

# Assam Legislative Assembly Debates

OFFICIAL REPORT

SECOND SESSION OF THE ASSAM LEGISLATIVE  
ASSEMBLY UNDER THE SOVEREIGN  
DEMOCRATIC REPUBLICAN CON-  
STITUTION OF INDIA

SEPTEMBER SESSION

VOLUME II

No. 12



सत्यमेव जयते

The 4th September, 1952

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# DEBATES OF THE ASSAM LEGISLATIVE ASSEMBLY, 1952

(September Session)

Vol. II, No. 12

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**Proceedings of the Second 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 4th September 1952.

**P R E S E N T**

Shri Kuladhar Chaliha, Speaker, B.L., in the Chair, the ten Ministers, the  
two Deputy Ministers, one Parliamentary Secretary and seventy-seven Members.

**QUESTIONS AND ANSWERS**

**STARRED QUESTIONS**

(To which oral answers were given)

**Government Pleader at Karimganj**

**Shri RANENDRA MOHAN DAS** asked :

\* 4. Will Government be pleased to state—

- (a) The date of appointment of the present Government Pleader at Karimganj ?
- (b) Whether he is a graduate in Law ?
- (c) If not, what is the special reason for which his appointment was made ?
- (d) How many Government Pleaders are there in Assam who are not graduates in Law ?

**Shri RUPNATH BRAHMA (Minister)** replied :

4. (a)—Either in 1941 or 1942. The exact information is not available as the papers in this connection were transferred to East Bengal on the partition of India.

(b)—No.

(c)—The appointment was made on the recommendation of the District Judge and the Deputy Commissioner who considered him by far the best in view of his ability and large practice at the Bar.

(d)—None except the Government Pleader of Karimganj.

**Shri RANENDRA MOHAN DAS** : My question is : “How many Government Pleaders are there in Assam who are not graduates in Law ?” The reply is : “None except the Government Pleader of Karimganj.” Why there is a special case so far Karimganj is concerned ?

**Shri RUPNATH BRAHMA (Minister)** : It is already there in the question, Sir, and I have already given the reply.

**Shri HARESWAR GOSWAMI** : What principles the Government have got in appointing the Government Pleaders ?



**Shri RUPNATH BRAHMA (Minister)** : The appointment is generally made on the recommendations of the Deputy Commissioner and the District Judge, and in this particular case of Karimganj, the Pleader was very highly and strongly recommended.

**Shri HARESWAR GOSWAMI** : Is always the recommendation of the Deputy Commissioner necessary ?

**Shri RUPNATH BRAHMA (Minister)** : Yes.

**Shri RANENDRA MOHAN DAS** : What academic, i.e., University qualification is necessary ?

**Shri RUPNATH BRAHMA (Minister)** : Formerly Sir, we used to appoint such Government Pleaders without any degree in Law.

**Shri BIMALA KANTA BORAH** : Except the Government Pleader of Karimganj, are all Government Pleaders in Assam Law Graduates ?

**Shri RUPNATH BRAHMA (Minister)** : Of course this is the information I have received from the office, but I don't know if the Government Pleader of Nowgong is a Law Graduate. I shall ascertain it.

### UNSTARRED QUESTIONS

(To which answers were laid on the table)

#### Cases pending in the Criminal Courts of Karimganj

**Shri RANENDRA MOHAN DAS** asked :

10. Will Government be pleased to state—

- (a) Total number of cases pending in the Criminal Courts of Karimganj on 31st December, 1951 ?
- (b) Reasons for the delay in disposal of cases ?
- (c) How many inspections of criminal files were held at Karimganj between 1948-51 and by whom and on which dates ?
- (d) Whether Government are aware of the difficulties experienced by the litigant public for the delay in the disposal of cases ?
- (e) Whether Government propose to take steps for speedy trial in future ?

**Shri RUPNATH BRAHMA (Minister)** replied :

10. (a)—Nine hundred and seventy-three.

(b)—Due to communal disturbances in 1950 the Subdivisional Officer and other Magistrates could not attend to their case work. The Treasury work also increased many times.

(c)—Three inspections were held at Karimganj between 1948 and 1951 and they were—

(1) By Shri S. K. Datta, I.C.S., Liaison Commissioner on 18th June 1949.

(2) By Shri R. B. Vaghaiwalla, I.C.S., Deputy Commissioner, Cachar on 30th November 1949.

(3) By the Additional Deputy Commissioner on 16th April 1951.



(d)—Yes.

(e)—To ease the congestion Government posted a Sub-Deputy Magistrate for magisterial and Treasury work and this has already resulted in the disposal of most of the long pending cases.

**Shri RANENDRA MOHAN DAS :** As regards 10(b), Sir. What is the number of cases from 1950 ?

**Shri RUPNATH BRAHMA (Minister) :** That is altogether a new question, Sir. How does it arise ?

**Shri RANENDRA MOHAN DAS :** Sir, in reply to question 10(b) it is stated that the communal disturbances started in 1950. How many days or months did it continue in Karimganj ?

**Shri RUPNATH BRAHMA (Minister) :** That also I cannot say.

**Shri RANENDRA MOHAN DAS :** When was the Magistrate posted at Karimganj ?

**Shri RUPNATH BRAHMA (Minister) :** I cannot give the exact date, but it was very recently.

#### **Reconstitution of the Revenue Circles in the district of Kamrup**

**Shri PRABHAT CHANDRA GOSWAMI** asked :

11. (a) Will Government be pleased to state if the question of reconstitution of the Revenue Circles in the district of Kamrup has been abandoned ?

(b) If so, why ?

(c) Do Government propose to take up the question in the immediate future for a final decision ?

**Shri MOTIRAM BORA (Minister)** replied :

11. (a)—No.

(b)—Does not arise.

(c)—The proposal is under consideration of Government.

**Shri PRABHAT CHANDRA GOSWAMI :** As regards 11(c), I want to know whether Government have received proposal from the people of Dharmapur and Kshetri-Dharmapur for consideration of this case ?

**Shri MOTIRAM BORA (Minister) :** The proposal is under active consideration of the Government, and that will probably satisfy my Friend.

**Shri DHARANIDHAR BASUMATARI :** Is it not a fact that there is a proposal from the Deputy Commissioner, Kamrup ?

**Shri MOTIRAM BORA (Minister) :** Yes, there is a proposal.

**Shri DHARANIDHAR BASUMATARI :** Is it not a fact that for lack of proper supervision, the Government is running a great loss for not constituting new circles ?

**Shri MOTIRAM BORA (Minister) :** No definite answer can be given to that, Sir. It is a matter of opinion, after all.



**“Five-Year Plan” and the Development of Plains Tribal People**

**Shri MAL CHANDRA PEGU** asked :

12. (a) Will Government be pleased to state what are the special provisions in the “Five-Year Plan” for the Development of Plains Tribal People?

(b) What are the special provisions of the same so far adopted and to be adopted within the next five years?

**Shri OMEO KUMAR DAS (Minister)** replied :

12. (a)—A tentative Five-Year Plan for the development of the Plains Tribal People in the spheres of education, public health and medical facilities, co-operation, cottage industries, communications and rural water-supply involving a total estimated expenditure of Rs.121 lakhs (approximately) was submitted to the Government of India in 1950 for provision of grants-in-aid under the first proviso to Article 275(1) of the Constitution. Subsequently this same plan was submitted to the Planning Commission in 1951 for incorporation in the Five-Year Plan of the State.

(b)—During the years 1950-51 and 1951-52 no grants-in-aid were sanctioned by the Government of India for the implementation of the various welfare schemes included in the Five-Year Plan mentioned in (a) above. During the current financial year the Government of India have sanctioned a total grant-in-aid of Rs.10 lakhs for implementation of certain schemes relating to the welfare of the Plains Tribal People. In consultation with the Plains Tribal representatives, it has been decided that the schemes mentioned in the list enclosed herewith should be implemented out of this grant of Rs.10 lakhs.

The future implementation of the schemes included in the Five-Year Plan for the welfare of the Plains Tribals will depend on the extent of grant-in-aid available. It will be Government's endeavour to do their utmost for the welfare of the Plains Tribal People, within the resources available to them.

**List of Schemes to be implemented during 1952-53 in the Plains Tribal Areas of the State**

**1. Education :—**

|   | Rs.             |
|---|-----------------|
| (a) Starting of Basic Schools ... ..  | 1,03,000        |
| (b) Training of teachers for Basic Schools ... ..   | 30,000          |
| (c) Grants-in-aid to 30 Middle Vernacular and Middle English Schools.   | 75,000          |
| (d) Grants-in-aid to 9 High Schools ... ..  | 75,000          |
| (e) Grants to Schools to compensate for the loss of fee income incurred in allowing free studentships to the pupils belonging to the Plains Tribal communities. | 10,000          |
| (f) Opening of centres for adult social education ...   | 6,000           |
| (g) Extension of hostel accommodation in the Cotton College, Gauhati and in the J. B. College, Jorhat (Rs.10,000 each).   | 20,000          |
| (h) Scholarships at the existing Government rates from the Middle Vernacular standard to the Post-graduate and other Technical Courses.                         | 14,220          |
| (i) Headquarters Staff ... ..   | 4,000           |
| <b>Total ... ..</b>   | <b>3,37,220</b> |



|  | Rs.             |
|--|-----------------|
| <b>2. Public Health :—</b>   |                 |
| (a) Establishment of a Kala-Azar Hospital at Dudhnai in Goalpara.  | 71,800          |
| (b) Headquarters Staff ... ..  | 1,500           |
| <b>Total ... ..</b>  | <b>73,300</b>   |
| <b>3. Medical :—</b>   |                 |
| (a) Grants-in-aid to leper colonies to be run by the Assam Seva Samity.  | 46,000          |
| (b) Grants-in-aid to three dispensaries for provision for 6 bedded emergency wards.                                  | 60,000          |
| (c) Scholarships of various categories at the existing Government rates.   | 4,942           |
| <b>Total ... ..</b>  | <b>1,10,942</b> |
| <b>4. Rural Communications :—</b>  |                 |
| (a) Improvement of certain roads to be constructed by Forest Department for the benefit of the Plains Tribal People. | 28,000          |
| (b) Improvement of certain Local Board roads running through areas inhabited by the Plains Tribal People.            | 1,93,000        |
| <b>Total ... ..</b>  | <b>2,21,000</b> |
| <b>5. Co-operation :—</b>  |                 |
| For the furtherance of the Co-operative Credit Movement in the Plains Tribal Areas (Lump sum).                       | 1,00,000        |
| <b>Total ... ..</b>  | <b>1,00,000</b> |
| <b>6. Cottage Industries :—</b>  |                 |
| (a) Setting up of Eri Seed Grainages and ... }   | 79,000          |
| (b) Establishment of Boakata Societies ... }   | 79,000          |
| <b>Total ... ..</b>  | <b>1,58,000</b> |
| <b>7. Rural Water Supply :—</b>  |                 |
| Lump sum provision ... ..  | 50,000          |
| <b>Total ... ..</b>  | <b>50,000</b>   |
| <b>Grand total ... ..</b>  | <b>9,71,462</b> |

**Shri MAL CHANDRA PEGU :** As regards 12(a), what is the amount of money that is given to be spent by the Assam Government for the development of the Plains Tribal People ?



