of Officers and Establishment outside the State to attend various meetings and conferences.

3. (i) The saving is due to non-implementation of the scheme of transfer of Middle Vernacular Schools from the Local Bodies.

**Mr. DEPUTY SPEAKER :** The Motion moved is that the Assembly do approve of an expenditure of Rs.5,000 under the



head "37.—Education" by re-appropriation from Savings from the sanctioned grant as indicated below :—

	General	Sixth Schedule (Part 'A') Areas	Total
	Rs.	Rs.	Rs.
"37.—Education"—			
1. Grant originally voted by the Assembly.	2,55,55,400	27,25,900	2,82,81,300
2. Sub-head under which the Appropriation will be accounted for—			
(1) P.—Direction—Allowances and Honoraria.	5,000	...	5,000
Total	5,000	...	5,000
3. Sub-head from which the amount is to be re-appropriated.			
(1) L.—Grants to the Assam Primary Education Board	5,000	...	5,000
Total	5,000	...	5,000

(The Motion was then put by the Chair as a question before the House and was adopted.)

**Government Resolution** *re*: the approval of an expenditure of Rs.1,000 under the head "37.—Education"

**Shri OMEO KUMAR DAS (Minister)** : Mr. Deputy Speaker, Sir, I beg to move that this Assembly do approve of an expenditure of Rs.1,000 under the head "37.—Education"



by re-appropriation from savings from the sanctioned grant as indicated below :—

	General	Sixth Schedule (Part 'A') Areas	Total
	Rs.	Rs.	Rs.
<b>"37.—Education"—</b>			
1. Grant originally voted by the Assembly.	2,55,25,400	27,25,900	2,82,81,300
2. Sub-head under which the Appropriation will be accounted for—			
(1) "S—Miscellaneous—Other Miscellaneous Charges—Grant for Miscellaneous purposes—General—Voted".	1,000	..	1,000
Total	1,000	...	1,000
3. Sub-head from which the amount is to be re-appropriated—			
(1) "L—Grants to Primary Education Board—General—Voted".	1,000	...	1,000

### EXPLANATORY NOTES

2. (1) The amount is required for giving grant to the Vaishnava Research Institute, V. T. University, Vrindaban, Uttar Pradesh.

3. (i) The Saving is due to non-implementation of the Scheme of transfer of Middle Vernacular Schools from the local bodies.

**Mr. DEPUTY SPEAKER :** The Motion moved is that this Assembly do approve of an expenditure of Rs 1,000 under the head "37.—Education" by re-appropriation from savings from the sanctioned grant as indicated in the Resolution.

(The Motion was then put by the Chair as a question before the House and was adopted.)

**Government Resolution** *re :* the approval of an expenditure of Rs.2,000 under the head "37.—Education"

**Shri OMEO KUMAR DAS (Minister) :** Mr. Deputy Speaker, Sir, I beg to move that this Assembly do approve of an expenditure of Rs.2,000 under the head "37.—Education"



by re-appropriation from savings from the sanctioned grant as indicated below :—

General	Sixth Schedule (Part 'A') Areas	Total
Rs.	Rs.	Rs.

“37.—Education”—

1. Grant originally voted by the Assembly.	2,55,55,400	27,25,900	2,82,81,300
2. Sub-head under which the appropriation will be accounted for—			
(i) “S—Miscellaneous (c) Text Book Committee Charges —Travelling Allowances of officers—Sixth Schedule (Part A) Areas.	...	2,000	2,000
3. Sub-head from which the amount is to be re-appropriated—			
(1) “F.—Government Secondary Schools—(a) Secondary Schools for boys”.			

EXPLANATORY NOTES

2. (i) The amount is required for meeting the cost of Travelling Allowance, etc., of the non-official members of the Text Book Committees constituted for Autonomous Districts.

3. (i) The Saving is due to less expenditure owing to late Provincialization of Lungleh High School in the Mizo District.

**Mr. DEPUTY SPEAKER :** The Motion moved is that this Assembly do approve of an expenditure of Rs.2,000 under the head “37—Education” by re-appropriation from Savings from the sanctioned grant as indicated in the Resolution.

(The Motion was then put by the Chair as a question before the House and was adopted.)



**Government Resolution re: the approval of an expenditure of Rs.1,000 under the head "37.—Education."**

**Shri OMEO KUMAR DAS (Minister):** Mr. Deputy Speaker, Sir, I beg to move that this Assembly do approve of an expenditure of Rs.1,000 under the head "37.—Education" by re-appropriation from savings from the sanctioned grant as indicated below:—

	General	Sixth Schedule (Part A) Areas.	Total
	Rs.	Rs.	Rs.
<b>"37.—Education"—</b>			
1. Grant originally voted by the Assembly.	2,55,55,400	27,25,900	2,82,81,300
2. Sub-head under which the Appropriation will be accounted for—			
(1) "S.—Miscellaneous—(d) Other Miscellaneous charges—General—Voted".	1,000	...	1,000
Total	1,000	...	1,000
3. Sub-head from which the amount is to be re-appropriated—			
(1) "B.—Government Arts Colleges—Pay of Officers—General—Voted".	1,000	...	1,000
Total	1,000	..	1,000

### EXPLANATORY NOTES

2. (i) The amount is required for giving grant to the Science Exhibition of the Cotton College, Gauhati.
3. (i) The Saving is due to retirement of some officers.



**Mr. DEPUTY SPEAKER :** The Motion moved is :

That this Assembly do approve of an expenditure of Rs.1,000 under the head "37.—Education" by re-appropriation from Savings from the sanctioned grant as indicated in the Resolution.

(The Motion was then put by the Chair as a question before the House and was adopted.)

**Government Resolution re : the approval of an expenditure of Rs.12,132 under the head "37.—Education."**

**Shri OMEO KUMAR DAS (Minister) :** Mr. Deputy Speaker, Sir, I beg to move that this Assembly do approve of an expenditure of Rs.12,132 under the head "37.—Education" by re-appropriation from savings from the sanctioned grant as indicated below :—

	General	Sixth Schedule (Part A) Areas.	Total
	Rs.	Rs.	Rs.
"37.—Education"—			
1. Grant originally voted by the Assembly.	2,55,55,400	27,25,900	2,82,81,300
2. Sub-head under which the Appropriation will be accounted for—			
(1) "I.—Government Primary School—Sixth Schedule (Part A) Areas".	...	12,132	12,132
3. Sub-head from which the amount is to be re-appropriated.			
(1) "L—Grants to the Assam Primary Education Board".			

### EXPLANATORY NOTES

2. (i) The amount is required for taking over of the Primary Schools in Mikir Hills by Government from the State Primary Education Board. As the Assam Primary Education Act, 1947, is not in force in the Mikir Hills, the Board has no jurisdiction to run Lower Primary Schools in the said area.

3. (1) The saving is due to the handing over of the Lower Primary Schools to Government hitherto maintained by the State Primary Education Board.

**Mr. DEPUTY SPEAKER :** The Motion moved is :

That this Assembly do approve of an expenditure of Rs.12,132 under the head "37.—Education" by re-



appropriation from savings from the sanctioned grant as indicated below :—

	General	Sixth Schedule (Part A) Areas.	Total
	Rs.	Rs.	Rs.
<b>“37.—Education”—</b>			
1. Grant originally voted by the Assembly.	2,55,55,400	27,25,900	2,82,81,300
2. Sub-head under which the Appropriation will be accounted for—	..	12,132	12,132
(1) “I.—Government Primary Schools—Sixth Schedule (Part A) Areas”.			
3. Sub-head from which the amount is to be re-appropriated.			
(1) “L.—Grants to the Assam Primary Education Board”.			
(The Motion was put by the Chair as a question before the House and was adopted).			

**Government Resolution *re* : the approval of an expenditure of Rs.2,000 under the head “37.—Education”.**

**Shri OMEO KUMAR DAS (Minister):** Mr. Deputy Speaker, Sir, I beg to move that this Assembly do approve of an expenditure of Rs.2,000 under the head “37.—Education” by re-appropriation from savings from the sanctioned grant as indicated below :—

	General	Sixth Schedule (Part A) Areas.	Total
	Rs.	Rs.	Rs.
<b>“37.—Education”—</b>			
1. Grant originally voted by the Assembly.	2,55,55,400	27,25,900	2,82,81,300
2. Sub-head under which the appropriation will be accounted for—			
(1) “S.—Miscellaneous—(d) —Other Miscellaneous Charges—General—Voted.”			
	2,000	..	2,000
Total ..	2,000	..	2,000
3. Sub-head from which the amount is to be re-appropriated—			
(1) “L.—Grants to the Assam Primary Education Board—General—Voted.”			
	2,000	..	2,000



## EXPLANATORY NOTES

2. (1) The amount is required for giving to the Sreemanta Sankar Mission, Nowgong.

3. (1) The savings is due to non-implementation of the Scheme of transfer of Middle Vernacular Schools from the Local Bodies.

**Mr. DEPUTY SPEAKER:** The Motion moved is: That this Assembly do approve of an expenditure of Rs.2,000 under the head "37.—Education" by re-appropriation from Savings from the sanctioned grant as indicated in the Resolution.

**Shri RANENDRA MOHAN DAS:** Sir, I want to know one thing in this respect. I am noticing from this resolution No.19 and other resolutions which are being moved by the Education Minister that considerable sums are being diverted from one head to another. In this particular case this amount of Rs.2,000 is being diverted from Grant originally voted by the Assembly under the head "Assam Primary Education Board". The reason given under the resolution in the Explanatory Note is that the saving is due to non-implementation of the scheme of transferring Middle Vernacular Schools from the Local Boards to the School Board. In all these cases of diversion if we make a total, it would come to near-about one lakh of rupees. Now, Sir, this House voted one lakh of rupees or so for implementation of the scheme of transferring the Middle Vernacular Schools from the Local Boards. The reason given for non-implementation of the scheme is not sufficient. I want to know from the Government why there was delay in implementation of the scheme and who is responsible for this non-implementation. We voted in this Assembly for a big sum with a particular object and that object is for better management of the Primary Education of the children of our State. It is a very important subject. Without implementing this important scheme the money provided for is now being diverted to some other heads at this lag end of the year. It has become a customary practice, particularly of the Education Department, to bring resolutions for reappropriation of money voted for some other purposes. Sir, we should know from the Government what are the reasons for this non-implementation of the scheme for which money had been voted by this House and who is responsible for this delay.

**Shri OMEO KUMAR DAS (Minister):** Sir, the Basic Education Act was passed only in July last. But there was provision from April. Steps were taken to enforce this Act in the month of last November; cost for maintaining the Middle Vernacular Schools which were under the management of the



Local Bodies was met from the provisions under Local Boards Budget. As such the entire amount which was provided in the Budget could not be spent. The Budget provision was made from the 1st of April till the enforcement of the Act. Naturally the whole amount could not be spent and as such there has become a savings which, instead of surrendering, we are spending for the purpose for which I am bringing motions. My Friend Mr. Das should not think that the scheme for which money had been provided in the Budget for taking over the Middle Vernacular Schools will not be implemented. The saving which accrued are being utilised for other purposes for this year only.

**Mr. DEPUTY SPEAKER :** The question is that this Assembly do approve of an expenditure of Rs.2,000 under the head "37.—Education" by re-appropriation from Savings from the sanctioned grant as indicated in the Resolution.

(The Motion was adopted)

**Government Resolution re: the approval of an expenditure of Rs.10,968 under the head "37—Education"**

**Shri OMEO KUMAR DAS (Minister) :** Mr. Deputy Speaker, Sir, I beg to move that this Assembly do approve of an expenditure of Rs.10,968 under the head "37.—Education" by re-appropriation from Savings from the sanctioned grant as indicated below:—

	General	Sixth Schedule (Part A) Areas.	Total
	Rs.	Rs.	Rs.
<b>"37.—Education"—</b>			
1. Grant originally voted by the Assembly.	2,55,55,400	27,25,900	2,82,81,300
2. Sub-head under which the appropriation will be accounted for—			
(1) "G.—Direct Grants to Non-Government Secondary Schools—General—voted".	10,968	...	10,968
Total ..	10,968	..	10,968
3. Sub-head from which the amount is to be re-appropriated.			
(1) "L.—Grants to the Assam Primary Education Board—General—voted."	10,968	...	10,968



## EXPLANATORY NOTES

2. (1) The amount is required for giving dearness allowance at increased rate of Rs.2 per mensem to the menials of the Aided and Aided Venture High Schools of the State for one year with effect from 1st March 1954.

3. (1) The saving is due to non-implementation of the scheme of transfer of Middle Vernacular Schools from the Local Bodies.

**Mr. DEPUTY SPEAKER :** The Motion moved is: That this Assembly do approve of an expenditure of Rs.10,968 under the head "37.—Education" by re-appropriation from Savings from the sanctioned grant as indicated in the Resolution.

(The Motion was then put by the Chair as a question before the House and was adopted.)