**Shri OMEO KUMAR DAS (Minister) :** Sir, I want notice of this question. I have replied that the amount of 10 lakhs is proposed to be spent within the year from the Government of India's grants, but with regard to the Budget provision from the State finance, I want notice of the question.

**Shri BIMALA KANTA BORAH :** As regards 12(a), the question is: "What are the special provisions in the "Five-Year Plan"? Will Government say if there is any ordinary provision also ?

**Shri BISHNURAM MEDHI (Chief Minister) :** All members representing the Plains Tribal were also invited and almost the amount of 10 lakhs has accordingly been distributed. The whole idea is that this is with regard to the "Five-Year Plan" for the development of the Plains Tribal Areas.

**Shri DHARANIDHAR BASUMATARI :** Is it not a fact that there is no specific mention in the Five-Year Plan for the development of the Plains Tribal People ?

**Shri BISHNURAM MEDHI (Chief Minister) :** Different schemes are sent separately. We have made some schemes for the development of Plains Tribal Areas and as soon as we get sanction from the Government of India they will be implemented.

**Shri DHARANIDHAR BASUMATARI :** Is it not a fact that the sum of Rs. 10 lakhs is inadequate for developing the undeveloped Plains Tribal Areas ?

**Shri BISHNURAM MEDHI (Chief Minister) :** That is for the current year only.

**Shri DHARANIDHAR BASUMATARI :** Have Government taken any steps to increase the amount next year ?

**Shri BISHNURAM MEDHI (Chief Minister) :** As a matter of fact I have been trying to get as much money as possible from the Government of India for development of both Hills and Plains Tribal Areas.

### Area Commandants of Home Guards

**Shri NILMANI PHOOKAN asked :**

13. Will Government be pleased to state:—

- (a) Whether the Area Commandants are the disbursing authorities of the respective areas in their charge ?
- (b) Whether for any discrepancy of accounts in their respective areas the Area Commandants are responsible and answerable to the charges against them under the Home Guards Act ?
- (c) The names of the Area Commandants who failed to keep proper accounts ?
- (d) Whether any action will be taken against those Area Commandants whose accounts were found discrepant ?



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

13. (a)—They did not draw money from Government Treasury but they used to disburse money to the Home Guards in their respective areas on receipt of funds remitted by the Commandant General, Home Guards by Treasury drafts.

(b)—There is nothing in the Home Guards Act and Rules about the responsibility of the Area Commandants as disbursing officers, but as they actually received and disbursed money they are liable to account for the same.

(c)—No Area Commandant could keep accounts properly. These Accounts are however being scrutinised and reconstructed by an Accountant appointed by Government for the purpose.

(d)—Yes, if any Area Commandant ultimately fails to render proper accounts of the amount received by him.

### **Postponement of Election of Jorhat Municipal Board**

**Shri SARJU PRASAD SINGH** asked :

14. Will Government be pleased to state—

(a) Why the election of Jorhat Municipal Board was postponed to December next ?

(b) The date on which the order for postponement was communicated to the Deputy Commissioner, Sibsagar ?

(c) Whether it is a fact that the Deputy Commissioner and the town people of Jorhat were not in favour of postponing the election ?

(d) Whether the order regarding postponement of Municipal election was communicated to any commercial organisation direct and if so, on what date the order was sent ?

(e) Whether it is the procedure to communicate Government order direct to any individual or parties ?

**Maulavi. ABDUL MATLIB MAZUMDAR (Minister)** replied :

14. (a)—The general election of the Jorhat Municipal Board was not actually postponed but deferred only to December 1952 because as a result of public representation it was considered that the time would be more convenient for the general rate-payers.

(b)—The Government letter asking the Deputy Commissioner, Sibsagar to defer the election till December next was issued on the 2nd July 1952.

(c)—Yes. The Deputy Commissioner and a section of the public of Jorhat (and not the people of the whole town) were not in favour of postponing the election.

(d)—No.

(e)—Does not arise in view of reply against (d) above

**Shri SARJU PRASAD SINGH**: With regard to (c), may I know what section of the public of Jorhat were not in favour ?

**Maulavi ABDUL MATLIB MAZUMDAR (Minister)**: I received representation from a certain section of the public and it is not possible for me to say to what section they really belonged.



**Shri HARESWAR GOSWAMI:** With regard to (a), the Minister wants to draw a distinction between "postponement" and "deferment". May I know what is the actual difference?

**Mr. SPEAKER:** The hon. Member may look into the Dictionary.

**Shri HARESWAR GOSWAMI:** Did the Minister receive any representation from the Assam Chamber of Commerce?

**Maulavi ABDUL MATLIB MAZUMDAR (Minister):** I do not remember to have received any and I do not think they are very much interested. With regard to the previous question, I may state that "postponement" means not holding the election during the term and "deferment" means that the election is deferred only for some time.

**Shri RANENDRA MOHAN DAS:** What was the report of the Deputy Commissioner regarding postponing the election?

**Maulavi ABDUL MATLIB MAZUMDAR (Minister):** He was not in favour of the deferment.

**Shri RANENDRA MOHAN DAS:** What were the reasons?

**Mr. SPEAKER:** Next Question.

### Complaint against Sub-Inspector of Procurement

**Shri HAKIM CHANDRA RABHA** asked:

15. Will Government be pleased to state—

(a) Whether it is a fact that complaints against one Shri Mangalchandi Brahma, a Sub-Inspector of Procurement Department, who is, at present, at Dhupdhara in the Subdivision of Goalpara, have been lodged?

(b) If so, what are the complaints?

(c) Whether Government have taken any measure against him?

(d) If not, why not?

(e) If so, has he been suspended?

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

15. (a)—Yes.

(b)—Shri Haridas Basu, Shri Lakhi Kanta Rabha, Shri Sarat Chandra Das and Rakhal Chandra Das have lodged complaints against the Sub-Inspector (Procurement) about non-payment of the value of their seized rice and paddy.

(c), (d) & (e)—No. The Deputy Commissioner, Goalpara was directed to cause an enquiry into the allegations and it has been reported that the allegations could not be substantiated; hence no measure has been taken against the officer.



**Shri HAKIM CHANDRA RABHA:** Was the enquiry made by the Deputy Commissioner himself or by somebody else ?

**Shri BAIDYANATH MOOKERJEE (Minister):** The report was forwarded to us by the Additional District Magistrate, Goalpara.

**Shri HAKIM CHANDRA RABHA:** When was the enquiry made ?

**Shri BAIDYANATH MOOKERJEE (Minister):** In the third week of August last.

**Shri HAKIM CHANDRA RABHA:** Were any men present at the time of the enquiry ?

**Shri BAIDYANATH MOOKERJEE (Minister):** Does that question arise Sir ?

**Shri HAKIM CHANDRA RABHA:** Is it a fact that Shri Lakshi Kanta Rabha, who lodged the complaint, has been paid after the enquiry ?

**Shri BAIDYANATH MOOKERJEE (Minister):** No, Sir, payment was made before the enquiry. Documentary evidence to that effect was produced before the enquiring officer.

**Shri HAKIM CHANDRA RABHA:** Who was the enquiry officer ?

**Shri BAIDYANATH MOOKERJEE (Minister):** As I have already stated, the Additional District Magistrate, Mr. Dam, sent the enquiry report from which these replies were framed.

**Mr. SPEAKER:** Who enquired into the matter ?

**Shri BAIDYANATH MOOKERJEE (Minister):** Probably the Deputy Director of Procurement.

**Shri HAKIM CHANDRA RABHA:** What is the name of the officer ?

**Shri BAIDYANATH MOOKERJEE (Minister):** I cannot give the name. I do not remember the name.

**Shri HAKIM CHANDRA RABHA:** I have come to know that money have been paid after the enquiry.

**Mr. SPEAKER:** You are not to state what you have come to know. What is your question ?

**Shri HAKIM CHANDRA RABHA:** I wanted to know the name of the enquiry officer ?

**Shri BAIDYANATH MOOKERJEE (Minister):** I cannot give the name of the enquiry officer now, Sir, as I have already said.

**Shri BIMALA KANTA BORAH:** Are receipts granted to the people when rice and paddy are seized from them by the procurement officers ?



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

**Shri BIMALA KANTA BORAH:** It is stated in the reply that "allegations could not be substantiated". What does that mean? Does it mean that receipts could not be produced or no evidence was forthcoming?

**Shri BAIDYANATH MOOKERJEE (Minister):** The receipts for payment were produced and so the allegations could not be substantiated.

**Shri BIMALA KANTA BORAH:** Were not the allegations against a subordinate officer of the Deputy Director of Procurement? It seems the Deputy Director of Procurement has been made both accused and judge in this case?

**Shri BAIDYANATH MOOKERJEE (Minister):** That question does not arise Sir. Does it?

**Mr. SPEAKER:** Mr. Mookerjee, answer that question. It is for me to decide whether it does arise or not.

**Shri RANENDRA MOHON DAS:** On a point of order, Sir. Can a Member make arguments with the Speaker?

**Shri BAIDYANATH MOOKERJEE (Minister):** There is no question of argument, Sir. I have got every right to express my view-point, and to enquire of the Chair.

**Shri BIMALA KANTA BORAH:** It was an allegation against some officer of the Procurement Department that some paddy and rice were seized and not paid for. This was reported to the Deputy Director of Procurement for enquiry. - Don't you think, Sir, that an enquiry by the Deputy Director of Procurement is practically an enquiry by the accused himself?

**Shri BAIDYANATH MOOKERJEE (Minister):** I do not think so, Sir.

**Shri MOHI KANTA DAS:** Will the Minister let us know what period of the time intervened between the date of seizure and the date of payment?

**Shri BAIDYANATH MOOKERJEE (Minister):** I want notice of that question.

**Shri MOHI KANTA DAS:** Is it not a fact that the Department takes a long time to dispose of these cases and thus harassment is caused to the people?

**Shri BAIDYANATH MOOKERJEE (Minister):** That is a matter of opinion.

**Shri MOHI KANTA DAS:** Is it not a fact that there is some interval between the date of seizure and the date of payment?

**Shri BAIDYANATH MOOKERJEE (Minister):** Yes, Sir, it takes some time but it is always a reasonable time.

**Shri MOHI KANTA DAS:** Does it not take too much time, Sir?

**Shri BAIDYANATH MOOKERJEE (Minister):** In some cases it does take long time because it all depends on the various stages of the enquiry.



**Unruly behaviour by Border Security Force at Kalaichar****Shri EMERSON MOMIN** asked :

16. (a) Are Government aware that 300 cart loads of Jackfruits were taken to Kalaichar Hat on 26th June 1952 and that a few cart loads disposed of due to unruly behaviour and interference of personnel of the Border Forces ?