**Government Resolution to approve of an expenditure of Rs.20,000 under head "40.—Agriculture" by re-appropriation**

**Shri RAMNATH DAS (Minister):** Mr. Deputy Speaker, Sir, I beg to move that this Assembly do approve of an expenditure of Rs.20,000 under the head "40.—Agriculture" by re-appropriation from savings from the sanctioned grant as indicated below:—

	General	Sixth Schedule (Part A) Areas	Total
	Rs.	Rs.	Rs.
"40.—Agriculture"—			
1. Grant originally voted by the Assembly during July, 1954 Session of the Assembly.	84,615	...	84,615
2. Sub-head under which the Appropriation will be accounted for—			
(1) F. 2-Agricultural Experiment and Research (ii)	20,000	...	20,000
(d) Establishment of Seed Multiplication Farm, Tinsukia (Lakhimpur).			
Total	20,000	...	20,000



	General	Sixth (Schedule Part 'A') Area	Total
	Rs.	Rs.	Rs.
3. Sub-head from which the amount is to be re-appropriated—			
(1) F-Agricultural Experiment and Research—(s). Scheme for Survey of Indigenous Agricultural Implements in common use in the country.	22,505	...	22,505
(2) F. (t) Scheme for a Fruits and Vegetable Nursery at Subankhata Reserve Areas.	13,960	...	13,960
Total	36,465	...	36,465

### EXPLANATORY NOTE

2. (1) In view of Planning Commission's decision to provide for more farms for supplying seeds to the growers under the "Seed Multiplication Scheme", it is proposed to establish a Seed Multiplication Farm at Tinsukia in the Lakhimpur District and hence the additional requirement.

3. The saving is due to late operation of the Schemes indicated against F (s) and (t) above on account of late entertainment of the staff through Public Service Commission. The Saving of Rs.20,000 is proposed to be utilised for the scheme under F-2 (ii) (d) above, by re-appropriation.

\* \* \* \*



**Mr. DEPUTY SPEAKER:** The Motion moved is :

That this Assembly do approve of an expenditure Rs.20,000 under the head "40.—Agriculture" by re-appropriation from savings from the sanctioned grant as indicated below :—

	General Rs.	Sixth Schedule (Part A) Areas Rs.	Total Rs.
"40.—Agricultural"—			
1. Grant originally voted by the Assembly during July, 1954 Session of the Assembly.	84,615	...	84,615
2. Sub-head under which the Appropriation will be accounted for—			
(1) F. 2-Agricultural Experiment and Research (ii) (d) Establishment of Seed Multiplication Farm, Tinsukia (Lakhimpur).	20,000	...	20,000
Total	20,000	...	20,000
3. Sub-head from which the amount is to be re-appropriated—			
(1) F-Agricultural Experiment and Research—(s) Scheme for Survey of Indigenous Agricultural Implements in common use in the country.	22,505	...	22,505
(2) F. (t) Scheme for a Fruits and Vegetable Nursery at Subankhata Reserve Areas.	13,960	...	13,960
Total	36,465	...	36,465

(The Motion was then put by the Chair as a question before the House and was adopted.)

**Government Resolution to approve of an expenditure of Rs.6,000 under the head "40.—Agriculture" by re-appropriation**

**Shri RAM NATH DAS (Minister):** Mr. Deputy Speaker, Sir, I beg to move that this Assembly do approve of an expenditure of Rs.6,000 under the head "40.—Agriculture" by



re-appropriation from savings from the sanctioned grant as indicated below :—

	General	Sixth Schedule (Part A) Areas	Total
	Rs.	Rs.	Rs.
<b>“40.—Agriculture”—</b>			
1. Grant voted by the Assembly during October and November, 1954 Session of the Assembly.	3,31,275	1,44,557	4,75,832
2. Sub-head under which the Appropriation will be accounted for—			
(i) F-2.—Agricultural Experiments and Research— (II) (c)—Supplementary Horticultural Development Scheme.	5,107	893	6,000
Total ..	5,107	893	6,000
3. Sub-head from which the amount is to be re-appropriated—			
(1) F-2—Agricultural Experiments and Research—(c) Intensive Cultivation (GMF) Schemes— (i)(h)—Green Manuring Scheme.	52,700	...	52,700
Total ..	52,700	...	52,700

### EXPLANATORY NOTES

2. (1) It was decided to undertake expansion of the Horticultural activities in the State. An additional amount of Rs.6,000 is now required for the purpose. It will be operated both in General and Sixth Schedule Areas. As the decision was made recently no provision could be made in the original budget.

3. (1) The Green Manuring Scheme was taken up with the sanction of the Government of India, which was received very late in the year and as such, the full implementation of the Scheme could not be done during the year. Anticipated saving thus available will be re-appropriated to meet the expenditure of Supplementary Horticultural Development Scheme. Details of expenditure may be seen in Annexure 'A'\*.

\*Not printed.



**Mr. DEPUTY SPEAKER :** The Motion moved is that this Assembly do approve of an expenditure of Rs.6,000 under the head "40.—Agriculture" by re-appropriation from savings from the sanctioned grant as indicated below:—

	General	Sixth Schedule (Part A) Areas	Total
	Rs.	Rf.	Rs.
"40.—Agriculture"—			
1. Grant voted by the Assembly during October and November, 1954 Session of the Assembly.	3,31,275	1,44,557	4,75,832
2. Sub-head under which the Appropriation will be accounted for—			
(i) F-2.—Agricultural Experiments and Research—	5,107	893	6,000
(II) (c)—Supplementary Horticultural Development Scheme.			
Total	5,107	893	6,000
3. Sub-head from which the amount is to be re-appropriated—			
(1) F-2.—Agricultural Experiments and Research—(c) Intensive Cultivation (GMF) Schemes—(i)(h)—Green Manuring Scheme.	52,700	...	52,700
Total	52,700	...	52,700

(The Motion was then put by the Chair as a question before the House and was adopted.)

**Government Resolution re: the approval of an expenditure of Rs.1,00,000 under the head "Loans and Advances, etc., II—Loans for Development of Electricity, etc.**

**\*Shri MOTIRAM BORA (Minister):** Mr. Deputy Speaker, Sir, I beg to move that this Assembly do approve of an expenditure of Rs.1,00,000 under the head "Loans and Advances, etc.—II—Loans and Advances by the State Government—B—Loans to Municipalities, Port Funds etc.—Miscellaneous Loans—Loans for Development of Electricity.

\*This Resolution was moved by Shri Omco Kumar Das in the absence of Shri Motiram Bora.



etc.”, by re-appropriation from savings from the sanctioned grant as indicated below :

	General	Sixth Schedule (Part A) Areas	Total
“Loans and Advances, etc.”—			
	Rs.	Rs.	Rs.
1. Grant originally voted by the Assembly	1,67,05,000	1,22,500	1,68,27,500
2. Sub-head under which the appropriation will be accounted for—			
(1) Miscellaneous Loans—	1,00,000	..	1,00,000
Loans for Development of Electricity, etc.			
Total	1,00,000	..	1,00,000
3. Sub-head from which the amount is to be re-appropriated—			
(1) Loans to Industrial Co-operatives.	2,00,000	...	2,00,000

### EXPLANATORY NOTES

2. (1) The Government of India have offered us a sum of Rs. 42 lakhs as loans for giving loans for Development of Electricity in the State. As the offer was received late in the year no budget provision could be made. Out of this 42 lakhs, Rs. 1,00,000 was sanctioned as loan to the Barpeta Mauza Consumers Co-operative Stores, Limited, for the purpose of installing a Power House for the electrification of Barpeta Town and its suburbs. Fund was made available by re-appropriation from savings for which consent of the Assembly is necessary. Hence the Resolution.

3. (1) The full budget provision of Rs. 2,00,000 will not be required this year as there was not so much demand for loans by Industrial Co-operatives. Hence a sum of Rs. 1,00,000 was available for re-appropriation.

**Mr. DEPUTY SPEAKER :** The Motion moved is that this Assembly do approve of an expenditure of Rs. 1,00,000 under the head ‘Loans and Advances, etc.—II—Loans and Advances by the State Government—B—Loans to Municipalities, Port Funds, etc.—Miscellaneous Loans—Loans for Development



of Electricity, etc.”, by re-appropriation from savings from the sanctioned grant as indicated below:

	General Rs.	Sixth Schedule (Part A) Areas Rs.	Total Rs.
“Loans and Advances, etc.”—			
1. Grant originally voted by the Assembly.	1,67,05,000	1,22,500	1,68,27,500
2. Sub-head under which the appropriation will be accounted for—			
(1) Miscellaneous Loans—	1,00,000	..	1,00,000
Loans for Development of Electricity, etc.			
Total .. ..	1,00,000	..	1,00,000

3. Sub-head from which the amount is to be re-appropriated—

(1) Loans to Industrial Co-operatives. 2,00,000 ... 2,00,000

(The Motion was then put by the Chair as a question before the House and was adopted.)

**Government Resolution re: Approval of an expenditure of Rs.35,000 under the head “37.—Education” by re-appropriation**

**Shri OMEO KUMAR DAS (Minister):** Mr. Deputy Speaker, Sir, I beg to move that this Assembly do approve of an expenditure of Rs. 35,000 under the head “37.—Education” by re-appropriation from savings from the sanctioned grant as indicated below:

	General Rs.	Sixth Schedule (Part A) Areas Rs.	Total Rs.
“37.— Education”—			
1. Grant originally voted by the Assembly.	2,55,55,400	27,25,900	2,82,81,300
2. Sub-head under which the appropriation will be accounted for—			
(1) “S.—Miscellaneous—(6) Examination charges—General—Voted”	35,000	..	35,000
Total ...	35,000	..	35,000

3. Sub-head from which the amount is to be re-appropriated—

(1) “L.—Grants to the Assam Primary Education Board—General—Voted.” 35,000 ... 35,000

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## EXPLANATORY NOTES

2. (1) The amount is required due to more requirements for remuneration to the Examiners and increase in the number of Examination Centres.

3. (1) The saving is due to non-implementation of the Scheme of transfer of Middle Vernacular Schools from the Local Bodies.

**Mr. DEPUTY SPEAKER:** The Motion moved is that this Assembly do approve of an expenditure of Rs 35,000 under the head "37.—Education" by re-appropriation from savings from the sanctioned grant as indicated below.

	General	Sixth Schedule (Part A) Areas	Total
	Rs.	Rs.	Rs.
<b>"37.—Education"—</b>			
1. Grant originally voted by the Assembly.	2,55,55,400	27,25,900	2,82,81,300
2. Sub-head under which the appropriation will be accounted for—			
(1) "S.—Miscellaneous—(6) Examination charges— General—Voted"	35,000	...	35,000
Total	35,000	...	35,000
3. Sub-head from which the amount is to be re-appropriated—			
(1) "L.—Grants to the Assam Primary Education Board— General—Voted"—	35,000	...	35,000

(The Motion was then put by the Chair as a question before the House and was adopted.)



**Resolution for approval of an expenditure of  
Rs. 27,320 under the head "37 Education"**

**by re : appropriation**

**Shri OMEO KUMAR DAS (Minister):** Mr. Deputy Speaker Sir, I beg to move that this Assembly do approve of an expenditure of Rs.27,320 under the head "37.—Education" by re-appropriation from savings from the sanctioned grant as indicated below :

	General	Sixth Schedule (Part A) Areas	Total
	Rs.	Rs.	Rs.
<b>"37.—Education"—</b>			
1. Grant originally voted by the Assembly.	2,55,55,400	27,25,900	2,82,81,300
2. Sub-head under which the Appropriation will be accounted for—			
(1) "H.—Grants to Local Bodies for Secondary Education—General—Voted"	27,320	...	27,320
Total .. ..	27,320	...	27,320
3. Sub-head from which the amount is to be re-appropriated—			
(1) "L.—Grants to the Assam Primary Education Board—General—Voted."	27,320	...	27,320

**EXPLANATORY NOTES**

2. (1) The amount is required for payment of an arrear grant to the Dibrugarh Local Board for giving dearness allowance, etc., to the Middle Vernacular School Teachers under the Local Board.

3. The saving is due to non-implementation of the Scheme of transfer, of Middle Vernacular Schools from Local Bodies.

**Mr. DEPUTY SPEAKER:** The Motion moved is that this Assembly do approve of an expenditure of Rs.27,320 under the



head '37.—Education'' by re-appropriation from savings from the sanctioned grant as indicated below :

	General	Sixth Schedule (Part A) Areas	Total
	Rs.	Rs.	Rs.
“37.—Education”—			
1. Grant originally voted by the Assembly.	2,55,55,400	27,25,900	2,82,81,300
2. Sub-head under which the Appropriation will be accounted for—			
(1) “H.—Grants to Local Bodies for Secondary Education—General—Voted”.	27,320	...	27,320
Total	27,320	...	27,320
3. Sub-head from which the amount is to be re-appropriated—			
(1) “L.—Grants to the Assam Primary Education Board—General—Voted”.	27,320	...	27,320

(The Motion was put by the Chair as a question before the House and was adopted.)

**Resolution for approval of an expenditure of Rs. 900 under the head “37—Education” by re : appropriation.**

**Shri OMEO KUMAR DAS (Minister):** Mr. Deputy Speaker, Sir, I beg to move that this Assembly do approve of an expenditure of Rs. 900 under the “37.—Education” by re-appropriation from saving from sanctioned grant as indicated below.

	General	Sixth Schedule (Part A) Areas	Total
	Rs.	Rs.	Rs.
“37.—Education”—			
1. Grant originally voted by the Assembly.	2,55,55,400	27,25,900	2,82,81,300
2. Sub-head under which the appropriation will be accounted for—			
(1) “B—Government Arts Colleges—Contingencies—Miscellaneous—Contingencies—General—Voted”.	900	..	900
Total	900	..	900



	General	Sixth Schedule (Part A) Areas	Total
	Rs.	Rs.	Rs.
"37.—Education"— <i>concl'd.</i>			
3. Sub-head from which the amount is to be re-appropriated—			
(1) "B—Government Arts Colleges—General—Voted."	900	..	900

## EXPLANATORY NOTES

2. (1) The amount is required due to opening of Special practical classes for the failed Science students of the Cotton College, Gauhati.

3. (1) The saving is due to retirement of some Officers.

**Mr. DEPUTY SPEAKER:** The Motion moved is that this Assembly do approve of an expenditure of Rs. 900 under the head "37.—Education by re-appropriation from saving from the sanctioned grant as indicated below:—

	General	Sixth Schedule (Part A) Areas	Total
	Rs.	Rs.	Rs.
"37.—Education"—			
1. Grant originally voted by the Assembly.	2,55,55,400	27,25,900	2,82,81,300
2. Sub-head under which the appropriation will be accounted for—			
(1) "B—Government Arts Colleges—Contingencies—Miscellaneous—Contingencies—General—Voted."	900	..	900
Total ...	900	...	900
3. Sub-head from which the amount is to be re-appropriated—			
(1) "B—Government Arts Colleges—Pay of Officers—General—Voted."	900	..	900

(The Motion was then put by the Chair as a question before the House and was adopted.)



## The Assam Homeopathic Medicine Bill, 1953

**Shri DEBESWAR RAJKHOWA\***: Mr. Deputy Speaker, Sir, there is no amendment to the Assam Homeopathic Medicine Bill, 1953. I therefore, beg to move that this Bill, as reported by the Select Committee, be passed.

**Mr. DEPUTY SPEAKER**: There is a Message from the Governor relating to this Bill, which I am reading out—

“I recommend under Article 207(3) of the Constitution of India that the Assam Homeopathic Medicine Bill, 1953, be taken into consideration by the Assam Legislative Assembly.”

The Motion moved is that the Assam Homeopathic Medicine Bill, 1953 as reported by the Select Committee, be passed.

*(After a pause)*

(The Motion was then put by the Chair as a question before the House and was adopted.)

## Private Members' Resolutions

### Resolution re: Co-operative Housing Schemes in the important Towns of Assam

**Shri HARESWAR GOSWAMI**: Mr. Deputy Speaker, Sir, I beg to move that with a view to give relief to the poor and middle classes of people residing in the towns, due to acute housing shortage, this Assembly is of opinion that the Government of Assam do take immediate steps to take up Co-operative housing schemes in the important towns of Assam like Gauhati, Shillong, Jorhat, Dhubri, Dibrugarh, Silchar, etc., with Government initiative, guidance and aid.

Sir, the housing problem in the State, and particularly in the towns of this State, has assumed a very serious magnitude during recent years. There has been a movement of people from villages to towns and that is bound to be so in an increasing measure with the progress of industrialisation, as in the villages people are finding it increasingly difficult to find any agricultural avocation to meet their daily needs. These people are forced to come to the towns in search of employment. Sir, on the other hand, the Government are also setting up new houses in almost all over the towns to accommodate the various new departments which have been daily increasing in number. All these have resulted in unseemingly competition between individuals and Government for houses. Although we have the Assam Urban Areas Rent Control Act which is supposed to control exorbitant rise of house rent, etc., it is now almost a dead-letter. In spite of its existence, there has been exorbitant charges of rent from needy people of middle class families who are very poor, whose maximum income is about

\*The motion was moved by Shri Debeswar Rajkhowa on behalf of Shri Rajendra Nath Barua.



Rs. 250 or so. These people are, Sir, not in a position to make their both ends meet with their limited income. As you are aware for the officers serving in the Railways and also under the Government, there is a rule which provides for deduction of house rent at the rate of not more than 10 per cent. of their pay for houses provided to them by the departments. The principle underlying the rule is very important, *i. e.*, a man should not spend more than 10 per cent. of his income for renting a house and that 90 per cent. of his income should be spent for meeting other expenses. But what we find in our actual life to-day? We find that some people spend even 40 to 50 per cent. of their income as rent. At Gauhati to-day rent has gone so high that it has become almost impossible for people with poor income and for people of the lower middle class to get a house. That is why we find some people have been forced to rent house jointly and square up or triple up so that they can share the rent amongst themselves. Even in neglected corners of the towns it is difficult even to get a two-roomed house at less than Rs.50. Then again in these houses which are available at not less than Rs.50 or so, there too facilities and arrangements for lighting, drainage, latrine, etc., are very meagre. So, Sir, you can imagine what is the present condition of the middle class people so far as housing is concerned. In these dingy, small dwellings these people live a horrible life.

There is no outlet, no open space before the houses where children can play or even take fresh air. This affects people not only economically but also from the point of view of health. When speaking about the housing problem, I look at it not only from the aspect of economics but also from other aspects like health, hygiene and aesthetics.

Sir, even in small towns, *i. e.*, new towns which are developing, houses are not available. It is not a question of rent; it is a question of non-availability of houses. This has hard-hit the middle classes and the poorer people and it needs immediate attention from the Government. We are glad to learn from the speech of the Finance Minister that the Central Government have agreed to give something by way of housing loans to the people of lower and middle income groups. But, Sir, it will take time to implement this scheme and in the meantime the people will have to suffer heavily. It is, therefore, time that we think of co-operative housing schemes. Under co-operative housing schemes, people can combine themselves and purchase land from Government or they can be given land by Government at moderate rates of *premia* and banks can come to their aid for construction of houses. If this can be done, the construction of houses at cheaper rates will be feasible. Now-a-days



the cost of construction is also very high. We know that the cost of masonry, timber and other raw materials has gone up and it is beyond the resources of middle and poorer classes to think of constructing houses all by themselves. If we organise a Co-operative Society and undertake a housing scheme, it may be possible to render individual help to this class of people and we may also have better type of houses.

Sir, we cannot go on waiting only on the initiative of the people. The time has come when the State should come to the rescue of the people in this matter. Let us take the initiative in forming these co-operatives and the State must give all possible help and all possible guidance so that the people may understand that the co-operative system of building houses is better than any other method. If this is done, we can immediately bring about a fall in the exorbitant house rents that are charged from the dwellers; we can have more houses and better houses and this will give relief to the people. Sir, as I have already said, if we leave the initiative to the people without any planning, this will create worse slums as we have seen at Gauhati and other places. I have seen where houses are built at random by the people, some houses are facing the kitchen or latrine of other houses. All this could have been removed if there was proper planning. The problem is really a very acute one. I have mentioned a few towns in my resolution, but in all towns of Assam to-day, such housing schemes are necessary. Unless we can immediately increase the number of houses and unless we can build better houses at cheaper rates, the people will be compelled to spend the larger part of their income on houses. The most essential thing for a man is shelter; without shelter he cannot do anything. If he is forced to spend the larger part of his income on shelter, he will have very little left for food, education and other essential things. There is no other alternative for the people but to pay high rent as the demand for houses is more or less inelastic now-a-days. It is, therefore, necessary that this problem is given top priority. We are glad that the Finance Minister has indicated in his speech that something will be done, but immediately we request Government to see whether a co-operative housing scheme for all the towns cannot be initiated by which we can help in putting up about a greater number of houses at cheaper rent and thereby give relief to the people.

With these few words, I commend my Resolution for the acceptance of the House.

**Mr. DEPUTY SPEAKER:** Resolution moved is that with a view to give relief to the poor and middle classes of



people residing in the towns, due to acute housing shortage, this Assembly is of opinion that the Government of Assam do take immediate steps to take up Co-operative housing schemes in the important towns of Assam like Gauhati, Shillong, Jorhat, Dhubri, Dibrugarh, Silchar, etc., with Government initiative, guidance and aid.

**Shri RANENDRA MOHAN DAS :** Mr. Deputy Speaker, Sir, I rise to speak a few words in support of the Resolution moved by my Friend Mr. Goswami.

Sir, Mr. Goswami has rightly said that the housing problem is one of the most burning problems in all towns of our State. If we read the census reports we find that population in each and every town is increasing abnormally. Say for instance, in a small subdivisional town like Karimganj, during 1941 census the population was below 8,000 but during 1951 census the population has gone upto 20,000. So is the case with Silchar, Gauhati, Shillong and other towns of Assam. But we see that the Government instead of giving housing facilities to the middle and poorer classes of people have in many places requisitioned a number of houses for residential purposes of Government officers, and thus causing greater hardship to the people. During the war, such requisitioning of houses was rampant. The war is long over and we would not like to see the same old method of requisitioning of houses for Government purposes to continue.

I know, Sir, that in small town like Karimganj not less than 50 houses are requisitioned for Government residential purposes and since a big number of houses is taken away, the ordinary people are left without houses. So on the one hand I propose that Government housing schemes should be taken up as early as possible to accommodate Government officers and on the other hand Co-operative Housing schemes should be started at Governmental initiative so that the poor and middle class people residing in the towns may be accommodated. This will help to solve the question of housing problem to a great extent. Sir, after coming of the Rent Control Act in force, we have seen well-to-do people who used to construct houses for letting out to the public feel shy in respect of further construction of houses because they are not regularly getting rent and even if they get rent, it is very small in consideration of their constructions. So they are not constructing further houses. So my point is that while the number of houses is going down in our towns whereas on the other hand the population is increasing in abnormal proportion.

Sir, my Friend, Mr. Goswami, has rightly said that if construction of houses is left in the hands of the public, we shall



create a number of slums. Sir, my personal experience as Chairman of the Karimganj Municipal Board is that people are coming with petitions for permitting them to construct their houses; we cannot ignore the people, we are giving them permission to construct their houses although it is in many respect against the Municipal rules and regulations. We cannot refuse permission to the people because of their urgent need of houses. So, Sir, the Resolution is that if Government takes up the matter or help the matter in the shape of Government housing schemes, creation of new slums can be avoided to a great extent in our towns.

Next, Sir, I come to the question of construction of houses, by private persons. Supposing a person is financially sound and is ready to construct houses, but that person finds difficulties in procuring C. I. sheets, cement and other iron materials, and we have seen in the past that supplies of all these things are not very regular all throughout the year, and so as it depends upon the supply position and even the well-to-do people cannot construct their houses within a reasonable time. On the other hand, Sir, if 50 houses are constructed on co-operative basis, the cost will be  $\frac{1}{3}$ rd less than the houses constructed by the individuals. From these facts and figures, I hope Government will give due consideration in this matter. I am glad that Finance Minister has said that the Government of India is going to grant loans in the matter of housing schemes. So I request Government to give special interest in the matter, so that the Co-operative housing schemes may render help immediately to some towns in our State.

With these few words, Sir, I support the Resolution moved by my Friend, Mr. Goswami.

**Shri BISWADEV SARMA:** Mr. Deputy Speaker, Sir, I oppose this Resolution on point of principles. This Resolution seeks to give relief to the people of the towns alone. There is no denying the fact that housing problem is very acute, but Sir, we are concerned more with the rural people. Sir, the rural people are suffering more than the town people, but if the Resolution of my Friend, Mr. Goswami, seeks to give relief to the town people alone, that is bad in principle and we should not accept it, because we are mostly interested with our rural areas. Secondly, Sir, if the co-operative housing schemes are accepted, the town people will go on increasing by leaps and bounds, the town population will be increased and the towns will become congested. Sir, we should try to make the people go to the villages instead of coming to towns.



With these few words, Sir, I oppose the Resolution moved by my Friend, Mr. Goswami, and I hope the House will not accept it.

**Shri BAIDYANATH MOOKERJEE (Minister)**: Mr. Deputy Speaker, Sir, I am thankful to the Leader of the Opposition who has brought this Resolution before the House, and I am thankful also to my Friend Shri Sarma who has pointed out some defects in the Resolution.

Sir, the position as it stands to-day is encouraging, and I shall place before the House how it stands. At the moment Sir, I am thankful to the Leader of the Opposition because he has given me this opportunity of letting the hon. Members of the House as well as the public outside to know how far we have advanced in this matter.

Sir, it has been mentioned by the Leader of the Opposition more than once in his speeches that he has noticed in the speech of my Colleague, the Finance Minister, that something was going to be done to remove the housing difficulties. I shall give the details of the steps that have been taken by the Government. Sir, the State Government are taking necessary action to implement the schemes for providing housing facilities to people in the low income groups and this includes both the urban as well as the rural population. My Friend, Shri Sarma, has just raised the point regarding housing facilities to the people of rural areas, and, Sir, I am in a position to meet his point also. Sir, the scheme was drawn up by the Government of India which is going to give loans assistance to the different States for this purpose. Sir, so far the action taken by this Government has been as follows:

1. A Housing Policy Committee consisting of Chief Secretary, Secretary, Planning and Development, Secretary, Finance and Secretary Revenue has been constituted to frame rules, etc. in connection with grant of housing loans to persons in the low income groups of the State and also to arrange other organisational details in regard to grant of such loans. The Housing Policy Committee will also draw up details regarding the setting up of Housing Corporation in the entire State.