(b) What action Government propose to take—

(i) against the offenders ; and

(ii) to prevent such occurrences in future.

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

16. (a)—Government have no information as to what quantity of Jackfruits was taken to Kalaichar Hat on 26th June 1952. The Deputy Commissioner reports that there was no interference or unruly behaviour on the part of the Border Security Forces men at Kalaichar on 26th June but due to a campaign of boycotting of these hats by Pakistanies the producers find difficulties in disposing of the commodities.

(b) (i) & (ii)—Do not arise.

**Adjournment Motion re : dispersal of the procession in Shillong by Police**

**Mr. SPEAKER** As I have received notice of an †Adjournment Motion, I should like to hear from the Leader of the House whether it is admissible.

**Shri BISHNURAM MEDHI (Chief Minister)** : Mr. Speaker, Sir, the incident referred to in this Adjournment Motion took place on the 27th of June 1952, and with regard to this incident a case is pending before a Magistrate. The assembly of persons on that date was declared unlawful and in that connection a case is now pending under sections 143 and 147 of the Indian Penal Code before a magistrate competent to deal with the matter. Besides, not only the case is pending before a magistrate, a resolution has been tabled in this House for the current Session of the Assembly in connection with this incident. I refer to Resolution No. 19 of the list "This Assembly is of opinion that the Government of Assam do institute an enquiry into the action taken by the Police to disperse the procession in Shillong on the 27th June, 1952 in connection with the inauguration of the United Khasi-Jaintia Hills District Council and punish the officers at fault". Again, the occurrence is not of recent origin and also the matter being *sub judice*, does not fall with the scope of an Adjournment Motion and as such does not satisfy the provisions of Assembly Rule 90. Thirdly, I would like to draw the attention of the House to said Rule 90 (iv) which says—"the Motion must not anticipate a matter which has been previously appointed for consideration, or with reference to which a notice of Motion has been previously given, regard being had to the probability of the matter anticipated being brought before the House within a reasonable time." The Resolution that has been admitted by the Hon'ble Speaker is in the agenda and will come up in due course for discussion in this House, as such no Adjournment Motion can anticipate such discussion. So in view of all this, I consider the Motion is out of order.

† Dr. Homeswar Dev Choudhury :

I beg to move that this Assembly do now adjourn to discuss a definite matter of public importance and of recent occurrence, namely, the Lathi charging and tear-grassing by the Police on the 27th June last at Shillong on a peaceful procession of the Khasi people in connection with the inauguration of the United Khasi-Jaintia Hills District Council.



**Mr. SPEAKER:** I have heard the Leader of the House and the facts stated by him. The subject matter has certain importance but is not sufficiently of recent occurrence.

Under Rule 90 (iv) of the Assembly Rules, the Motion must not anticipate a matter which has been previously appointed for consideration, or with reference to which a notice of Motion has been previously given, regard being had to the probability of the matter anticipated being brought before the House within a reasonable time.

I find that Mr. Goswami has given notice of a Resolution which stands 19th in the list and is likely to come up for discussion before the House. I shall see that he gets time if possible. However, from the facts stated by the Hon'ble Leader, I find the matter is *subjudice* and a case under sections 143 and 147 of the Indian Penal Code is pending. On that ground also it is *subjudice*, as such I disallow the Adjournment Motion as out of order.

### Allotment of days for Private Members' Business

In pursuance of Rule 18 of the Assam Legislative Assembly Rules, I hereby allot in consultation with the Chief Minister the following days for Private Members' Business during the present Session of the Assam Legislative Assembly:—

Tuesday, the 9th September

Friday, the 19th September

} Motions and Resolutions.

Private Members' Business will also be taken up on the following days, if time permits, after disposal of Government Business for those days:—

Saturday, the 6th, 13th and 20th September and Thursday the 18th September—Motions and Resolutions.

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

**Shri HARESWAR GOSWAMI:** May I make a submission, Sir? The Assembly is sitting for about 20 days, and according to the Rules, one day per week should be allotted for Private Members' Business.

**Mr. SPEAKER:** Have you passed any such rule?

**Shri HARESWAR GOSWAMI:** Yes, Sir, it is here.

(After some time while Mr. Goswami was searching for the rule in question.)

**Mr. SPEAKER:** It does not matter, you may give your views.

**Shri HARESWAR GOSWAMI:** What I mean to say, Sir, is that at least 3 days should be allowed to Private Members during this Session according to that rule. Also from the Agenda we find a number of Resolutions have been tabled which will occupy most of the time of the House. So, three days should be allowed.

**Shri BISHNURAM MEDHI (Chief Minister):** Sir, the official business in all these days will not most probably take a whole day, as such we may take up Private Members' Business after the Government Business is completed. Or if necessary at the end of the Session we may continue one day more to finish the non-official business.



**Shri HARESWAR GOSWAMI:** No, Sir, when I ask for three days, I make a claim as a matter of right. I say that Private Members' Business should be three days in three weeks.

**Mr. SPEAKER:** That is alright. The Leader has assured that a day more will be given for non-official business when Government business is completed.

I think it is the sense of the House that we should give one day more, if necessary, to Private Members when official business is completed?

### Statement regarding Course of Government Business

**Mr. SPEAKER:** The Leader of the House now to make a statement about the course of Government Business during the present Session.

**Shri BISHNURAM MEDHI (Chief Minister):** With your permission, Sir, I desire to make a statement about the course of Government Business during the current Session.

2. The Government business which is to be taken up to day, tomorrow and day after tomorrow is shown in the agenda which has been placed on each Member's table. I need not detail it again. If the Motions for taking into consideration of the Bills mentioned in the agenda are carried by the House on any of these days, we propose that these Bills be considered clause by clause and then be passed on the 12th and 13th September, 1952.

3. On the 15th September we propose to take up the following Government business:—

(1) Discussion, if any, of Supplementary Statement of Expenditure charged upon the Consolidated Fund of the State for 1952-53.

(2) Voting on Demands for Supplementary Grants.

4. On the 16th September we propose to introduce the Assam Appropriation Bill (No. III), 1952 and then to move that it be taken into consideration. If this Motion is carried on that day it is proposed that the Bill be considered clause by clause and then be passed on the 20th September, 1952.

5. On the 18th September we propose to take up into consideration the Assam Public Service Commission (Limitations of Functions) Regulation, 1951 and to move the Motion for its adoption, in case any amendment to the Regulation is made.

6. Any Government business which remains unfinished on previous days will be taken up on the 20th September.

**Shri HARESWAR GOSWAMI:** Sir, in the routine of business I do not find any provision being made for introducing the Draft Assembly Rules. As the House will remember that a Committee was appointed in the last Budget Session to frame rules of this House. The Committee sat twice and, after a prolonged discussion, framed the rules and I believe the draft rules are also printed. Those rules contain very important provisions and it is essential that the rules should be passed by this House in this Session. But, Sir, I do not find any provision being made for the introduction of those rules and for passing them by this Assembly.

Secondly, Sir, with regard to the Bills also, certain Bills have been given to us only yesterday. According to Rule 59(2) the Bills should be given to the



Members at least seven days before a motion for consideration, etc. is made and it appears from the agenda that these Bills are to be moved today, tomorrow and day after tomorrow. Therefore, the time given is not sufficient.

Thirdly, Sir, we are supplied with copies of amendment Bills to certain Acts, but we are not supplied with the original Acts. Most of the Members of this House were not in the former House and are new to this House. The Acts are not available in the Government Press. So, Sir, it is difficult to find the background of the Acts to fit in the amendments. Unless the original Acts are supplied to the Members it is difficult to consider the amendments in their true perspective.

**Shri BISHNURAM MEDHI (Chief Minister)** : As regards the Bills, Sir, it is not the usual procedure that the original Acts be supplied to the Members. It is the Members to get the priced publication of the Acts.

**Shri HARESWAR GOSWAMI** : They are not available, Sir.

**Shri BISHNURAM MEDHI (Chief Minister)** : If a list of the Acts that are not available is sent to me I will try to help the Members.

**Shri HARESWAR GOSWAMI** : We are ready to pay for the Acts.

**Shri BISHNURAM MEDHI (Chief Minister)** : If the principal Acts are wanted I will see that the priced publication is made available now.

As regards the other point, the rules that have been drafted by the Committee have been received by us very recently. There are various Departments which are concerned with the draft rules. There is financial implications also in regard to them. These draft rules are to be examined by various Departments. As a matter of fact, from among us I have appointed a sub-committee to expedite the matter. As soon as the examination is complete I will then discuss the matter with the Speaker before the rules are placed before the House. We are also as anxious as the Leader of the Opposition to see that the rules drafted by the Committee are passed as early as possible. Let us have a few days more time to see whether the rules as drafted protect the interest, privileges and rights of the Members as well as of the public. We are to see if any more provisions are to be made in those rules. I will always welcome any discussion in this matter. There are certain procedure laid down in the rules and that will have to be discussed. I hope the Member will appreciate our difficulty, because if we are to move a resolution for adoption we must take the responsibility of the acceptance of the rules, but there may be some modifications which may have to be made by us. Therefore, Sir, I feel that there is no hurry in passing the draft rules. I hope the Members of the Opposition will give some time before the rules are brought before the House.

**Shri HARESWAR GOSWAMI** : I fail to appreciate the logic of the whole thing, because the Committee was appointed by this House and the Committee was to send the report to this House. The rules were framed for this House, not for the Government. I have heard the Leader of the House saying that the rules might have to be modified and in that case the rules will have to be sent back to the Committee which will then take unnecessary time and as a result the rules will not be passed in this Session. The Committee was appointed by this House and the Committee can send the report only to this



House. Government cannot come into the picture. That there may be some provisions that do not suit the Government should not stand in the way of the draft Rules being presented and passed in this Session. Therefore, Sir, I submit that the rules should be placed before this House during this Session.

**Mr. SPEAKER:** I know that under rule 59 (2) the Bills are to be circulated 7 days before the Motions for their consideration are taken up. I should like to know whether the Bills have been circulated under rule 59 (2) of the Assembly Rules before the consideration Motions are moved.

**Shri BISHNURAM MEDHI (Chief Minister):** The Bills, as soon as they are introduced, are to be considered on their own merits. Some of these Bills were published as early as 20th August last and were sent to the Members. If any individual Bills have not reached them in time those Bills can be taken up a few days later.

**Shri HARESWAR GOSWAMI:** That is alright.

**Mr. SPEAKER:** Those Bills which were not circulated 7 days before they have come up before the House will be given further days for consideration. I understand that those Bills which were not circulated 7 days before they are introduced will be allowed to stand over and will be taken up later.

**Shri HARESWAR GOSWAMI:** What about the rules Sir?

#### **Committee on Petitions relating to Bills**

**Mr. SPEAKER:** Under Rule 122(1) of the Assembly Rules, I nominate the following Members to constitute a Committee on Petitions relating to Bills for the current session of the Assembly:—

1. Shri A. S. Khongphai,
2. Shri Ananda Chandra Bezbarua,
3. Shri Hemchandra Chakravarty and
4. Shri Bimala Kanta Borah.

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

#### **House Committee**

**Mr. SPEAKER:** Under Rule 136 of the Assembly Rules, I nominate the following Members to constitute a House Committee for the September Session of the Assembly:—

1. Shri Ranendra Mohan Das,
2. Shri Nihang Rongpher,
3. Maulavi Muhammad Umaruddin,
4. Shri Radhacharan Choudhury,
5. Shri Nilmani Phookan and
6. Shri Joybhadra Hagjer.

#### **Message regarding assent to Bills**

**Mr. SPEAKER:** Information has been received from the Private Secretary to the Governor of Assam that, under the provisions of Article 200 of the Constitution of India, the Governor has assented to the following Bills which were passed by the Assam Legislative Assembly in its meetings held on March-April 1952:—

- (1) The Assam Appropriation (No. I) Bill, 1952;
- (2) The Assam Appropriation (No. II) Bill, 1952;



- (3) The Assam Finance Bill, 1952;
- (4) The Assam Opium Prohibition (Amendment) Bill, 1952; and
- (5) The Assam Maternity Benefit (Amendment) Bill, 1952.

**Public Service Commission (Limitation of Functions)  
Regulation, 1951**

**Mr. SPEAKER :** Shri Bishnu Ram Medhi to lay out copies of the Assam Public Service Commission (Limitation of Functions) Regulation, 1951 under clauses (3) and (5) of Article 320 of the Constitution.

**Shri BISHNURAM MEDHI (Chief Minister) :** Mr. Speaker, Sir, I beg to lay the copies of the Public Service Commission (Limitation of Functions) Regulation, 1951 under clauses (3) and (5) of Article 320 of the Constitution. It is laid down in the article of the Constitution: "Provided that the President as respects the all-India services and also as respects other services and posts in connection with the affairs of the Union, and the Governor or Rajpramukh, as the case may be, as respects other services and posts in connection with the affairs of a State, may make regulations specifying the matters in which either generally, or in any particular class of case or in any particular circumstances it shall not be necessary for a Public Service Commission to be consulted."

The report of the Public Service Commission for the year 1951-52 is not ready, so it is not placed before the House and it will be laid when it is ready.

Again Article 320 (5) says—"All regulations made under the proviso to clause (3) by the President or the Governor or Rajpramukh of a State shall be laid for not less than fourteen days before each House of Parliament or the House or each House of Legislature of the State, as the case may be, as soon as possible after they are made, and shall be subject to such modifications, whether by way of repeal or amendment, as both Houses of Parliament or the House or both Houses of the Legislature of the State may make during the session in which they are so laid."

Sir, under these provisions, it is laid.

**Presentation of Notification under section 296 of the Assam  
Municipal Act, 1923**

**Mr. SPEAKER :** Maulavi Abdul Matlib Mazumdar to present Notification No. LML. 50/48/147, dated the 8th March 1952 under section 296 of the Assam Municipal Act, 1923.

**Maulavi ABDUL MATLIB MAZUMDAR (Minister) :** Mr. Speaker, Sir, I beg to present Notification No. LML\* 50/48/147, dated the 8th March 1952, under section 296 of the Assam Municipal Act, 1923. All the Members have been supplied with the copies.

The 8th March 1952

\*No. LML. 50/48/147.—In exercise of the powers conferred by Section 296(2)(i) of the Assam Municipal Act, 1923 (Assam Act 1 of 1923), as subsequently amended, the Governor of Assam is pleased to make the following amendment in the rules for the election of members of Municipal Boards in Assam, published with Notification No. 656-L.S.-G., dated the 13th February 1937, as subsequently modified.

**Amendment**

"For sub-paragraph (i) of paragraph (1) of rule 2, the following shall be substituted:—  
On the establishment of a Board under section 9, or when it is proposed to re-establish it under Section 294, or on a fresh election being ordered under Section 293, by an order issued at least three months before any such election."

A. N. KIDWAI,  
Secy. to the Govt. of Assam.  
Edn., L.S.G. & Medl. Dep'ts.



**The Assam Local Self-Government Bill, 1952**

**Mr. SPEAKER** : Abdul Matlib Mazumdar to introduce the Assam Local Self-Government Bill, 1952 ; and to move that the Bill be referred to a Select Committee.

**Maulavi ABDUL MATLIB MAZUMDAR (Minister)** : Mr. Speaker Sir, I beg to introduce the Assam Local Self-Government Bill, 1952 and to move that the Bill be referred to a Select Committee.

**Mr. SPEAKER** : First of all you are to introduce it and to state when it was published and made available to the Members.

**Maulavi ABDUL MATLIB MAZUMDAR (Minister)** : Sir, it was published by the 23rd of August in the *Assam Gazette* and copies were supplied to the Members.

**Shri HARESWAR GOSWAMI** : Sir, although this Bill is an essential one, I am opposed to the introduction of the Bill in the present form. The whole Bill does not satisfy the urge and aspiration of the people expressed from time to time, and had it been an amendment, perhaps I would not have come here to oppose it.

**Mr. SPEAKER** : May I point out to Shri Goswami that it is a convention prevalent that during introduction stage, no comments are made? Of course, you are at liberty to do so as it is only a convention.

**Shri HARESWAR GOSWAMI** : Sir, I would have followed the convention had it not been an important matter. I would rather request the Minister in charge of Local Self-Government to reconsider the whole matter and bring the Bill in a different shape altogether. Sir, this is not an amendment to the original Act. The first Local Self-Government Act was passed in 1915 when the British Raj was there and 1952 is not 1915. After 37 years we have come to reconsider the Local Self-Government Bill. In the meantime, much water has flowed down the Brahmaputra and the world has also changed, India has changed and people are now eager to take to new philosophy and new ideas. We must take into account all these matters. Sir, this Bill is not an amendment, as I have stated before. Moreover in 1948 the Rural Panchayat Act was passed. We expected it will come into force all over Assam. Unfortunately, we find the Rural Panchayats are being fixed like pockets in the whole body of Assam. Of course certain Rural Panchayats have cropped up in some parts of the State though it is not being brought into being uniformly or exhaustively. We are still experimenting with it. It is felt the Local Bodies should be there.

**Mr. SPEAKER** : May I request Mr. Goswami to explain why he opposes the introduction? That should be the main thing.

**Shri HARESWAR GOSWAMI** : Because it does not satisfy the urge and aspiration of the people. Regarding electorate, the power for framing rules has been given to the Government. This is a vital matter on which the Bill is silent. Secondly, two Members are to be nominated by Government which is against all Democratic principle. Thirdly, the funds also are not sufficient to run the Local Board. Fourthly, the procedure regarding the election of Chairman and Vice-Chairman, etc., is faulty. Fifthly, the Bill is silent about the existing employees of the local bodies.

These are important lacuna in the Bill. So long these defects are not removed and brought to shape, we cannot entertain the Bill.



**Maulavi ABDUL MATLIB MAZUMDAR (Minister) :** Mr. Speaker, Sir, I rise to oppose what the Leader of the Opposition has said. On a careful scrutiny of the Assam Local Self-Government Act, anyone will be impressed that although it was passed as far back as in 1915, the Act in itself is a complete code of democratic Local Self-Government. Amendments were made from time to time in order to remove defects or lacuna and in the meantime the Panchayat Act was passed. Although the Panchayat Act has been passed, it has been found necessary to continue with the Self-Government Act in this State and also in other parts of India. As times are not as yet ripe to give full fledged operation of the Assam Rural Panchayat Act, the need arose for a re-orientation of the Assam Local Self-Government Act. Sir, the defects pointed out by the hon. Member are not such as cannot be remedied by a suitable amendment. For instance, he has said about the election of Chairman and Vice-Chairman.

**Mr. SPEAKER :** His objection is that this should be amended.

**Maulavi ABDUL MATLIB MAZUMDAR (Minister) :** Sir, that also can be modified nor amended. But it is for the Honourable House to come to such a decision and in that case provisions can be amended and there is ample scope for that and the Hon'ble Leader of the Opposition will have ample time and I will give him that scope. As regard, the rules, Sir, there is no such rule which cannot be amended if thought necessary. But, Sir, his objection as it now appears is rather too premature.

Sir, I now formally beg to move that the Assam Local Self-Government Bill, 1952 be referred to a Select Committee.

The following members will be in the Committee :

1. The Mover (i.e. the Minister-in-charge);
2. Shri Ananda Chandra Bezbaruah ;
3. Shri Ramesh Chandra Barooah ;
4. Shri Bimala Kanta Bora ;
5. Shri Sarveswar Barooah ;
6. Shri Hem Chandra Chakravarti ;
7. Shri Akshay Kumar Das ;
8. Shri Hareswar Goswami and last but not the least ;
9. Shri Gauri Sankar Bhattacharyya.

Five Members will form a quorum and the report will be returnable by the 15th November, 1952.

**Mr. SPEAKER :** The Motion moved is that the Assam Local Self-Government Bill, 1952 be referred to a Select Committee consisting of the following member :—

1. The Mover (i.e., the Minister-in-charge, Chairman) ;
2. Shri Ananda Chandra Bezbaruah ;
3. Shri Ramesh Chandra Barooah ;
4. Shri Bimala Kanta Bora ;
5. Shri Sarveswar Barooah ;



6. Shri Hem Chandra Chakravarti ;

7. Shri Akshay Kumar Das ;

8. Shri Hareswar Goswami ; and

9. Shri Gauri Sankar Bhattacharyya.

Five Members will form a quorum. The Select Committee to submit their report by the 15th of November, 1952.

**Shri RANENDRA MOHON DAS :** Sir, I beg to move that the Bill be circulated for eliciting public opinion thereon. I want to cite certain reasons for moving this Amendment. For, if the Bill as prepared by Government and placed before the House, would have satisfied all the aspirations of the people and if it would have followed the Congress principle and deliberations, experiences of notable persons in this line during the last 30 or 40 years, I would not have objected to this Bill being sent to Select Committee. Sir, from the Constitution we see that it has been made the State subject by item 5, List II, State List, seven Schedule. Apart from this, the Central Government has no responsibility so far as Local Self-Government in this country is concerned. Sir, in moving this Bill and giving the Statement of Objects and Reasons our Honourable Minister has stated in the last page of the Bill.....

**Mr. SPEAKER :** Will you please move the Amendment first and speak on it ?

**Shri RANENDRA MOHON DAS :** I move, Sir, that the Assam Local Self-Government Bill 1952 be circulated for eliciting public opinion thereon by the 31st December, 1952.