2. An Executive Housing Board has been appointed which will deal with the day to-day affairs pertaining to the scheme. The Housing Board consists of:

- (1) Director of Housing who is a senior Superintending Engineer. So here, Sir, we meet the point raised by Shri Das. It mostly depends on the Municipality not to allow erection of houses at random.

One should not expect that Government should take up everything and the people will not do their part. After all



this is a people's Government. I do not want our people should depend on spoon feeding. Sir, I would not take much time of the House. I shall be able to finish my speech within 5 minutes.....

### Adjournment

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

### After Lunch

**Mr. SPEAKER:** Mr. Mookerjee.

**Shri BAIDYANATH MOOKERJEE (Minister):** Mr. Speaker, Sir, I was just dealing with personnel of the Executive Housing Board. Sir, as I have already stated that the Director of Housing is a senior Superintending Engineer and the Deputy Director of Housing Administration was to be an officer having administrative and revenue experience and the third be an accounts man. The latter has not yet been appointed. Since we begin to receive loan applications and begin to issue loans, we shall appoint these officers. Now, the Executive Housing Board will perform the duties which I am just now going to enumerate. Sir, (1) It will deal with all matters connected with the sanctioning of loan to individuals and to housing co-operatives on the line of the Government of India's schemes. So it will give loans both to the individuals as well as to the co-operatives, (2) it will prepare suburban areas for development around congested towns such as Gauhati, etc., and after preparation of such areas earmarking of house building sites, the sites will be sold to the individuals or to the housing co-operatives. Now, Sir, there is another point which was not mentioned by the hon. Mover as well as his left hand supporter, Shri Ramendra Mohan Das, who always reminds us about his position as the Chairman of the Karimganj, Municipal Board. The money will also be advanced to the Municipal Boards and I hope he will take advantage of it and will satisfy his leader so that the people will not build a latrine just before the cookshed of his neighbour. Rules for advancing loans to individuals and to housing co-operatives had been drawn up and they will soon be finalised. Model application forms have also been prescribed and mortgage bonds which will be signed by each loanee are also being made ready. Now, Sir, necessary instructions are being issued to Deputy Commissioners and Subdivisional Officers in connection with the granting of loans and the district officers appointed have been instructed to make such enquiries and the Revenue Department has promised to make available an adequate number of Sub-Deputy Collectors to take up this work from the next financial year. The implementation



of the scheme will start from the next financial year and it is expected to be a very popular one and the number of individuals and housing co-operatives are also expected to avail full use of the loans. Sir, Government will also take steps during the next financial year to open suburban areas in all large congested towns of the State. A Town Planner has already been appointed and it will be possible for him to prepare a scheme in connection with the proper planning of such suburban areas. The actual construction work being done under the Director of Housing who is an experienced engineer of the status of a Superintending Engineer. It is expected that through the various means suggested above, the housing position in the State will be eased to a considerable extent, the initiative has so far been left with the people. This is to afford the individuals to form co-operatives and thereafter to avail of the loans under this scheme. However, I think it would be better on my part to mention here that it is not proposed for the present that Government should undertake the construction but we shall show to the people and the people will take advantage of this both individually and collectively. Sir, since under the Low Income Groups schemes loans will be granted to persons whose income is less than Rs.6,000 a year (Mr. Speaker.—Almost everybody), I do not know whether this will satisfy some of my friends. A man having income a little less than Rs.500 a month will get the advantage of this loan. This scheme is designed to give relief to people residing in both the urban and rural areas; therefore steps taken by Government in regard to housing will extend to a much wider area than what is envisaged in the Resolution. As already pointed out by my Friend, Shri Biswadev Sarma who opposed the Resolution on the ground that instead of giving these facilities to the rural people who are in great need of, this proposed Resolution will be doing injustice to the backbone of the country which includes both the cultivators and the labourers. In the urban areas as already pointed out by me, Sir, the granting of loans to individuals and to housing co-operatives, preparing house building sites and opening suburban areas will be affording loan facilities to Local Boards to take up housing schemes. Now, Sir, as I was stating when we broke up for lunch that there must be someone who should enlighten and educate our people in this respect. They should not rely on Government for everything. Of course, as I have already stated, Government will give all possible help to the people but if it is the desire of some of the hon. Members that so far as co-operative housing is concerned that step also should be taken up by Government initially, I feel that



will be doing injustice to the people. They also must play their part in this respect. After hearing me that not only the housing co-operatives, but the individuals as well as the Municipal Boards will get the advantage of this loan not only in the urban areas but this loan will be extended in the rural areas also. I hope my Friend, the Leader of the Opposition, will see his way to withdraw his Resolution.

**Shri HARESWAR GOSWAMI:** I beg leave to withdraw my Resolution.

(The resolution, was by leave of the House, withdrawn.)

**Resolution re: devising ways and means  
to stop future Flood in the Aie River**

**Raja AJIT NARAYAN DEB of Sidli:** Mr. Speaker, Sir, I beg to move that this Assembly is of opinion that the Government of Assam do take immediate steps for devising ways and means to stop future flood in the Aie river, which has become shallow due to deposit of sand and silt during the last flood, so that the villages on the either side of the said river are saved permanently from the ravages of possible floods.

Sir, this Resolution is sufficiently clear as to what is wanted by me. In the last November Session a full-fledged discussion about the damages done by flood in all the rivers was held in this House, and that the devastation caused by this river also featured in the discussion. So I do not think I need give details of the devastation. All I need to say is that this Aie River was a very turbulent river for a long time. In the year 1937-38 there was a high flood in the river and it caused damage to the railway bridge. For some time there was no damage done. Again this year due to heavy rains, probably in the Bhutan Hills, large portions of hills were washed away and water rushed through that river with very strong current washing away big boulders, trees, carcasses and human dead bodies even. Due to deposit of sand and silt the river-bed became shallow and as a result, the river broke into many channels and most unexpectedly washed away many villages in distant places. One branch of the river went up to Bijni where very, great damage has been done to the villages and on either side of the central channel also several villages were almost razed to the ground. In my estimate almost about 2 miles of either side of this river have been damaged



and most fertile paddy lands have been made barren due to deposit of sand and silt. Unless something is done before the rains set in, I am afraid, the same kind of havoc will be repeated. Since the bed of the river has gone up due to deposit of sand and silt, even ordinary rains would make the river overflow its banks.

**Mr. SPEAKER:** What is your suggestion ?

**Raja AJIT NARAYAN DEB of Sidli:** I am a layman and not an engineer. As a layman, my idea is that something should be done immediately and that through experts. They should survey it as soon as possible and take steps in order that in future the floods of the river do not cause damage to the villages. The villages which are damaged by the flood of this river are mostly inhabited by tribal people and backward people. If this condition of flood continues, Government will have to think about permanently rehabilitating these people elsewhere. Sir, I do not think I need to say much because everybody knows about the devastating nature of this river. With these words, I commend my the Resolution to the acceptance of the House.

**Mr. SPEAKER:** Resolution moved:

"This Assembly is of opinion that the Government of Assam do take immediate steps for devising ways and means to stop future flood in the Aie river, which has become shallow due to deposit of sand and silt during the last flood, so that the villages said on the either side of the river are saved permanently from ravages of possible floods".

**Shri SIDDHINATH SARMA (Minister):** Mr. Speaker,

It is the desire of my Friend, Raja Ajit Narayan Deb of Sidli, that immediate steps should be taken to devise ways and means to stop future flood in the Aie river. Government is not only to stop and control flood in the river Aie, but also to stop flood in the Brahmaputra. In the last session, the House passed a resolution that a flood investigation Circle should be set up in Assam. Under this investigation Circle, they are now investigating the floods in Assam and have



report is submitted it will not be possible to take steps in the matter, and it will not be possible to take any steps before the rains. We are therefore awaiting a report from that investigating Circle who are taking steps to survey and to collect data, etc. The river Aie is also included in their programme.

There is another difficulty. Some of the rivers of the northern bank have their sources in the Bhutan Hills. At present we have not got permission from the Bhutan Government to carry out investigation within the jurisdiction of the Bhutan Hills. At any rate, we hope to get some report early next year but not before the rains set in. I would therefore request my hon. Friend, the Raja Saheb, to withdraw his Resolution.

**Raja AJIT NARAYAN DEB of Sidli:** When does the Minister expect that steps will be taken up?

**Shri SIDDHINATH SARMA (Minister):** At first survey will have to be carried out, data will have to be collected and the plan and estimate have to be made and money will have to be arranged. Unless the Investigation Circle collect all the necessary data it will not be possible to render expert advice. Even for flood control measures taken up at Dirbugarh, they are settled by experiments. They are now making experiments in Poona, in Punjab and some other places. With regard to protection work at Palasbari and Soalkuchi, the design is settled by experiments. Yesterday we were told by the Chairman, C. W. P. C. that he suggested some changes in design in Soalkuchi protection measures after experiments. So unless we get expert advice, it is not possible to say anything or take any steps. As a matter of fact there was a proposal for construction of a 15 hundred feet stone spur at Ayyaltueri but after the experiment, he finds that it will not be necessary. Sir, the Aie is a very difficult river to deal with. It has its source in the Bhutan Hills. So as I said, unless the Government get investigation report of it, it is very difficult to say anything or do anything.

**Mr. SPEAKER:** But are you trying to get all data necessary?

**Shri SIDDHINATH SARMA (Minister):** Certainly Sir. So, in view of what I have said, I hope my hon. Friend the mover will withdraw his Resolution.

**Raja AJIT NARAYAN DEB of Sidli:** All right Sir, I withdraw with the request that early steps should be taken in the matter.

(The Resolution, was by leave of the House, withdrawn.)



and most fertile paddy lands have been made barren due to deposit of sand and silt. Unless something is done before the rains set in, I am afraid, the same kind of havoc will be repeated. Since the bed of the river has gone up due to deposit of sand and silt, even ordinary rains would make the river overflow its banks.

**Mr. SPEAKER :** What is your suggestion ?

**Raja AJIT NARAYAN DEB of Sidli :** I am a layman and not an engineer. As a layman, my idea is that something should be done immediately and that through experts. They should survey it as soon as possible and take steps in order that in future the floods of the river do not cause damage to the villages. The villages which are damaged by the flood of this river are mostly inhabited by tribal people and backward people. If this condition of flood continues, Government will have to think about permanently rehabilitating these people elsewhere. Sir, I do not think I need to say much because everybody knows about the devastating nature of this river. With these words, I commend my the Resolution to the acceptance of the House.

**Mr. SPEAKER :** Resolution moved :

“This Assembly is of opinion that the Government of Assam do take immediate steps for devising ways and means to stop future flood in the Aie river, which has become shallow due to deposit of sand and silt during the last flood, so that the villages said on the either side of the river are saved permanently from ravages of possible floods”.

**Shri SIDDHINATH SARMA (Minister) :** Mr. Speaker, Sir, it is the desire of my Friend, Raja Ajit Narayan Deb of Sidli, that immediate steps should be taken to devise ways and means to stop future flood in the Aie river. Government is anxious not only to stop and control flood in the river Aie, but in all rivers in Assam including the Brahmaputra. In the last Assembly Session I disclosed before the House that a flood control board has been constituted and a river investigation Circle has been appointed by the Central Government. Under this Circle four Divisions have been opened and they are now investigating the ways and means how to control floods in Assam. In pursuance of the wishes of this House Government have appointed a Chief Engineer specially for the flood control and Aie is one of the rivers in the programme. They are investigating and a report has not yet been received. So unless a



report is submitted it will not be possible to take steps in the matter, and it will not be possible to take any steps before the rains. We are therefore awaiting a report from that investigating Circle who are taking steps to survey and to collect data, etc. The river Aie is also included in their programme.

There is another difficulty. Some of the rivers of the northern bank have their sources in the Bhutan Hills. At present we have not got permission from the Bhutan Government to carry out investigation within the jurisdiction of the Bhutan Hills. At any rate, we hope to get some report early next year but not before the rains set in. I would therefore request my hon. Friend, the Raja Saheb, to withdraw his Resolution.

**Raja AJIT NARAYAN DEB of Sidli:** When does the Minister expect that steps will be taken up?

**Shri SIDDHINATH SARMA (Minister):** At first survey will have to be carried out, data will have to be collected and the plan and estimate have to be made and money will have to be arranged. Unless the Investigation Circle collect all the necessary data it will not be possible to render expert advice. Even for flood control measures taken up at Dirbugarh, they are settled by experiments. They are now making experiments in Poona, in Punjab and some other places. With regard to protection work at Palasbari and Soalkuchi, the design is settled by experiments. Yesterday we were told by the Chairman, C. W. P. C. that he suggested some changes in design in Soalkuchi protection measures after experiments. So unless we get expert advice, it is not possible to say anything or take any steps. As a matter of fact there was a proposal for construction of a 15 hundred feet stone spur at Ayyaltueri but after the experiment, he finds that it will not be necessary. Sir, the Aie is a very difficult river to deal with. It has its source in the Bhutan Hills. So as I said, unless the Government get investigation report of it, it is very difficult to say anything or do anything.

**Mr. SPEAKER:** But are you trying to get all data necessary?

**Shri SIDDHINATH SARMA (Minister):** Certainly Sir. So, in view of what I have said, I hope my hon. Friend the mover will withdraw his Resolution.