What I was speaking was that in the Statement of Objects and Reasons the Honourable Minister stated that due to change of circumstances thorough revision of the Local Self-Government Act has become inevitable. Sir, if it is found that the Local Self-Government Act of 1915 as it continues at present and the Local Self-Government Bill, 1952 as it is presented to-day, there is some improvement, then I would have been the last man to move this amendment, I would have supported it. But, Sir, I shall explain point by point that it is not an improvement, rather it is derogatory to the interests of the people to a great extent. Sir, at present I am not going to deal with each clause one by one. I shall get time to do that. To-day I shall speak on the main principles of the Bill and the reasons for which the present Local Self-Government Act, 1915 proved a failure. Sir, I have taken special interest in the Local Self-Government affairs. Though my experience may be limited, but in this very young age I had the occasion to represent two local bodies and what I shall say, I shall speak from my own experience. Sir, 37 years ago during the British regime the old Act was passed and as it is known to all, the local self-governing institutions like the Local Boards, Municipalities and District Boards proved a failure to-day due to various reasons. If we read the statements and observations of eminent persons, all will be one with me so far as the failure



of this Act is concerned. Sir, I shall quote a few lines from the Cambridge History of India. It is said—

“On the whole the Local Self-Government must be adjudged a failure. It did not train electorate. It elicited the services of only a few active patriotic men. It increased, instead of diminishing, the powers of district officials. The popular reason which has been usually adduced to explain this is due to their closeness of the official control, the small extent of powers, and the inadequate funds provided out of the provincial revenue for the development of the Local Self-Government. These reasons undoubtedly explain why leaders of the Indian Political Movements preferred to exhibit their eloquence at the Congress meetings, in public assemblies and in columns of the press rather than in humble and laborious spheres of local administration. With certain notable exceptions such as Gokhale, they shirked the exacting political school out of which the English system of self-government had been painfully elaborated. But although the limitation of powers and the demand that the local finance should be provided mainly out of local funds explain why many prominent Indians refused to co-operate actively in the field of Local Self-Government.”

These reasons undoubtedly explain that the leaders of the Indian public opinion did not take active part in the humble and laborious sphere of local administration.

Sir, now it will be found that the present Bill of 1952 will also be a total failure. If we compare the circumstances prevalent in 1915 and that of to-day, it can be proved that our Government did not care to remedy or to do anything to ameliorate the limitations or to meet the great demands of the local bodies in any way in this country. Sir, first of all, as said by Mr. R. K. Siddhwa, Minister, Government of India, who presided over the All-India Local Bodies Conference in 1950,—it must be decided first whether these local self-governing institutions should be allowed in this country to carry on and develop in their own spheres with full autonomy?

(At this stage the Speaker vacated the chair and the Deputy Speaker occupied it.)

**Shri BIMALA KANTA BORA :** Sir, I think the Member is not relevant. What he wants to say is that the Bill should be circulated, but instead of that, he is giving us a history of the Local Self-Government. Is that relevant, Sir?

**The DEPUTY SPEAKER :** He is only trying to substantiate his statement by comparison and giving us a back-ground.

**Shri RANENDRA MOHON DAS :** It must be decided whether the local self-governing institutions should be allowed to carry on unfettered in their own spheres or they should be under the direct control of the State Government like its many departments. This issue must be decided first before we go into our complaint against introduction of the Local Self-Government Bill. Sir, it will be seen that all the grievances and difficulties are still there in the new Local Self-Government Bill. The three main reasons for the failure of the local self-governing institutions are not removed in the new Bill. These are:—

(i) bureaucratic control by the Government official, (ii) limitation of the powers and thirdly, which is the most important, the deplorable financial condition of the local bodies. Sir, it will be found from the history of the other States that when the Congress came into power in 1937, other States took the initiative to amend their Local Self-Government Acts thoroughly to suit their



purpose. Purpose means the purpose of the people. If one reads the report of Mr. A. G. Kher, Minister, Local Self-Government in U. P., he will be surprised that what Mr. Kher suggested in 1937 has not been followed in our State even in 1952. I shall read out only one line from the report of Mr. Kher: "Official control has been reduced to the minimum and the system of nomination by Government has been abolished and substituted by a system of co-operation of unrepresented interests by the local authorities themselves." That was done 20 years back and it is a matter of disgrace for us that we are not thinking in that line even to-day. We may live hundred and thousand miles away from Delhi and U. P. We may not move with them shoulder to shoulder, but we should have that spirit and inspiration from them and should follow them in the path shown by those advanced States. What was thought necessary 20 years back by the Government of U. P. is not even considered urgent by the State Government of Assam in presenting the Bill. Sir, nothing is more regrettable than the fact that the Assam Government wants to control the Local Bodies like its various departments ignoring the rights, privileges, interests and aspiration of the people. In the Bill there are various limitations. With very limited powers the Local Bodies have to cross so many hurdles, namely, the Sub-Divisional Officers, Deputy Commissioners and Commissioner if they want to approach the Government. These are some of the very many difficulties and ultimately the Local Bodies may get a reply after six months or more. These existing defects are still persisting in the Bill. Sir, one more thing I am telling from my experience in the matters of loan. In the matters of loans if the finances of the Local Bodies deteriorate, the Government does not give them loans, and in giving them loans the Local Bodies have to come through so many formalities, and subsequently these loans are given against some original works and at a high rate of interest. The percentage fixed by Government as remuneration of the Government departments for execution of the work and the rate of interest are so high that it has become very difficult for the Local Bodies to do the work and to take the loan at all. Sir, perhaps I cannot impress this House with such observation. But if I can add the name of one person, *viz.*, Sardar Vallabhbhai Patel who had also observed like this on more than one occasions, perhaps the House will realise the importance and necessity of the Local Bodies, and bow their heads to my reasoning.

**Shri BIMALA KANTA BORA:** I think my Friend is not to the point.

**Mr. DEPUTY SPEAKER:** He is showing the points.

**Shri RANENDRA MOHAN DAS:** Sardar Vallabhbhai Patel from his personal experience remarked that Government used to advance loans generally on 50 : 50 per cent. loan-cum grant basis. Late Sardar Vallabhbhai Patel while he was Chairman of the Ahmedabad Municipality said: "While I was Chairman of the Ahmedabad Municipality, I settled a loan of Rs. 45 lakhs with the Government of Bombay on half loan and half grant basis. The loan was advanced to us and for the grant portion the Ahmedabad Municipality had to agitate for over five years to obtain it."

**Mr. DEPUTY SPEAKER:** That is a Municipal Act, and I think it is not relevant. We are not doing with both the Local Bodies and the Municipalities.

**Shri RANENDRA MOHAN DAS:** I am speaking of Local Bodies. What I mean to say is that if this question of finance with the State Government is settled first, there is no use passing this Bill in this form. "Unless and until the question of local finances is settled, the extension of franchise and powers would be" as remarked by Sardar Patel "like dressing a dead woman." The Government



of India visualised the deplorable financial condition through which the Local Bodies would have to pass and assured in its Resolution in 1918 that "It is the intention of the Government of India that by introducing this system of Local Self-Government people will have the liberty to commit errors, because only through errors the people will learn the art of Self-Government".

I know that in the past many of our Local Bodies have not done well. It was unfortunate that some of our elected members did not act in the spirit of service. But these were mainly due to the wire pullings of the District officials and communal virus in our body politic.

Sir, we should not forget that most of the Members of the present State Assemblies also of the Parliament got first-hand training in public affairs from these Local Bodies. These are the forums from where the country will get persons to guide them in bigger spheres. So these institutions should not be allowed to perish. Sir, as you know in 1948, at the instance of the Government of India, from the Ministry of Health Department a Local Finance Enquiry Committee was formed with some 9 men of varied experience and authority in this subject and they toured throughout the country from State to State and gathered information and data. They submitted a report for the consideration of Government. The Hon. the Speaker a moment ago wanted to have some suggestions from my Leader for the improvement of the finances of the Local Bodies. With my little study and experience I may not be able to give him the proper suggestions. But I can quote the suggestions wanted by the Government of India from these eminent persons which have been compiled into a book named, Local Finance Enquiry Committee's Report of 1951. In this report it is said—"The deplorable financial plight of local bodies should not be made a ground for reducing them to practical impotence and consequently the wholesale transfer of functions to the State Governments should be avoided as a retrograde step. Further there should be a steady enlargement of the functions of local bodies so that they may, in the new set up, be used more and more as instruments of national policy". They have suggested some 13 items of taxation for the improvement of the finances of local bodies. As you know, there is no scope for further taxation. The entire taxation sources have been already tapped by the Central Government and the State Governments; therefore it is the recommendation of the Finance Enquiry Committee to share the finance between the State and the local bodies in these 13 items given in their Report.

What I want to emphasise is that while preparing this Bill which has been placed before us, the clerk who has prepared it, or the Minister-in-charge, none did care to read through this Report prepared at the instance of the Government of India nor the observations made by men like late Sardar Patel and other Congress leaders. That is why, I commend the Bill to be circulated for eliciting public opinion. As the Hon'ble Minister has said before that if the Bill be referred to a Select Committee there is scope for additions and alterations. I quite understand that. But these minor changes would not improve the Bill. If everything is to be changed what is the use of keeping it like this.

There is a Bengali saying—যদি হুকাৰ খোল ও নাৰচা বদলান হয়, তাহলেত হুকা নুতনই হয়ে

গেল ?

You have painted a picture in one way. The picture is there, you cannot change the picture by mere additions and alterations; a thorough revision is necessary and we should prepare the Bill *de novo*. That is why I commend this Bill for circulation, I would also request my Friends, who are interested in the local bodies affairs, to see that this Bill be circulated for eliciting public opinion. With



these words, Sir, I move my amendment and I hope I shall be allowed to speak more in subsequent stages of the Bill. Thank you, Sir.

**Mr. DEPUTY SPEAKER:** The amendment moved is that the Assam Local Self-Government Bill, 1952, be circulated for eliciting public opinion thereon by the 31st December, 1952.

**Shri BAIDYANATH MOOKERJEE:** On a point of order, Sir. Can an amendment be moved at the time of introducing the Bill?

**Mr. DEPUTY SPEAKER:** The motion moved by the Minister is that that the Bill is to be referred to a Select Committee; amendment is admissible to such a motion. This is governed by Rule 61(1) which says—"On the day on which any such Motion is made, or on any subsequent day to which the discussion is postponed, the principle of the Bill and its general provisions may be discussed, but the details of the Bills must not be discussed further than is necessary to explain its principle". Also Rule 61(2)(b) ".....if the member-in-charge moves that the Bill be referred to a Select Committee, any member may move as an amendment that the Bill be circulated for the purpose of eliciting opinion".

I think the hon. Member is in order.

**Shri GAURISANKAR BHATTACHARYYA:** Mr. Speaker, Sir, I rise in support of the amendment moved by my hon. Friend, Mr. Ranendra Mohan Das. I think, Sir, he has made it quite clear that the Bill not only has some particular defects, but some very important principles laid down in the Bill are derogatory and, therefore, it is necessary that our public should know what there is in the Bill and what their suggestions, if any, there may be. I would not go into all these principles, but I should like to point out some loopholes. Firstly, the Bill does not provide any specific provision of adult suffrage in constituting Local Boards; it has been left under clause 94 of the Bill to the discretion of the Government at the time of making rules, to say as to what will be the qualification and method of voting and franchise rights and also the character of the election.