**Raja AJIT NARAYAN DEB of Sidli:** All right Sir, I withdraw with the request that early steps should be taken in the matter.

(The Resolution, was by leave of the House, withdrawn.)



**Shri A. ALLEY:** Mr. Speaker Sir, as I was with the Minister on some urgent matters of public interests I could not be present in time to move my Resolution. So with your permission I want to move it now. I will not take more than 20 minutes, Sir.

**Mr. SPEAKER:** No, not now. You may get your chance at the end, if time permits.

**Resolution to provide separate provision of adequate amount for clothing the Hills Tribal People.**

**Shri EMONSING SANGMA:** Mr. Speaker Sir, I beg to move that, in view of the fact that in certain parts of the Hills Tribal Districts of Assam, people are still in a very primitive. Stage. This Assembly is of opinion that a separate provision of adequate amount be made in the Budget for clothing them.

Sir, I have heard some hon. Members here speak about experiments and co-operative schemes for the benefit of businessmen. But in connection with my Resolution I want to say that the villagers in the villages of my district cannot afford to buy sufficient or necessary clothing for themselves. If one happens to go round to the interior of my district or even if he goes to the bazar areas, he will find in what condition our people are clothing themselves. I would like to cite one instance when I happened to be along with my hon. Friends, the Finance Minister and the Forest Minister during their visit to Garo Hills in the southern part of the district. While we were coming back on our way to Tura, we happened to pass through a bazar near about Dalu. There we found most of the people were not wearing proper clothing. It is not for me to describe on the floor of this august House as to in what condition the people were clothing themselves. When the Finance Minister saw that females are putting only a piece of cloth to cover their lower parts and without proper clothing to cover their upper parts, he looked at me and said 'what is this'? I could not say anything then. But in the latter part of our journey I told him that if you happen to be here for long, you will see more of that.

Sir, this is the condition of the adults and grown up people both male and female. But when I speak about little children I can say that they are completely naked. They are without



any piece of cloth on their bodies. May be the cause of this is that the district has not got sufficient quantity of cloth. But the real cause is the poverty of the people. For this also malaria claimed a number of deaths among the people of my district. The large number of deaths may not be known to the Government because the people could not give a correct report to the Laskars or the Deputy Commissioner as to the cause of death. But so far I can understand, most of the death amongst children is mostly of pneumonia caused by want of proper clothing. So, Sir, I hope the House will accept my statement and they will appreciate it and I would request the House to consider my Resolution and accept it accordingly. Thank you, Sir.

**Mr. SPEAKER:** The Resolution moved is that in view of the fact that in certain parts of the Hills Tribal districts of Assam, people are still in a very primitive stage, this Assembly is of opinion that a separate provision of adequate amount be made in the Budget for clothing them.

**Shri BISHNURAM MEDHI (Chief Minister):** Mr. Speaker, Sir, I am in full sympathy with the purport of the Resolution moved by my Friend, Shri Emonsing Sangma. It is known to all of us that in some parts of the hill areas, particularly in the Garo Hills and Mikir Hills, males and females are very scantily dressed and we cannot afford after attainment of Independence to allow our brothers and sisters in those areas to be in that condition. It is our bounden duty now to see how we can help them in clothing themselves properly. But one difficulty that arises here is that, as is well known, the Congress always tried not to impose anything on our tribal brothers and sisters as to how they should dress or what kind of dress should be given to them. This should be done through non-official organisations whom Government are always prepared to help. If we know what kind of dress should be given to them and also are acceptable to the people living in different tribal areas, then Government will see that they are helped. But as I have already said, we as Congress Government do not like to impose any kind of dress or interfere with the customary dress of our tribal brothers and sisters and we want that they should develop themselves in their own way. It will not be correct to say that all of those people cannot afford to purchase their own cloths; there are some among them who can purchase their own cloths. I have already instructed our officers and I also request my Friend to ascertain the particular areas where people actually cannot afford to purchase their cloths and ascertain



other relevant facts. In the areas where people actually cannot afford to purchase their cloths we propose to distribute free the nature of cloths that is acceptable by a representative committee of a particular area and we can prepare a scheme with that end in view. We also propose to distribute in other areas of the Hills Districts such cloths as will be acceptable to them at subsidised rates. A scheme can be worked out on this line and there will be no difficulty in this respect. After the Independence we do not like the idea that some people should starve for want of food and some people should remain scantily dressed. Our obligations particularly in the hill areas are the greatest, according to the Constitution of India itself, to see that people of those areas are uplifted and brought to the level of other people living in other parts of the country. My sympathy is always there.

But along with the proposal of distribution either free or at subsidised rates of clothes of the design and texture as will be recommended by the non-official committee of the local areas, I want to encourage the people in spinning and weaving and for that purpose we want to open centres where cotton can be spun and cloth would be woven. We have already started centres at different places for weaving by improved ways and I would like to see that more such centres are started in those areas where the local people can receive training and learn an art which they do not know so far. In some interior areas we find people use small looms and so there is some difficulty in it and the out-turn is also comparatively less. Some centres have been opened in the Rongrengiri side and we propose to see how the number of such centres can be increased at places where the people can be taught to weave clothes according to their requirement and to increase their out-turn. This they shall be able to do from the yarns spun by them and in some cases from the yarns supplied to them. By so doing in the improved type of looms it will be possible for them to clothe themselves by utilising their leisure time at home. But before we take up such a scheme, we can in the meantime supply requisite amount of clothes to the needy people either free or at concessional rates. How best it can be done it is for the Members of this House, particularly coming from the Hills Districts, to give us advice and to see how this scheme can be worked out so that after a number of years people of those areas can be self-supporting in the matter of clothing themselves in their customary way. There will be no difficulty in this respect and money will be provided for which we can come to the next Session of the Assembly with a supplementary demand. I am quite sure that not a single Member of this House will oppose



if we come forward with a supplementary demand to supply the needs of our tribal brothers and sisters.

After this assurance given by me, I think my Friend, Mr. Emonsing Sangma, will come forward and help me with other Members to meet the needs of the needy people of those areas. Let them first decide themselves how best the needy people can be helped and let them give me advice in the matter and such advice will always be appreciated. We will act according to their advice so that there cannot be any feeling in the minds of the people that something has been imposed on them by the Government. It is a delicate matter which Government should handle carefully. For instance, if we send dhuties, pants shirts, coats, etc., then there may be a question that those people are going to be made Assamese, Bengalees or they are going to be made Anglisized. The nature and designs of the dress are to be determined by the representatives living in those areas. They should also advise us to what kinds of clothings are to be supplied to the male and female persons of those areas and there will be no difficulty to act accordingly. We are quite sympathetic with the people in their aspirations to clothe themselves properly.

With this assurance, Sir, I hope he will withdraw his Resolution.

**Shri EMONSING SANGMA:** On the assurance given by the Chief Minister that the needy people will be supplied with clothings according to their needs and that consideration will be given to open new centres for training in spinning and weaving, I beg leave of the House to withdraw my Resolution.

(The Motion was, by leave of the House, withdrawn.)

**Shri JOGAKANTA BARUA:** Mr. Speaker, Sir, with regard to my Resolution No.11, I understand that at present there is no legislation to regulate the recruitment and conditions of service of persons appointed to Public Service and posts in connection with the affairs of the State under Art. 309 of the Constitution. But Government has given an assurance.

**Mr. SPEAKER:** No, no, I have not heard of any assurance being given. Do you want to move it?

**Shri JOGAKANTA BARUA:** No, Sir,



## Resolution *re* : the running of passenger trains from Ledo to Lekhapani

**Shri DALBIR SINGH LOHAR :** মাননীয় অধ্যক্ষ মহোদয় মই এই প্ৰস্তাৱটো দাঙি ধৰিছো—

This Assembly is of opinion that the Government of Assam do move the Government of India for running of passenger trains from Ledo to Lekhapani.

অধ্যক্ষ মহোদয় এই প্ৰস্তাৱটোৰ দ্বাৰা মই মাননীয় এই সদনৰ সদস্যসকলৰ আগত ইয়াকে ডাঙি ধৰিব খুজিছো যে লিডুৰ পৰা লেখাপানীলৈ, এই ৬ মাইল (ছয় মাইল) দূৰত্বৰ বাস্তৱতো যোৱা মহাযুদ্ধৰ সময়ত বেল লাইন আৰু ষ্টেচন চাইডিং আদি পাতি ভালকৈয়ে বেল চলাইছিল। তাৰপিচত এতিয়া এই ৬ মাইল বাস্তৱ ভিতৰত মালগাৰী চলে আৰু যাত্ৰীবাহী বেল চলাচল নহয়। ইয়াৰ ফলত এই ঠাইৰ মানুহৰ অসুবিধা হৈছে। যোৱা ভূমিকম্প আৰু বানপানীৰ বংশলীলাই গ্ৰাসকৰা চৈখোৱা আৰু সদিয়াৰ অধিক সংখ্যক লোকেই ইয়াত আহি বসবাস কৰিছেহি। এই মানুহবিলাকে ইয়াত ধান, মাহ, সব্ৰিয়হ আদি যাবতীয় কৃষিৰ উৎপাদন কৰিছে যদিও বেল চলাচল নোহোৱাত সেইবিলাক উৎপাদিত দ্ৰব্যৰ বানিজ্য কৰিব নোৱাৰে আৰু তাৰ ফলত তাৰ উচিত মূল্য তেওঁলোকে নাপায়। এই মানুহবিলাক সৰ্ববহাৰা হৈ নতুনকৈ পান পাতিছেহি আৰু অতিশয় শোক লগা। উদাহৰণ স্বৰূপে কওঁ যেতিয়া ডিব্ৰুগড় বা ডিগবই বা তিনচুকীয়াত সব্ৰিয়হৰ মূল্য প্ৰতি মোণত ১৬১৭ টকা, লেখাপানীত মানুহ বিলাকে পায় ৬৭ টকা। যেতিয়া ডিব্ৰুগড় তিনচুকীয়া, ডিগবই আদি বজাৰত আলুৰ দাম মোণে ১০১২২ টকা তেতিয়া লেখাপানীত মোণে ৫৬ টকা। এই দৰেই ; ধান, চাউল, মাহ আদি কৃষিজাত দ্ৰব্যৰ মূল্য সেই মানুহবিলাকে নিজকে চলিব পৰাকৈ নাপায়। তাৰ পিচত শাক, পাচলি আদিৰও তথৈবচ। বন্ধাকৰিব সেৱত ডিব্ৰুগড় বা তিনচুকীয়াত ১৮ বা ১৮ আৰু লেখাপানীত ৮ (চাৰি) অনা ; বিলাহি বেঙেনাৰ সেৱ ডিব্ৰুগড় বা তিনচুকীয়া বা ডিগবইৰ বজাৰত ১৮ আৰু লেখাপানীত সেৱে চাৰি অনা। এই দৰেই এই নগৰুৱা মানুহ বিলাকে কৃষিজাত দ্ৰব্যৰ মূল্য তাৰ আচল দামৰ আধাতকৈও কম পায়। তাৰ প্ৰধান কাৰণ হ'ল যাতায়তৰ অসুবিধা। মানুহে আহি বস্তু বাহানি লৈ দামপোৱা ঠাইত বিক্ৰি কৰিবলৈ অসমৰ্থ। ইয়াৰ ফলত এই মানুহবিলাকৰ আৰ্থিক অৱস্থা উন্নত হওক চাৰি, অৱনতিৰ ফালেহে গৈছে। আজি আমাৰ আদৰ্শ সকলোতকৈ পিচপৰি বোৱা মানুহবিলাকক সমাজৰ উন্নত স্থানলৈ অনাটো। কাজেই, এই মানুহ বিলাকৰ মঙ্গলৰ হকে আমি সৰ্ববতোপ্ৰকাৰে সুবিধা দিয়া দৰ্কাৰ। বেলৰ লাইন, ষ্টেচন, চাইডিং আদি আছেই কাজেই তাত এখন নিয়মিত ভাবে যাত্ৰীবাহী বেলৰ চলাচলৰ ব্যৱস্থা কৰি দিব পাৰিলেই এই সমস্যাৰ সমাধান হয়। ইয়াৰ লগতে এই কথাৰ আৰু এই ভাৱা দি তেনে কৰিবলৈ যোৱা মানুহ এনেয়ে যি পায় তেতিয়া তাৰো কম পাব। সেই কাৰণে যাত্ৰীবাহী বেল চলোৱা কাৰ্য্যটো অতি সোনকালে হাতত লবলৈ আমাৰ ৰাজ্যিক চৰকাৰে কেন্দ্ৰীয় চৰকাৰৰ ওচৰত নিবেদন কৰিব। এনে কৰিলে সেই ফালেদি পৰা টিপং কলিয়েৰিৰ মানুহবিলাকৰো সুবিধা হয় আৰু তাৰো অলপ দূৰত থকা জয়ৰামপৰত থকা বেটেলিয়নৰ মানুহবিলাকলৈ খাদ্য পথোৱাত সুবিধা হয় সেই কাৰণেই মই আজি এই সদনৰ মাননীয় সদস্যসকলৰ আগত মোৰ এই প্ৰস্তাৱটো দাঙি ধৰিলো আৰু আশা কৰো সকলোৱে যেন ইয়াক সমৰ্থন কৰে।

**Mr. SPEAKER :** Resolution moved is that this Assembly is of opinion that the Government of Assam do move the Government of India for running of passenger trains from Ledo to Lekhapani.