Coming to the second point, that is, the financial position, my Friend Mr. Das has already stated that this Bill does not provide ample finances for the local bodies. If the local bodies are always to be dependent on the Government help for their finances and if that financial help be too meagre, then these bodies cannot naturally function properly.

The third point is that there is provision of nomination of members by Government to these bodies and these nominations will naturally influence these bodies. And further more, these nominated members are eligible for being elected as Chairmen or Vice-Chairmen. We have seen many instances in our Local Boards and Municipal Boards where Government specifically have their own pet people nominated into these bodies and they are elected as Chairmen and Vice-Chairmen.

At the time of election for Chairmanship or Vice-Chairmanship, they are elected by simple majority, but if the majority of the members lose confidence in that Chairman or Vice-Chairman, this simple majority cannot remove them from their place. According to this Bill 2/3rds majority is necessary.

I think, Sir, these are very vital matters and these matters cannot be adequately and properly thrashed out only by a Select Committee and therefore we should know the voice of the people, we should know their opinion.



Therefore, I strongly support the Amendment moved by my Friend, Shri Ranendra Mohan Das, that this Bill be circulated for eliciting public opinion thereon by the 31st December this year.

**Maulavi MUKHTER ALI:** Mr. Deputy Speaker, Sir, I support the Amendment moved by my Friend, Shri Ranendra Mohan Das, that the Assam Local Self-Government Bill, 1952 be circulated among the public for eliciting their opinions. Today I would speak a few words only and if occasion arises we shall discuss the matter elaborately. I find no provision in the Bill for adult franchise. We experienced bitter experiences in the last General Election.....

**Mr. DEPUTY SPEAKER:** The discussion about adult franchise is not relevant.

**Maulavi MUKHTER ALI:** The Bill has some connections with adult franchise, and therefore I am speaking about it. However, Sir, in free India every adult has been given right and they exercised their rights in the last Election. What I mean to speak is that if this Bill is passed it will help our friends on the opposite only, because the present electors are old and so it is natural that they will side with our old friends. Those rights of voting must be exercised in every sphere in these days of democratic Government.

I now come to a second point which is about nominations. If our friends opposite fail to have certain people of their own in election, they will get them by nominations in order to serve their purpose. They will do it even by nominating an unsuitable man.

The third point I want to deal with is about finance. What is the meaning of local self-government if the local affairs cannot be tackled for want of funds? Let us first be independent of it and then take the local matters into consideration.

I have spoken what I wanted to speak and I do not want to take much time of the House. I support the Mover of the Amendment that the Bill, instead of being sent to the Select Committee, be circulated among the public for their opinions.

**Shri PRABHAT CHANDRA GOSWAMI:** Mr. Deputy Speaker, Sir, I oppose the Amendment because I find that there is no necessity for sending the Bill for circulation as all the representatives of the people of Assam are here. Therefore we can easily decide the matter in regard to the Bill, and we can say what is the opinion of the people. We have selected some representatives to take up the Bill for consideration in the Select Committee and they will surely invite the people for giving their opinion in the matter and they will surely consider their views and decide accordingly in the Select Committee. Therefore, Sir, it is useless to send the Bill for circulation among the public. I have been surprised to hear from the Members sitting in the Opposition that they want to know the voice of the people. The voice of the people has been tested in the last General Election which amply proved that the voice of the people is with the treasury bench. Therefore, Sir, if the original motion for the Bill is accepted by the House it is enough to say that it is accepted by the people of Assam. Therefore, I oppose the Amendment moved by my Friend, Shri Ranendra Mohan Das, and that I hold the view that the Bill be referred to a Select Committee.

**Shri MOHI KANTA DAS:** Mr. Speaker, Sir, I support whole-heartedly what Shri Prabhat Chandra Goswami has said opposing the Amendment of Mr. Ranendra Mohan Das and I oppose the Amendment on the following grounds. Firstly the Amendment does not disclose anything which would justify



the reference of the Bill—for circulation to elicit public opinion. Circulation will simply delay matters. While the Members of the Legislative Assembly here have the privilege of giving their opinion we can do so when the Bill is sent to a Select Committee. Instead, why some of the flowers of this House stand in opposition to this Bill (*A voice: Who are the flowers?*) I can say that Shri Bhattacharji and Shri Ranendra Mohan Das are also the flowers of the House among others. When they sit in a Select Committee they can give the opinion of the people of their respective constituencies. I think when the Bill is sent to the Select Committee we can try to assert the opinion of the people of our constituencies. Sir, we have not been less serious and earnest than Mr. Das who apprehends that unless it is sent to the people, their opinion could not be gathered. I say, Sir, that the same problem will be solved by sending it to the Select Committee, instead of sending it to the people for eliciting public opinion. This will only delay matter. Therefore, if we, the elected representatives of the people move about in our respective Constituencies and gather their opinion that will be the best course. When the best of the intellects of this State will come here again they will hammer out the provisions which will be to the best interest of the people. The Local Bodies and the local institutions are the institutions which are more closely connected with the people, so far as their day-to-day requirements are concerned. Therefore I do not find any necessity for bringing up this amendment. Sir, we shall have ample opportunity to express our opinion afterwards. As regards nomination, funds and other points, we may discuss it afterwards and we should now confine ourselves only to the question of reference to the Select Committee now. Therefore to mean the business, I submit that the motion for reference of this Bill to the Select Committee should be accepted and it should be expeditiously thrashed out in the Select Committee. The amendment at this stage will not serve any useful purpose and it will simply delay matters. I therefore oppose the amendment for circulating the Bill for eliciting public opinion, as moved by my Friend. With these words, I oppose it, Sir.

**Shri HARESWAR GOSWAMI:** Mr. Deputy Speaker, Sir, I would not have supported the amendment moved by my Friend, Shri Das, had it not been for a vital and a fundamental issue. The Members sitting in the opposite do not want to forget that the right that has been conferred on them by the Constitution, viz., right of adult franchise is being taken away by the Bill.

*(At this stage, the Deputy Speaker vacated the Chair and the Speaker re-occupied it.)*

True, we represent the people here and the voice of the people has been given for five years to come. We are not denying that, but at the same time the matter before us concerns the people vitally. As we know, in the Constitution the right of franchise has been given to every adult male and female. In the Rural Panchayat Act the same has been given, but to-day by this Bill we want to take away this right from a section of the people. The Bill is silent on this vital point. The Bill wants that Government should have powers to regulate election, decide the character of the electorate and the form of election. Sir, when the Minister-in-charge of the Local Self-Government is so anxious to take away that fundamental right, it is fit and proper that we should go back to the people and have their opinion on this vital issue, by circulating the Bill for eliciting their opinion.

Sir, I feel it as the fundamental right of every male or female over the age of 21 years to vote and have to elect their own representatives to different bodies. In countries where 'referendum' and initiative are in vogue such vital issues are decided through those methods and people's opinion is associated with the Government. But in our Constitution there is no such provision for referendum and "initiative". Hence circulation is the only means left to us to know the people's mind. My Friend, Shri Prabhat Goswami, has said that as we have been



elected by the people, there is no question of circulating a Bill to the people and whatever we do, people will ditto that. In that case no provision for circulation would have been made in the rules. It is made because in vital matters it is meet and proper to have their opinion through such procedure.

But, Sir, Government want to take away that right and tackle that problem by a reference to the Select Committee. However much we may claim to be the representatives of the people in this matter, a fresh voice of the people need to be heard. Hence I support the amendment.

**Mr. SPEAKER:** I am now referring to clause 94 (Chapter VI—Rules and Bye-Laws) of Assam Local Self-Government Bill, 1952.

“(1) The State Government may make rules for the purpose of carrying out the provisions of this Act.

(2) Without prejudice to the generality of the foregoing powers, such rules may—

(i) determine the mode and time of election of members of Local Boards, and Committees, the qualifications or disqualifications and registration of voters and candidates and generally regulate all elections under this Act.”

**Shri BIMALA KANTA BORA:** Mr. Speaker, Sir, I rise to oppose the motion for circulation of the Bill. I feel, Sir, there is no necessity for circulation of a Bill of this kind. This Bill is not a new thing. As a matter of fact the local bodies are there, they have their own local conditions. Now this Bill has been introduced mostly for the purpose of effecting some consequential changes in the law as a result of creation of some new bodies like Panchayat and Education Boards. Sir, the circulation of Bill for eliciting public opinion is justified only when new questions of principles are involved and vital questions affecting the interest of the public and State are introduced. Sir, I will just justify what I have said and place my grounds before the House.

Sir, the Opposition pointed out two grounds for which this Bill should be sent for circulation.

1. There is a basic defect in this Bill, *i. e.*, franchise.

2. The sources of additional revenues of the Board is not indicated in the Bill.

These are the two important points on which they seek circulation of the Bill for eliciting public opinion. Sir, I do not think if these two points justify the necessity of circulating the Bill for eliciting public opinion. The adult franchise is there in the Constitution. This Local Self-Government Act is a special Act for special purposes and when such an Act has been introduced there may be special provisions which may not be found in the Indian Constitution. Sir, it is the old law which is going to be amended. As a matter of fact this Bill refers to old laws, old bodies which are already there. It is something like putting old wine in a new bottle; hence no circulation for eliciting public opinion is necessary.

Since the introduction of Panchayats and School Boards, some powers have been taken away from the Local Boards. These Panchayats and School Boards on the other hand are created by Government for interest of the State. They are assigned some special responsibilities and these changes therefore must be adjusted. Therefore my submission is that no circulation of the Bill for eliciting public opinion is necessary and the Select Committee is sufficiently competent where all shades of public opinion are represented to do justice to the Bill.



(A voice—No K. M. P. party.)

There is a merger of the parties now.

I am therefore sure, Sir, that after hearing arguments from all quarters it will not be necessary to send the Bill for ascertaining public opinion.

**Maulavi ABDUL MATLIB MAZUMDAR (Minister):** Sir, I strongly oppose the amendment. I do not propose to enter all the items covered by all the speakers as it is not necessary at this stage. As the Bill will be referred to a Select Committee there will be sufficient time during which, if public are so interested in the affairs of the Bill, to come up with suggestions and amendments. The Local Self-Government Act is being operated throughout the State and people are not unaware about its execution and also with results. The Bill has already been published in the Gazette and if, Sir, any Member of the Opposition so likes or any of public desire they can come up with any amount of suggestions to be placed before the Select Committee. Sir, the Constitution of India lays down definitely for adult franchise to be used in connection with the Assembly election in the States. We cannot compare Local Boards with Houses of Legislature. Local Boards are constituted for special purposes and for giving some essential services to the public. There are certain conditions under which they should exist. So the principle of adult franchise should not be considered as applicable in case of Local Boards. The question of adult franchise should not be brought in season and out of season. Adult franchise is not always necessary. For instance it will be seen that those who supply the fund should have their say in the Local Boards and should have a predominating voice in the administration of the Boards.