**Shri SIDDHINATH SARMA (Minister):** মিঃ স্পীকাৰ, চাৰ, শ্ৰীযুত দলবীৰসিং ডাঙৰীয়াই এই সদনৰ বিবেচনাৰ্থে যিটো প্ৰস্তাৱ দাঙি ধৰিছে সেইটো কেন্দ্ৰীয় চৰকাৰৰ বিবেচনাৰ্থে আমাৰ চৰকাৰে প্ৰেৰণ কৰাটোত মোৰ কোনো আপত্তি নাই। কাৰণ, যুদ্ধৰ আগতে লিডুৰ পৰা লেখাপানীলৈকে মালগাড়ী আৰু যাত্ৰীগাড়ী চলাইছিল। আৰু এতিয়াও, এই ছয় মাইল বাস্তাৱ ভিতৰত মালগাড়ী চলি আছে। বেলৰ লাইন বঢ়োৱা বা বেল চলাচল কাৰ্য্যত যদিও আমাৰ ৰাজ্যিক চৰকাৰৰ কোনো হাত নাই, তথাপি এই ছয় মাইল বাস্তাৱ ওপৰত যাত্ৰীবাহী বেলগাড়ী চলাবলৈ আমাৰ চৰকাৰে কেন্দ্ৰীয় চৰকাৰলৈ অনুৰোধ জনাই লিখা লিখি কৰিব। ইয়াকে কৈ মই শ্ৰীযুত লোহাৰৰ প্ৰস্তাৱটো গৃহীত কৰিলো।

**Mr. SPEAKER:** Then do you accept the Resolution ?

**Shri SIDDHI NATH SARMA (Minister):** Yes, Sir.

**Mr. SPEAKER:** The question is that this Assembly is of opinion that the Government of Assam do move the Government of India for running of passenger trains from Ledo to Lekhapani.

(The Resolution was adopted.)

**Shri HARESWAR GOSWAMI:** Mr. Speaker, Sir, there is a similar resolution in my name, *i. e.* Resolution No.31. I may be allowed.

**Mr. SPEAKER:** That will come in due course. Why should your resolution get precedence over others ?

**Shri HARESWAR GOSWAMI:** There is no reason except that my Resolution is an identical to the one that has already come. If there is no objection, this Resolution can be taken up.

**Mr. SPEAKER:** There is another Resolution, Resolution No.44 which is also identical. So this can be decided at that time.

**Resolution re: Settlement of Public Works Department and Embankment and Drainage Works. in consultation with an Advisory Board.**

**Shri MAL CHANDRA PEGU:** Mr. Speaker, Sir, I beg to move:

"In view of the fact that there are many loop-holes as well as proper justice is not done to the deserving tenderers by the present method of making settlement of either earth work or building work or bridge work with tenderers by the Executive Engineers both of the Public Works Department



and Embankment and Drainage, this Assembly is of opinion that the present system of settlement of the above works by the Executive Engineers both Public Works Department and Embankment and Drainage, should be given up and settlement of such works with tenderers should be made in consultation with an Advisory Board consisting of the following members:—

(1) Deputy Commissioners or Subdivisional Officers as Chairman, (2) Executive Engineers of the respective Divisions as Secretary, (3) Three non-official members to be selected by the Deputy Commissioner or Subdivisional Officer on the date of settlement."

In moving this Resolution I beg to point out that no uniformity of procedure as to the settlement of contractual work with tenderers has been followed by the Executive Engineers of Public Works and Embankment and Drainage Departments and that no procedure to be adopted has been laid down in the respective manuals of the department concerned. The respective Executive Engineers therefore follow their own procedures with the result that injustices have been done to many tenderers. Favouritism and nepotism are being shown to many tenderers by the Executive Engineers. If contractual settlement is made in consultation with an advisory body, proper tenderers and persons could be selected as it is done by the Municipal and Local Boards. Under the present system the Executive Engineers select whomsoever they like. In order to get rid of these anomalies in giving settlement of contractual works and in order to ensure proper selection of tenderers I have brought forward this Resolution for the acceptance of the House.

**Mr. SPEAKER :** Resolution moved is that in view of the fact that there are many loop-holes as well as proper justice is not done to the deserving tenderers by the present method of making settlement of either earth work, or building work or bridge work with tenderers by the Executive Engineers both of the Public Works Department and Embankment and Drainage, this Assembly is of opinion that the present system of settlement of the above works by the Executive Engineers both Public Works Department and Embankment and Drainage, should be given up and settlement of such works with tenderers should be made in consultation with an Advisory Board consisting of the following members:—

(1) Deputy Commissioners or Subdivisional Officers as Chairman, (2) Executive Engineers of the respective Divisions as Secretary, (3) Three non-official members to be selected by the Deputy Commissioner or Subdivisional Officer on the date of settlement.



**Shri SIDDHINATH SARMA (Minister):** Mr. Speaker, Sir, the reasons for moving this Resolution are that "there are many loop-holes as well as proper justice is not done to the deserving tenderers by the present method of making settlement of either earth work or building work or bridge work with tenderers by the Executive Engineers both of the Public Works Department and Embankment and Drainage". Now, Sir, the mover in moving his Resolution has not been able to cite a single instance where justice was not done, neither has he stated what are the "loop-holes". He is a Member of this Assembly for the last three years during which I am in charge of the Public Works Department, but he did not on any occasion bring any instance to my notice where injustice was done to a particular tenderer. Neither did he ever speak to me about "loop-holes" in the settlement of contracts. I do not, therefore, understand why an Advisory Board should be constituted. He wants formation of an Advisory Board consisting of (1) Deputy Commissioners or Subdivisional Officers as Chairman, (2) Executive Engineers of the respective Divisions as Secretary, (3) Three non-official members to be selected by the Deputy Commissioner or Subdivisional Officer on the date of settlement. Now, Sir, what would happen if the recommendation is not accepted by the authority concerned. Suppose the Executive Engineer recommends acceptance of the tender of A, while the other members of the Board, who are in a majority, recommend acceptance of the tender of B. In that case work will have to be entrusted to B. But will the other members of the Board accept responsibility for the execution of the work? Certainly, they will not. The Committee will not take the responsibility of its execution. They will simply distribute the work but if the work is not done properly, the responsibility will not be theirs. So, his Resolution is defective in this respect. At present, Sir, the entire responsibility for acceptance of the tenders and for execution of the works rests with the officers. Different officers of different grades can accept tenders of different value and the responsibility for execution of the works also rests with them. If acceptance of the tenders is to be entrusted to the proposed Board, the Board will also have to take responsibility for the execution of the works. If there was any indication in the Resolution that the Board will also be responsible for execution of the work, the House could have considered the Resolution. At present, Sir, under paragraph 287 of the Assam Public Works Department Code, the lowest tender is accepted unless there is some objection as to the capability of the contractor, the security offered by him or his execution of the former work. In selecting the tender to be accepted the



financial status of the individuals or the firms tendering is taken into consideration, in addition to all other relevant factors. At the same time acceptance or rejection of tenders is left entirely to the discretion of the officers to whom the duty is entrusted. In case where the lowest tender is not accepted, the reasons are recorded confidentially and explanation for the rejection of a tender may be called for by a superior authority. There is a limit to the powers of the Public Works Department officers in this matter of acceptance of tenders and these powers have recently been raised as a temporary measure, *vide* Government letter, dated 20th June 1953. The Chief Engineer has got full powers. It will thus be seen that tenders for work up to the value of Rs.35,000 are accepted by the Executive Engineers, Public Works Department.

Again in the Resolution, Sir, my Friend only wants to entrust the work to the Executive Engineers, he has not mentioned anything about the powers of the Chief Engineer and the Additional Chief Engineer and also of the Superintending Engineers. So, Sir, I find there is no point of setting up the Advisory Board in the Subdivision. Sir, what will happen if tenders are more than one lakh of rupees? There will be then only mis-use of powers. The officer who accepts the tenders will be responsible for the execution of works. The Advisory Board as suggested by my Friend will not be responsible for the execution of the works. In that case, Sir, can we entrust the work to any body and what will be the responsibility?

Sir, in view of these difficulties stated above, I request my Friend, Mr. Pegu, to withdraw his Resolution.

**Mr. SPEAKER:** Will you withdraw it or shall I put to the vote ?

**Shri MAL CHANDRA PEGU:** With reluctance I withdraw.

(The Resolution was, by leave of the House, withdrawn).



**Resolution on to take over and manage the Business of ferrying goods and people by Government in certain Ferry Ghats.**

**Shri HARESWAR GOSWAMI:** Mr. Speaker, Sir, I beg to move that this Assembly is of opinion that Government of Assam do take over and manage the business of ferrying goods and people in the following Ghats-of Assam immediately—

(a) Gauhati (Sukleswar) North Gauhati Ghat, (b) Pandu-Amingoan Ghat, (c) Palasbari-Sualkuchi Ghat, (d) Goalpara-Jogighopa Ghat, (e) Kamalabari-Neamati Ghat'

Sir, it is wellknown to this House that on the river Brahmaputra there are certain places where ferrying is necessary to cross over to the other bank. Except in one or two Ghats, like Silghat-Tezpur Ghat where the I. S. N and R. S. N is operating, Sir, in other Ghats, the Ghats are left for the private parties. Sir, I suggest that while some of these Ghats may be left over to the private parties and settlement should be made with them either by public auction or tenders, the important Ghats should be managed and controlled by the State.

Sir, I am also conscious of the fact that if everything is taken over by the State, private individuals will have no initiative, their many avenues of employment would be closed down and there may be bickerings. But, Sir, my Resolution does not want to drive these private parties from ferrying in other Ghats. So far as small rivers are concerned, I do not want to touch them, this business should be left to the private parties, and there are quite a number of such small rivers where ferrying is done by private individuals, and I would like to leave that business to them. In these Ghats the annual turn over also is not very big. Therefore, there can be no temptation on the part of the State to take over those Ghats and run the business. Moreover to do so will be a heavy burden on the State and the State will not be able to properly manage. Sir, I don't mean the ferrying of people and goods in those Ghats. But, Sir, my Resolution is immediately concerned with river Brahmaputra where there is heavy pressure of ferrying both goods and people in going to the other bank on certain points, and it is during the rainy season not very safe to cross there. Sir, I want the State to interfere to come forward and take over the business of ferrying both from the point of view of safety to the crossing public as well as to the interest of the State's exchequer.

Sir, between Gauhati, and North Gauhati, traffic is really heavy, and this particular Ghat has been given to a Company, namely the Assam Aviation Company. Sir, from all that I have been able



to gather, that Company has been making money rather minting money in this Ghat. Sir, in the last session of the Assembly I put a question regarding the failure of this company to put a steamer at certain times. Quite occasionally the present steamer goes out of order and failed to run many a time. Although this steamer has been certified by the Public Works Department or the authority concerned for all practical purposes, this particular steamer should be given up. But, Sir, this steamer has been kept and very often it goes out of order and the people are put to unnecessary trouble and people are put to a great inconvenience for want of a good and reliable ferry to cross over. Secondly, Sir, I have seen with my own eyes and it is also my personal experience what a terrible situation arises when people throng there. There is no sufficient sitting accommodation. There is no sufficient space for keeping goods and space allotted to passengers are taken up by goods.

Particularly Sir, at the last time the ferry come laden with goods and people are sandwiched between goods; but the charge is not reduced, it remains the same. Sir, for the Company, ferrying of goods is more profitable to them and so they are ferrying more goods and the people are not so much cared for. Also it is seen when four vehicles are put together, it is just such a grim sight to see that people are packed like sardines in the steamer without in-let or out-let and it is simply impossible to remove anything. Sir, my whole purpose in mentioning all these things is that the Company which has been given the lease of Ghat has been making money and they are still in pursuit of money and more money giving up all considerations of decency and safety of people. They want only money and for that purpose they care very little about the convenience of the passengers and this is a very important Ghat, connecting the south bank with the North Bank. Every day people from North Bank or from the South Bank go from one side to the other and they carry goods also. The traffic there is so heavy that it is possible to run the business in a profitable way. There is no meaning why it should be left to a private company. It was admitted by the Ministry in charge of the Public Works Department last time that when the steamer went out of order, the Public Works Department lent their vessels on loan. When the vessels of our Public Works Department are there which can be lent, there is no earthly reason why the same should not be taken over by the Government and run efficiently to the convenience of the people and thereby also earn money. Sir, similar is the case with the Pandu-Amingaon Ghat. There also, Sir, there is a ferry of the Railways but as it very often cannot enable the passengers to catch the railway timing, there is a mar boat



also which is plied by a private party. In that mar boat there is no sitting accommodation and in that mar boat more than 150 persons I have once counted the number—are taken at a time. They are packed in such a way that one man cannot move a single step back to back front to front. In this also no attention is given to the comfort of the people, but more attention is given to earn more money. The lessee is not concerned with the safety of the people. Here also he is not facing any loss. I have enquired from them and I have found they have been earning sufficient money. Now, Sir, this Ghat—the Pandu Amingaon Ghat—is a very important one. There are not less than 12 to 13 crossings every day. It is not in a proper state of affair. The State Government can take up the management of this ferry and do good business itself. It will give comfort and convenience to the public. Sir, I know the Public Works Department Minister who is also the Transport Minister, by replacing the private buses by State Transport buses has given better facility to the public. People do not mind paying one anna more when they get comfort. Sir, during the rainy season, people are afraid to cross over the river, and it is possible for the Government to manage it which will ensure the safety of the lives of the public. The people will appreciate it very much.

Then Sir, there is another ferry. The Palasbari-Sualkuchi Ferry. There also the river at times is very turbulent. Recently because of the strong current of the river there was erosion and if we keep this Ghat in the management of the private party we cannot improve these ferries and it is quite possible at times lives may be lost. It should therefore be taken up. It is possible for a single ferry to link Palasbari with Sualkuchi and Amingaon. It can be done in that manner also and that will help the people. It will increase the convenience of the people. Similarly there is the Goalpara-Jogigopha ferry. Sir, I do not like to speak more about it because my Friend, Sri Nath will be able to describe the pitiable condition of the people more ably. He will be able to speak about it and there also he is one with me in demanding the same thing from the Government and this also should be taken over by Government. A steamer, a flat steamer whatever it might be, may be provided so that the people may cross the river in safety and with convenience and comfort.

Now, Sir, there is another Ghat—the Neamati-Kamala-bari Ghat. In this, I have the support of my esteemed Friend Sri Nilmani Phookan, because he knows that the steamer itself went out of order several times, That steamer should be replaced by a better one and it is necessary



to have that also under the control of the Government. This is also an important ghat connecting not only Jorhat with Majuli but this is the link between Jorhat with North Lakhimpur, and therefore, that Ghat also needs to be taken over by the State Government. I am sure if we run it in a manner we are running the State Transport with some amount of business aptitude, then all these Ghats will be profitable concerns and it will also provide comfort to the public and greater measures of safety to the people. I therefore request the Government to look into the matter and take over the management of these Ghats in the interest of the public as well as in the interest of the exchequer.

**Shri NILMANI PHOOKAN:** Mr. Speaker, Sir, as my name has been referred to by my Friend, the mover of the Resolution, I feel it necessary to say something regarding the Niamati-Kamalbari Ghat. Sir, so far as I remember, last time when it was stated time without number that the rickety steamer which is being run by a private company should be abolished immediately, if possible. At that time we were favoured with a reply from the Government side and the Chief Engineer also gave us to understand that the Government going to have a steamer was, a good steamer, for the purpose and when that steamer will arrive at that time that Ghat will be managed better. Of course the Government did not say whether it will be run by the Government agency or it will be auctioned to a private concern. At any rate, what I feel regarding this is that the matter of the hon. mover moving this Resolution is a fact. Whether it will be feasible or possible immediately to take it up by Government, I do not know.

But the fact is that if this private Carrying Company which is meant for public convenience can only be nationalised, the sooner it is done, the better. I have my experiences of this ferry, this rickety ferry and sometimes mar boats at the risk of the passengers—they carry the passengers like sardine and are only looking to the profits they can make. So from the public point of view, from the public policy, I think this ferry should be better managed whether by the private company or by the Government under a very regular strict regulation, when we find that the transport system that has been already taken over by the Government is now partially better managed than the private buses which have been plying everywhere. Now, my experience is this. From Mariani to Jorhat, only a few fortunate bus owners have got the buses and the result is that they never bring all the passengers from the Mariani station at the dead of night even and hundreds of complaints have been made against them. For that reason I say this transport matter should be taken up by Government as



early as possible and this has been my experience in Lakhimpur-Kamalabari Road and everywhere the bus owners are only trying to cheat each other for their greed, for their mischief and for their doing many things which inconvenience the public. Therefore, I think the point that has been raised by my Friend in the Opposition and the fact about Neamati and Kamalabari Ghat will justify to bring a good ferry for the safety of the lives of the passengers whether run through the Government agency or through the private agency. I do not for a moment question that, but sooner it is nationalised and run, it will be better for the safety and for the safety to the lives of the people.

**Shri KHAGENDRA NATH NATH:** মাননীয় অধ্যক্ষ মহোদয় মোৰ বন্ধু শ্ৰীযুক্ত গোস্বামী ডাঙৰীয়াৰ প্ৰস্তাৱৰ প্ৰসংগত আমাৰ যোগী ঘোপা পঞ্চবত্ৰ ঘাট সম্বন্ধে যি কথা কৈছে সেই সম্বন্ধে নহয়। দু আঘাৰ মান কথা কব খোজো, বাস্তৱিকতে এইটো এটা বৰ ডাঙৰ আৰু পুৰণি ঘাট। এই ঘাটটো বঙ্গ দেশৰ লগত জড়িত থকাৰ কাৰণে যেতিয়া ৰেল লাইন ভাঙি যা, তিনি চাৰি মাহৰ বাবে ৰেল বন্ধ থাকে, তেতিয়া হাজাৰ হাজাৰ যাত্ৰী সকল বঙাইগাঁওৰ পৰা এই ঘাটেদি পাৰ হব লগাত পৰে, গতিকে এই ঘাটটো খুব গুৰুত্বপূৰ্ণ ঘাট। সেই অনুপাতে এই ঘাটৰ অৱস্থা আৰু ব্যৱস্থা সিমান ভাল নহয়। ঘাটটো এটা কোম্পানীক লীজ দিছে। সেই কোম্পানীয়ে এখন পুৰণি জাহাজ চলায়। জাহাজখন প্ৰায়ে বেয়া হয়, কেতিয়াবা মাহটোৰ ভিতৰতে দুই তিনি বাৰ বেয়া হয় আৰু তেতিয়া মাৰনাও চলায়। কোম্পানী জাহাজ খনৰ আৰু এটা বিশেষকৈ যে ইয়াৰ কয়লাবে নচলায়, খৰিৰে চলায় সেই কাৰণে কেতিয়াবা ষ্টীম নহয় আৰু ফলত তিনি চাৰি মাইল ভটিয়াই যায় এনে বন্দনস্তৰ ফলত মানুহ পাৰ হোৱাত বৰ অসুবিধা আৰু পলম হয়। এইটো। গত্যা কথা। এই কথা আমাৰ ৰাইজে বহুবাৰ চৰকাৰলৈ লিখিছে, কিন্তু এতিয়ালৈকে চৰকাৰে একো কৰা নাই। জাহাজৰ সলনি যেতিয়া মাৰ নাও চলে তেতিয়া মানুহৰ লগতে গৰু আৰু মালবস্তু ও নিয়ে। ইফালে ওপৰত চাল নাই, বৰষুণ হলে তিতিব লাগে। ইয়াৰ ফলত যাত্ৰী সকলে অত্যন্ত কষ্ট পাৰ লগাত পৰে। এই ঘাটটো নেচনেলহাই উৱে। ইয়াৰ দায়িত্ব কেন্দ্ৰীয় চৰকাৰৰ হাতত। (voice ইয়াত বক্তৃতা দিলে মিছা।) এই প্ৰধান ঘাটটো ভাল কৰা নিতান্তই উচিত।

আৰু এটা কথা যে এই ঘাটো পাৰ হোৱা ভাড়াও বৰ বেচি। বোধকৰো ভাৰতৰ আন কোনো ঘাটেতে ইমান বেচি ভাড়া নহব। এখন জীপ গাড়ী পাৰ কৰোতে ১২১ টকা লয় আৰু বোজাই লবী পাৰ কৰোতে ৩৮ টকা লয়। মানুহৰ ভাড়া ১৬০ অনা আৰু ১১৬০ অনা কৰি লয়। কিন্তু আন ঘাটত যেনে পাণ্ডু, আমিনগাঁও, গুৱাহাটী, উত্তৰ-গুৱাহাটীৰ ভাড়া বহুত কম। আন ঠাইত বিশেষকৈ বিহাৰ, উত্তৰ প্ৰদেশ, দিল্লী, পঞ্জাব আদিত যিবিলাক নেচনেল হাই উৱেৰ ঘাট আছে। তাত যাত্ৰীৰ পৰা এপয়চাও নলয় মই নিজে কব পাৰো। কিন্তু আমাৰ অসমত যিবিলাক ফেৰী আছে তাৰ ভাড়া বৰ বেচি। সেই কাৰণে মই আশা কৰো যে চৰকাৰে এইবিলাক বিবেচনা কৰি এটা ভাল ব্যৱস্থা কৰিব।

**Shri SIDDHINATH SARMA (Minister):** Mr. Speaker, Sir, at the outset I intend to point out that Gauhati (Sukleswar) North-Gauhati Ghat is under the management of the Public Works Department, but the Pandu-Amingaon Ghat and the Palasbari-Sualkuchi Ghat are under the management of the Gauhati Local Board. So I do not think it will be very easy



to deal with these two ferries unless the Gauhati Local Board agrees to hand over these two Ghats to the Public Works Department. At present, I know they are not willing to part with them. So I shall confine my reply to Gauhati-North Gauhati Ghat, Goalpara-Jogighopa Ghat and Kamalabari-Neamati Ghat.

Sir, the inconvenience mentioned by my Friend, the Leader of the Opposition, Mr. Phookan and Mr. Nath, though exaggerated to a little is true, some extent and I regret that passengers are feeling these inconveniences. Now that ferry—North Gauhati Ferry—is leased out for a long period and the present lease will expire only on the 31st, March 1958, and the Goalpara Ferry—that is on the national highway—is managed by the Assam Public Works Department as an agent of the Government of India and this ferry has been leased out up to 31st May, 1956 and the Kamalabari Ferry is sold yearly. Now, Sir, the Ferry at North Gauhati is not quite up to the mark. During the rains and high floods sometimes it could not ply. Neamati-Kamalabari Ferry is also the same. The vessels are old. I can assure the House that Government have left no stone unturned to replace these ferries as early as possible. It has not yet been possible for want of vessels to replace them as yet. The case of Goalpara—Jogighopa Ferry is different. In fact, arrangement has been made with the Director General of Supply and Disposal to purchase two ferries for this Ghat. But this may take one year more. Orders have already been placed.

**Shri HARESWAR GOSWAMI:** From Disposals? That is, condemned Ferry?

**Shri SIDDHINATH SARMA (Minister):** No, not condemned Ferries, but the Director General of Supply and Disposal is to make purchase of steamers for us as an agent of Government. As I said, we have placed orders already and we expect to get two more steamers within a year or so. But I cannot assure you when these steamers will actually arrive. But everything possible has been done and as soon as we get the steamers, the old one will be replaced. Till the arrival of these steamers the little inconveniences will be there. Government have done their level best to remove these inconveniences, but they cannot be removed totally if new steamers can not be provided.

Now, my Friend Shri Phookan knows about Neamati-Kamalabari Ferry. I am prepared to give the lease to anyone who can provide a suitable steamer even today...[Shri Nilmani Phookan (Sitting)—why not nationalise it?] Yes, that matter of nationalisation is also under consideration. Government have



initiated action in this connection, but it all depends on whether we can get steamers. As I have said, for Goalpara-Jogighopa and Ncamati-Kamalabari Ferries we would require two ferries and for Gauhati-North Gauhati Ferry two steamers will be necessary. These proposals have been included in 2nd Five Year Plan. In case these proposals are accepted for inclusion in the 2nd Five Year Plan, and necessary vessels can be procured, then there will be no inconvenience to the passengers. Till new steamers are available, these little inconveniences will continue—steamers are not available in India. The question as to whether they should be leased to private persons or to be run by the Transport Department, this matter will be examined as soon as we get the steamers. Unless we get the steamers, it is not possible to assure the House whether they can be run by the Transport Department as a nationalised scheme or leased to private parties. All I can say now is that Government are trying their level best to get steamers first. As soon as we get them, the opinion of the House will be fully taken into consideration by Government.

Sir, in view of what I have said I hope my Friend will withdraw his Resolution.

**Shri HARESWAR GOSWAMI:** I only want an assurance from the Minister whether the inconveniences just mentioned, *i. e.* separating the goods from passenger traffic can be removed. This can be done even now. If this assurance is given, then I withdraw my Resolution. Now we find that goods and passenger traffics are combined together. At last goods traffic can be separated.

**Shri SIDDHINATH SARMA (Minister):** Sir, I have already stated that so far the Gauhati-North Gauhati Ferry is concerned, the contract was for a long term. The term expires on 31st March 1958. So if any condition of the lease is altered or modified, Government will have to pay compensation for that. My Friend has pointed out that they are amassing money but they have submitted petition after petition praying for remission (Shri Hareswar Goswami don't believe them. Now-a-days nobody is showing profit). But, Sir, they have also submitted audited balance sheet showing some loss. Therefore it is difficult not to disbelieve audited accounts of a Limited Company. I do not see that there is any difficulty for taking goods along with passengers if the steamer is run according to scheduled time. But sometime the steamer is delayed due to carriage of cars, etc. The other day I found some Government officers arrived late and requested the manager to take his truck. I enquired of the manager of the steamer why there was irregularity in the timings and he replied that there was no



difficulty in keeping the scheduled timings, but he was complying with request from the public as well as Government officials to detain the steamer at both ends to enable them to transport their luggages, goods, cars, cattle, etc., if they could not arrive in time for other reasons. I asked the Department to see that the lessee observed the scheduled time.