**Mr. SPEAKER :** The question is that the Assam Local Self-Government Bill, 1952 be circulated for eliciting public opinion thereon by the 31st December, 1952.

The Assembly divided :—

Ayes—12

1. Shri Ranendra Mohon Das.
2. Maulavi Mehrab Ali Laskar.
3. Mr. A. S. Khongphai.
4. Shri Tamizuddin Prodhani.
5. Maulavi Md. Pahar Khan.
6. Maulavi Mukhtar Ali.

7. Dr. Homeswar Deb Chawdhury.
8. Shri Radha Charan Chaudhury.
9. Shri Hareswar Goswami.
10. Shri Gaurisankar Bhattacharyya.
11. Shri Dandiram Dutta.
12. Shri Sarju Prasad Singh.

Noes—69

1. Shri Bishnu Ram Medhi.
2. Shri Motiram Bora.
3. Rev. J. J. M. Nichols-Roy.
4. Shri Rupnath Brahma.
5. Maulavi Abdul Matlib Mazumdar.
6. Shri Ram Nath Das.
7. Shri Omeo Kumar Das.
8. Shri Mahendra Mohan Chaudhury.
9. Shri Baidyanath Mookerjee.
10. Shri Siddhinath Sarma.
11. Pu R. Dengthuama.
12. Pu Lalbuaia.
13. Pu Ch. Saprawnga.
14. Maulavi Mahmud Ali.

15. Shri Ram Prosad Ghubey.
16. Shri Raghunandan Dhubi.
17. Shri Raichand Nath.
18. M. Moinul Haque Chaudhury.
19. Shri Nanda Kishore Sinha.
20. Shri Hem Chandra Chakravarty.
21. Shri Gauri Sankar Roy.
22. Shri Kistobin Rymbai.
23. Mr. A. Alley.
24. Shri Khorsing Terang.
25. Mr. Emerson Momin.
26. Mr. Emonsing Sangma.
27. Mr. Aaran Sangma.
28. Maulavi Kobad Hussain Ahmed.



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| 29. Shri Santosh Kumar Barua.        | 50. Mrs. Usha Barthakur.           |
| 30. Shri Jatindra Narayan Das.       | 51. Shri Lila Kanta Bora.          |
| 31. Swami Krishnana nda Brahmachari. | 52. Mohammed Idris.                |
| 32. Shri Hareswar Das.               | 53. Shri Rajendra Nath Barua.      |
| 33. Shri Khagendranath Nath.         | 54. Shri Chanoo Kheria.            |
| 34. Shri Hakim Chandra Rabha.        | 55. Shri Mal Chandra Pegu.         |
| 35. Shri Akshay Kumar Das.           | 56. Shri Debeswar Rajkhowa.        |
| 36. Shri Mahadeb Das.                | 57. Shri Harinarayan Baruah.       |
| 37. Shri Baikuntha Nath Das.         | 58. Shri Rabin Kakoti.             |
| 38. Shri Prabhat Chandra Goswami.    | 59. Shri Girindranath Gogoi.       |
| 39. Shri Mohendra Nath Deka.         | 60. Shri Ananda Chandra Bezbaruah. |
| 40. Shri Radhika Ram Das.            | 61. Shri Thanuram Gogoi.           |
| 41. Shri Sashadhar Ghose.            | 62. Shri Purnananda Chetia.        |
| 42. Shri Davidson Bhobora.           | 63. Shri Sarveswar Barua.          |
| 43. Shri Mohi Kanta Das.             | 64. Shri Ramesh Chandra Barooah.   |
| 44. Shri Biswadev Sarma.             | 65. Shri Indreswar Khaund.         |
| 45. Shri Gahan Chandra Goswami.      | 66. Shri Manik Chandra Das.        |
| 46. Shri Baliram Das.                | 67. Shri Jogakanta Barua.          |
| 47. Shri Pratap Chandra Sarma.       | 68. Shri Harihar Chowdhury.        |
| 48. Shri Mahendra Hazarika.          | 69. Shri Jadab Chandra Khakhlari.  |
| 49. Shri Bimala Kanta Bora.          |                                    |

The Ayes being 12 and the Noes 69 the Amendment was lost.

I shall now put the main Motion to the House.

**Mr. SPEAKER:** The question is that the Assam Local Self-Government Bill, 1952 be referred to a Select Committee, consisting of the following Members—

1. The Mover (*i. e.*, the Minister-in-charge—Chairman);
2. Shri Ananda Chandra Bezbaruah;
3. Shri Ramesh Chandra Barooah;
4. Shri Bimala Kanta Bora;
5. Shri Sarveswar Barooah;
6. Shri Hem Chandra Chakravarty;
7. Shri Akshay Kumar Das;
8. Shri Hareswar Goswami; and
9. Shri Gaurisankar Bhattacharyya.

Five Members present to form the quorum of the Select Committee. The Select Committee to submit their report by the 15th of November, 1952. The Motion was adopted.

**Shri HARESWAR GOSWAMI:** As we are elected to the Select Committee we will go to the Select Committee with the right to oppose the Bill on fundamental principles when it comes to the House, if our points are not met.

**Mr. SPEAKER:** That is your look out.

At what time you want to meet again?

**Shri HARESWAR GOSWAMI:** To-day, Sir, at 2 P. M.

**Shri BISHNURAM MEDHI (Chief Minister):** If the House agree, I have no objection.

**Mr. SPEAKER:** The House then stands adjourned till ten minutes to two.



(After launch.)

**The Assam Rural Panchayat (Amendment) Bill, 1952**

**Shri MAHENDRA MOHAN CHAUDHURY (Minister):**—Mr. Speaker, Sir, I beg to introduce the Assam Rural Panchayat (Amendment) Bill, 1952. The Bill has been published in the *Aseam Gazette* of 20th August 1952 and a copy of the Bill has also been circulated to all hon. members.

**Mr. SPEAKER:** The Motion is that the Assam Rural Panchayat (Amendment) Bill, 1952, be introduced.

The Motion was carried.

**Shri MAHENDRA MOHAN CHAUDHURY (Minister):** Mr. Speaker, Sir, I beg to move that the Assam Rural Panchayat (Amendment) Bill, 1952, be taken into consideration.

In moving this Bill I beg to make a few observations. In the Statement of Objects and Reasons the main purpose of the Bill has been set forth. It will be seen that the principal Rural Panchayat Act came into operation in the year 1949. During the working of the Act in these three years, certain difficulties had been encountered with and with a view to do away with these difficulties this amendment has been proposed. While opposing introduction of the Local Self-Government Bill, the Leader of the Opposition suggested that the Rural Panchayats should come into operation all at a time as in some other States of India. But the main Rural Panchayat Act which we have in force has a different purpose in view. In other States, Panchayats had been established mainly with the purpose of administration. But our Rural Panchayat Act in Assam envisages quite a different goal. It is to render all out help to the whole rural population. The Rural Panchayat has given full facilities to the people in general so that they can develop themselves and the whole country according to their genius. To realise it Government have given some financial aid so that they can grow and develop. It is no good to merely establish Panchayats without giving them proper help to thrive. With a view that they can develop into useful institutions, certain definite help from the State is envisaged. During the first five years there is a provision that they should be given at least 55 thousand rupees so that they can meet their financial needs and also that they can establish themselves.

Regarding bringing the whole State all at a time under the operation of the Rural Panchayat Act we want to proceed with caution because we must train the people in the art of administration and also the way of democratic institution. We have not got sufficient number of able officers who can take up this task into their hands and go to the villages to tell the people at a time. Therefore in the main Act though it was proposed that within five years the whole State could be converted into Panchayat, owing to financial difficulties that programme has been deferred a bit, but undoubtedly hon. Members will agree that we have proceeded gradually towards the goal which we aspire, i.e., that the entire State is covered with Panchayats. But so long the entire area of subdivisions is not served by Panchayats the Local Boards must remain to carry on activities of the Union Panchayat. There are certain functions which the Rural Panchayats cannot fulfil because these Panchayats will have limited source of finance and with that limited financial resource they will not be able to do all that we want them to do. For that reason certain functions should be taken away from them and invested to the Union Panchayat or Subdivisional Panchayat whatever they may be called later on. So long as the Subdivisional Panchayats do not come into existence, the Local Boards will have to function. For that reason we have made certain provisions here in this Bill so that both these institutions



can grow side by side without any hindrance or ill will. There are certain institutions such as dispensaries, veterinary dispensaries and also Middle Vernacular Schools which the Rural Panchayats have found difficult to run. These institutions will go back to Local Boards who were running until such time when they were taken over by the Panchayats.

In view of all these and other things certain amendments have been proposed and I think hon. Members will appreciate that these are necessary and I hope they will lend their support in the passing of this Bill.

**Dr. HOMESWAR DEB CHOUDHURY:** মাননীয় অধ্যক্ষ মহোদয়, চৰকাৰে এই 'বিল' খনত যি খিনি সংশোধনী আনিছে—তাত মই বিৰোধীতা কৰিবলৈ থিয় দিছো। কাৰণ ১৯৪৮ চনৰ পঞ্চায়ত 'এক্ট' অনুযায়ী যি বিলাক পঞ্চায়ত খোলা হৈছিল, সেই বিলাকৰ পৰা লেখত লব লগীয়া কোনো কাম আমি পোৱা নাই। কাষেই তাৰ ওপৰত অনা এই সংশোধনী 'বিলে' যে বিশেষ কোনো কাৰ্য্যকৰী পৰিবৰ্ত্তন আনিব সেইটো আশা কৰা নাযায়। 'কণ্ট্ৰল' 'কো-অপাৰেটিভ ষ্টোৰচ', 'কো-অপাৰেটিভ ট্ৰেডিং চচাইটি' আদি ভাল উদ্দেশ্যবিলাক এনে ভাবে প্ৰয়োগ কৰা হ'ল যে, সেইবিলাক আঁচনিৰে মানুহৰ মনত তিতা লগালে আৰু কোনো দিনে এই বিলাকৰ বিষয়ে মানুহে নকৰ। পঞ্চায়ত গঠণ এটা ভাল কাম; কিন্তু ইয়াক এনেকৈ প্ৰয়োগ কৰিবলৈ চৰকাৰে ইচ্ছা কৰিছে যেন মানুহৰ মনত তিতা লাগে। এইবিলাক ভাল আঁচনিত তেওঁলোকৰ আন্তৰিকতা নাই। আচলতে তেওঁলোকে এইবিলাক ইচ্ছা নকৰে। ভবিষ্যতে অন্য পাৰ্টিয়ে শাসনৰ ক্ষমতা পালে যাতে এই বিলাক আঁচনি প্ৰয়োগ কৰিব নোৱাৰে, আৰু ৰাইজে যাতে এইবিলাকৰ কথা কলে বিৰোধীতা কৰে তাৰ কাৰণেইহে এইবিলাক কৰিছে।