In view of this, Sir, I hope the hon. Member will not press his Motion.

**Shri HARESWER GOSWAMI:** Sir, I beg leave of the House to withdraw my Resolution.

(The Resolution was, by leave of the House, withdrawn.)

**Resolution to provide uniforms to all the drivers, handymen and conductors of the State Transport Services at Government cost.**

**Shri DALBIR SINGH LOHAR:** মাননীয় অধ্যক্ষ মহোদয়, মই নিম্নোক্ত প্রস্তাবটো দাঙি ধৰিবলৈ বিচাৰিছো।

This Assembly is of opinion that the Government of Assam do take early steps to provide uniforms at Government cost to all the drivers, handymen and conductors of the State Transport Services.

অধ্যক্ষ মহোদয়, মোৰ বৰ্তমান প্রস্তাবটো সদনত উত্থাপন কৰাৰ উদ্দেশ্য এই যে আমাৰ State Transportত কাম কৰা handyman, driver, আৰু conductor বিলাকৰ একপ্রকাৰ uniform দিয়া দকাৰ।

এওলোকৰ uniform থাকিলে কেইবা প্ৰকাৰৰ সুবিধা হয়। প্ৰথমতে এই uniform থাকিলে যাত্ৰী সকলে কম আয়াসতে তেওঁলোকক চিনিব পাৰে। তাৰপৰা যাত্ৰী-সকলৰ যথেষ্ট সুবিধা হয়। দ্বিতীয়তে আমাৰ handyman, driver আৰু conductor সকলৰ আৰ্থিক অৱস্থা ইমান সুচল নহয় যে তেওঁলোকে কাম কৰিবলৈ বেলেগে এযোৰ বা দুয়োৰ পোচাক বাখিব পাৰে। আমি সচৰাচৰ দেখি আহিছো যে এই লোকসকলে জাবকালিও এটা কামিজ পিন্ধি জাবত কপি কপি ঠাণ্ডা দিনতো পুৱাই কামলৈ আহে। মোৰ প্রস্তাব অনুসাৰে এটা উপযুক্ত ব্যবস্থা সোনকালে কৰিলে এই লোকসকলক এনে ধৰণৰ আহুকালৰ পৰা বৰ্দ্ধা কৰা হব। লগতে আমাৰ State Transport, ত কাম কৰা লোকসকলৰ এটা শান্তি আৰু শৃঙ্খলাও থাকিব। এনে ধৰণৰ কাম কৰা থাকিব। এনে ধৰণৰ কাম কৰা লোকসকলৰ মাজত শৃঙ্খলা থকাটো নিতান্ত বাঞ্ছনীয়। আৰু তেতিয়া আমিও বেচি লাভবান হয়।

এই ক্ষেত্ৰত মই আৰু এটা পৰামৰ্শ আগবঢ়াব খোজো। এই Uniform বিলাক আমাৰ খাদিৰে প্ৰস্তুত কৰিব লাগে। তাকে কৰিলে একালে আমাৰ খাদি প্ৰতিস্থানটোৰ ও প্ৰচাৰ কাৰ্য্য চলিব। আৰু লগতে Uniformত কমেটোও পূণ হব। ইয়াৰ লগে লগে এই লোক সকলৰ মনটো এটা দেশাত্মক ভাবৰ অনুপ্ৰেৰণা জগাই দিয়া হব। এই লোক সকলেই হৈছে আমাৰ সকলো লাভৰ মূল। এনে লোকসকলক এই Uniform খিনি দিয়া নিতান্ত যুক্তি যুক্ত।

**Shri GAURISANKAR ROY:** খাদী কে কপড়ে ৫ সাল কৈসে চল সকেতে হেঁয় ?

**Mr. SPEAKER:** আপোনাৰ মতে ইয়াত কিমান খৰচ পৰিব ?



**Shri DALBIR SINGH LOHAR :** মহোদয়, এনে লোকৰ সংখ্যা প্ৰায় ৫০০ হব। প্ৰত্যেকটোৰ খৰচ যদি ৪০ টকা হয় তেন্তে প্ৰায় ২০,০০০ টকা খৰচ, তেওলোকৰ প্ৰত্যেককে দুটাকৈ পোচাক দিব লাগে। এটা জাৰ কালিৰ কাৰণে এবিধ কাশ্মিৰী গৰম কাপোৰ কম দামতে পোৱা যায়। সেইটো ৪০৫০ টকাতো পোৱা হব। এটা পোচাক গৰম কালিৰ কাৰণে খৰচৰ দিব লাগে। গড় হিচাবে বেচি টকা খৰচ নহব। এই দুজোৰ পোচাকৰ ম্যাদ ৫ বছৰীয়া কৰি দিব লাগে। বছৰে বছৰে দিয়াৰ আবশ্যক নকৰে। এনে ব্যৱস্থা আমাৰ ৰেলওয়ে বিভাগত ইতিপূৰ্বৰে পৰা আছে। মই জানো যে পশ্চিম বঙ্গ, মাদ্ৰাজ আদিৰ Handyman, Driver আৰু Conductor আদিৰো uniformৰ ব্যৱস্থা আছে। এনে ক্ষেত্ৰত আমাৰ State Transportৰ Driver, Handyman আৰু Conductor সকলকো এই uniform দিব লাগে। তাকে কৰিলে এফালে তেওঁলোকক ঠাণ্ডাৰ পৰা ৰক্ষা কৰা হব আৰু আনফালে তেওঁলোকৰ ভিতৰত এটা discipline ও ৰক্ষা কৰা হব।

সেই কাৰণে মই অনুৰোধ কৰো যাতে মোৰ এই প্ৰস্তাৱটো গ্ৰহণ কৰে। ইয়াকে কৈ মোৰ প্ৰস্তাৱটো সদনৰ সদস্যসকলৰ সমৰ্থনৰ্থে দাঙি ধৰিলো।

**Mr. SPEAKER :** Resolution moved is that this Assembly is of opinion that the Government of Assam do take early steps to provide uniforms at Government cost to all the drivers, handyman and conductors of the State Transport Services.

**Shri MAL CHANDRA PEGU :** Mr. Speaker, Sir, while supporting the Resolution moved by my Friend, Mr. Lohar, I beg to say that uniforms should also be provided for officers serving under the State Transport Department along with others.

**Mr. SPEAKER :** This will be considered by the Government.

**Shri SIDDHINATH SARMA (Minister) :** অধ্যক্ষ মহোদয়, মাননীয় দলবীৰ সিং লোহাৰ ডাঙৰীয়াই এই প্ৰস্তাৱটো সদনত উত্থাপন কৰি আমাৰ দুটি আকৰ্ষণ কৰাৰ কাৰণে মই কৃতজ্ঞ বোধ কৰিছো। এই বিষয়টো কিছুদিনৰ পৰা চৰকাৰৰ পৰীক্ষাধীন হৈ আছে। এই পোচাক দিবলৈ হলে জাৰ কালি কি ধৰনৰ পোচাক দিব লাগিব, গৰম কালি কি ধৰণৰ হব লাগিব, শিলঙত যি সকলে কাম কৰে তেওঁলোকক কেনে ধৰণৰ পোচাক দিব লাগিব, ড্ৰাইভাৰক কেনে ধৰণৰ দিব লাগিব, কনডাক্টৰক কেনে ধৰণৰ দিব লাগিব, পোচাক বোৰ বছৰে বছৰে দিব লাগিব নে ছমাহে ছমাহে দিব লাগিব, এই বোৰ কথাৰ পৰীক্ষা চলিয়েই আছে। মোটামোটি খৰচৰ হিচাবত দেখা গৈছে এক লাখ ৪৪ হাজাৰ টকাৰ আৱশ্যক—তাকৈ বেচিও হব পাৰে। State Transport, Board of Control এই বোৰ বিষয়ে এতিয়াও শেষ মীমাংসাত উপনীত হব পৰা নাই। গতিকে এই বিষয় বোৰৰ শেষ মীমাংসা হলে চৰকাৰে বিবেচনা কৰি চাব বুলি ভাবিছে। গতিকে মই মাননীয় সদস্যক প্ৰস্তাৱটো উঠাই লবলৈ অনুৰোধ কৰিছো কাৰণ এই বিষয়টো চৰকাৰৰ তৰফৰ পৰা সহানুভূতিৰে চোৱা হব।

**Shri DALBIR SINGH LOHAR :** মাননীয় মন্ত্ৰী মহোদয়ৰ পৰা আশ্বাস পোৱাৰ কাৰণে মই প্ৰস্তাৱটো উঠাই লৈছো।

(The Resolution was, by leave of the House, withdrawn.)



## Resolution to construct a bridge over the Brahmaputra across Pandu and Amingaon

**Shri HARESWAR GOSWAMI:** Mr. Speaker, Sir, I beg to move that this Assembly is of opinion that the Government of Assam do take immediate and effective steps to construct a bridge over the Brahmaputra in between Pandu and Amingaon.

**Mr. SPEAKER:** Where the bridge will be ?

'In between Pandu and Amingaon'—in that case the bridge will hang in the middle, it may not reach the ends—either this way or that.

**Shri HARESWAR GOSWAMI:** In between meant across Pandu and Amingaon. If necessary, I can amend the wording accordingly.

**Mr. SPEAKER:** Across Pandu and Amingaon will be better wordings.

**Shri HARESWAR GOSWAMI:** Yes, Sir, it is a sad thing that though almost all the States in India have got good bridges over important rivers, we have not yet been able to construct a bridge over the Brahmaputra till now. It is not denied that the construction of a bridge over the Brahmaputra is not an easy matter. Because financial implications are there, but the most important of all is the strength of the current. But, Sir, scientific inventions have been made, and with the aid of scientific devices placed at the disposal of men, it is possible to tame this mighty river. In this case, I am quite sure, that it is possible to have a bridge over the Brahmaputra. During the last war, serious attempts were made to construct a bridge over the Brahmaputra across Pandu and Amingaon, but fortunately for the world and the humanity the war came to an end with the unfortunate result for us that the construction of the bridge over the Brahmaputra could not be completed, and it has remained an unrealised to this day. We expected that during the First Five Year Plan, at least, this matter would receive topmost attention. But unfortunately this was not so and now that we are about to embark on the 2nd Five Year Plan. During the 2nd Five Year Plan we should try to include the construction of the bridge. Sir, I have purposefully kept the question of construction of a Railway bridge vague in my Resolution, I have not stated whether we should ourselves undertake to construct the bridge. Construction of the bridge may cost us to the tune of Rs.3 to Rs.4 crores. It is kept open whether we should not approach the Central Government so that they may come to our aid in the matter of construction of the bridge. But that



should not stand as an obstacle on our way. If the Central Government do not come to our aid, we should take it ourselves. Because if the bridge is constructed, then I am sure, our people will be ready to pay tolls for it than to go without a bridge. Sir, if we calculate the time and money spent unnecessarily for want of a bridge over the river, that will be a colossal figure. When a person wants to cross the river with only a hold-all one person alone has got to pay 4 annas this side, 4 annas that side and annas 2 for crossing—thus the total coming to As.10. Then again about 3,000 people in six trains both up and down cross this river daily. I am agreeable to shift the site of the Railway bridge, if necessary, to Goalpara.

**Mr. SPEAKER :** But it is too near the border.

**Shri HARESWAR GOSWAMI :** But I prefer construction of a bridge immediately for the purpose of crossing the Brahmaputra between Pandu and Amingaon. If the Central Government sanction money, there can be a railway *cum* foot bridge across Pandu and Amingaon. By a railway line, there is possibility of the Goalpara town being developed. So I have not shut out the possibility of the bridge being constructed at Jogighopa. But we have no jurisdiction over the Railways, and therefore we cannot force them to a line of action that we prefer. But what is the immediate necessity for us and within our scope is the construction of a bridge across Pandu and Amingaon. Necessity of such a bridge is so imperative that it requires no elaboration. Suppose a man is in immediate need of a doctor. He comes from the North Bank at night by car as no good doctor is available on the other side of the Brahmaputra and is in urgent need of a doctor like Shri Bhubaneswar Barua or some one else. But as there is no bridge, he cannot cross the Brahmaputra and he will have to remain there. If we have a bridge over the Brahmaputra, such a man can easily avail the doctor's help. Then if we extend our State Transport on to the North Bank, it will be very easy for the State Transport Buses to run across the river. So from all these aspects, if we have a bridge over this great river, we shall be able to develop our State economically, and thereby ease the difficulties of the people. Even if the Government of India do not come to our help, I am quite sure, this bridge can be constructed by our State Government with the money that has been allotted for Assam for the 2nd Five Year Plan.

Another point, Sir, is this :the distance between Pandu and Amingaon is supposed to be the shortest over the Brahmaputra and there is also no possibility of erosion by the river in that



part. It will, therefore, be possible to construct a bridge without any difficulty and that will satisfy an urgent need of the people.

With these few words, I commend my Resolution to the acceptance of the House.

**Mr. SPEAKER:** Resolution moved is that this Assembly is of opinion that the Government of Assam do take immediate and effective steps to construct a bridge over the Brahmaputra across Pandu and Amingaon.

### Adjournment

The Assembly was then adjourned till 1-30 P. M., on Friday, the 18th March 1955.

Shillong :  
The 29th December 1955.

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





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