পঞ্চায়ত গঠনত যে কিমান আন্তৰিকতা আছে তাকেই মই কিছু কম। (১) যিবিলাক পঞ্চায়ত এতিয়ালৈকে গঠিত হৈছে—আৰু নতুনকৈ গঠণ কৰিবলৈ ধৰিছে, সেইবিলাকক কোনো ক্ষমতা দিয়া হোৱা নাই। 'প্ৰাইমেৰী' পঞ্চায়তৰ সমষ্টি গঠনৰ পৰা শাসনৰ স্বত্বলৈকে কোনো ক্ষমতা দিয়া হোৱা নাই।

(২) প্ৰাইমেৰী পঞ্চায়ত বিলাক সাধাৰণতঃ ২/৩ খন গাঁৱত হয়। এই ২/৩ খন গাঁৱৰ মানুহৰ নিজৰ সুবিধা, চাই—একগোট হ'বলৈ ক্ষমতা নাই। চৰকাৰে ভৌগলিক সুবিধা, যাতায়তৰ সুবিধা, মনৰ মিল আৰু কামৰ সুবিধালৈ নাচাই যেই সেই ২/৩ খন গাঁও লগ লগাই একোটা 'প্ৰাইমেৰী' কমিটি 'চাবডিভিজনেল অফিচাৰ' অথবা 'ডেপুটি কমিচনাৰ'ৰ দ্বাৰা কৰি দিয়ে, আৰু সেই কাৰণে 'প্ৰাইমেৰী কমিটি' বিলাক যেনেকুৱা Compact body, অৰ্থাৎ কপকপীয়া গোট হ'ব লাগিছিল, তেনেকুৱা নহয়।

পঞ্চায়ত বিলাক যদি জিলাৰ বা মহকুমাৰ এক ফালৰ পৰা গঠণ কৰিলেহেতেন, তেনেহলেও অলপ কামত লাগিল হেতেন। ইয়াত এখন, তাত এখনকৈ মাজে মাজে পঞ্চায়ত গঠন কৰাত কোনো শৃঙ্খলা নাই, কামৰো সুবিধা নাই আৰু কাৰোপৰা প্ৰতিযোগিতাৰ ভাবো নাপায়। আমি লোকলব্ধ উঠাই দি, পঞ্চায়ত কৰিব খুজিছো, আৰু Union পঞ্চায়ত খুলি 'লোকলব্ধ'ৰ কাম হাতত ল'ব খুজিছো, কিন্তু এখন মহকুমাত সকলো ঠাইতে পঞ্চায়ত গঠন নকৰি মাজে মাজে কৰিলে Union পঞ্চায়ত গঠণ কৰিব নোৱাৰে আৰু এনে অৱস্থাত কোনো কামো নহয়—মানুহৰ মনত আস্থা নোহোৱাও হয়। প্ৰতি মহকুমাত Union পঞ্চায়ত খোলাৰ আশা নাই আৰু ইচ্ছাও নাই যেন লাগে।

পঞ্চায়তৰ মিজান কামৰ গৰাকী অথ ১৭ 'চেফেক্টাৰী' বা সম্পাদক জন বাচিবৰ ক্ষমতাও পঞ্চায়তৰ নাই। পঞ্চায়তৰ সকলো কৃতকাৰ্য্যতা নিৰ্ভৰ কৰে—এই সম্পাদক জনৰ ওপৰত। মহকুমাধিপতি বা জিলাধিপতিয়েহে এওঁক মনোনীত কৰে। তেনে স্থলত, ৰাইজৰ বা পঞ্চায়তৰ কি ক্ষমতা থাকিল বা অধিকাৰ থাকিল?



(৩) পঞ্চায়তৰ কামবিলাক এনেয়ে সীমাবদ্ধ : তাকে আকৌ নতুন সংশোধনীয়ে আৰু সীমাবদ্ধ কৰিবলৈ ওলাইছে। যি বিলাক দায়িত্ব গাঁৱলীয়া পঞ্চায়তক দিব লাগিছিল—যেনে ৰাষ্টা-বাট, দলং, 'হস্পিটেল', মজলীয়াস্কুলবিলাক চলোৱা আৰু পৰিবহণ কৰাৰ দায়িত্ব,—সেইবিলাক বহণ কৰিব নোৱাৰিব বুলি দিয়া হোৱা নাই।

মন্ত্ৰীমহোদয়ে অনুমান কৰিছে যে সেই বিলাক পঞ্চায়তৰ কাম গাঁৱলীয়া মানুহে এতিয়াই চলাবলৈ টান হব। মই ভাবো সেই অনুমান ভুল। কাৰণ আমাৰ এই সদনৰ সদস্য সকলৰ শতকৰা ৭০ জন গাঁৱৰ মানুহ : তেখেত সকলে যেতিয়া 'এচেঞ্চলীৰ' ইমান গধুৰ দায়িত্ব পৰিবহণ কৰি কাম চলাব পাৰিছে গাঁৱৰ মানুহে পঞ্চায়ত বিলাক চলাব নোৱাৰিব কিয় ? নিৰ্বাচনত জয় লাভ কৰিব নোৱাৰা হলেই, আজিৰ এই সদস্য সকলেই গাঁৱত থাকিব লগা হ'ল হেতেন। তেনে স্থলত, গাঁৱতো তেওঁলোকৰ সমৰক্ষী মানুহ নাই বুলি ভাবি লোৱাতো উচিত নহয়। তেওঁলোক 'এচেঞ্চলীৰ' মেম্বাৰ হৈ অহাৰ পিচতো—গাঁৱত তেওঁলোকৰ সমৰক্ষী মানুহ আছে। সদস্য সকলৰ 'এচেঞ্চলী' চলাব পৰা ক্ষমতা আৰু বুদ্ধি থকাৰ দৰে, গাঁৱতো, পঞ্চায়ত চলাব পৰা লোক আছে। এনে অবস্থাত—পঞ্চায়ত চলাবলৈ 'এচেঞ্চলী' সদস্য সকলৰ দৰে বুদ্ধি বা ক্ষমতা নাই বুলিলে—গাঁৱৰ জনসাধাৰণক ভুৱা দিয়া হ'ব। এই 'বুদ্ধি আৰু ক্ষমতাৰ অভাৱ'—ভ্ৰান্ত ধাৰণাৰ স্ময়োগ লৈ একালৰ পৰা পঞ্চায়ত গঠন আৰু তাৰ আচল দায়িত্ব আৰোপ নকৰি কেৱল তাৰ কিছুমান নামপদ সলনি কৰিলেই পঞ্চায়ত আৰু তাৰ কাৰ্য্য সফলতাৰ প্ৰমাণ নকৰে। 'কেবিনেট মিনিষ্টাৰ'ৰ ক্ষমতা আৰু Executive Councilৰ 'মেম্বাৰ'ৰ ক্ষমতাৰ পাৰ্থক্য আছে। এই নামাকাৰণত অলপ ক্ষমতা হ্ৰাস কৰা হৈছে। আজিৰ নিয়ন্ত্ৰণ ব্যৱস্থা, কো-অপাৰেটিভ ট্ৰেডিং চচাইটি, 'কো-অপাৰেটিভ ষ্টৰ' যিদৰে অকৃতকাৰ্য্যতা প্ৰমাণ কৰি অচল অৱস্থাত পৰিণত হৈছে—পঞ্চায়তৰ অৱস্থাও তদ্রূপ হ'ব। জন সাধাৰণে আজি যেনেকৈ—নিয়ন্ত্ৰণ অথবা 'কো-অপাৰেটিভ ষ্টৰ, ট্ৰেডিং চচাইটি' বিলাক নেলাগে বুলি কৈছে—চৰকাৰৰ নীতিৰ প্ৰয়োগৰ ফলত পঞ্চায়ত ব্যৱস্থাৰ প্ৰয়োজনীয়তাও তেনেই হ'ব। ভৈয়ামৰ পৰা আহি ছিলংত বাসকৰি ছিলংতহে বৃদ্ধিৰ প্ৰসাৰতা আছে বুলি ভাবি, ভৈয়ামত এৰি অহা লোক সকলক শাসন বৃদ্ধি হীন বুলি, নিজকে বহুত ওপৰত আৰু আন বিলাক বহুত তলত বুলি হয় জ্ঞান কৰাটো ভুল হ'ব। দেশৰ মজলৰ হকে, জাতিৰ কল্যাণ আৰু মুক্তিৰ কাৰণে হয় সজ্ঞা অবলম্বন কৰিবলৈ জনসাধাৰণ সাজু আছে—সেই বুলি তাৰ নামত সমন্বয় নোহোৱা সজ পন্থা অবলম্বন কৰিবলৈ জনসাধাৰণ সাজু আছে—সেই বুলি তাৰ নামত সমন্বয় নোহোৱা বহু চিদ্ৰ থকা কিছুমান কাৰ্য্য পন্থা অনুসৰণ কৰিবলৈ জন সাধাৰণক বাধ্য কৰিলে, চৰকাৰে, যে সোনকালে জাতি গঠন কাৰ্য্যত কৃতকাৰ্য্য হ'ব নোৱাৰে—ই ধুকপ। আজিৰ সদনত চৰকাৰে, The Assam Rural Panchayat (Amendment) Bill, 1952ৰ নামত যি সংশোধনী আনিছে সি সম্পূৰ্ণ সংশোধনী নহয় আৰু সেই কাৰণেই, এই 'বিল' খনৰ প্ৰতি সমৰ্থন জনাবলৈ অপাৰগ আৰু মই তাৰ বিৰোধীতা কৰিছো।

**Shri MAHENDRA MOHAN CHOUDHURY (Minister):** Mr. Speaker, Sir, I fail to understand what my Friend, Dr. Chaudhury, has hinted at and wherefrom he can make out in the Bill that this Government is not very keen in establishing Panchayats. We on this side of the House believe in Panchayat Raj and actually we are working in that direction. This Amendment Bill has been proposed only to do away with certain difficulties which the Panchayats have faced during the last three years' working. In this Bill nothing has been proposed which will curtail the powers of the Panchayats. A change of designation from "Minister" to "Member of the Executive Council" is proposed, but no power has been curtailed. This has been so done because there is a complaint from the Panchayats themselves that the designation "Minister" should not be there and they were opposed to such a designation. Therefore, Sir, I do not think that by a change of nomenclature of certain post we are going to curtail the power of the Panchayats or the power of any of their members.



Then, Sir, regarding appointment of Panchayat Secretaries, I think, my Friend has not been correctly informed. The rule is that the Panchayat Secretaries are appointed with the advice of the Panchayat President by the Subdivisional Officer or the Deputy Commissioner, as the case may be, and that is, I think, a healthy provision. The Panchayat Secretary is the Chief Executive Officer and in all places the appointment of Chief Executive Officers is not left with the corporate bodies. This is done in order to see that the best men are appointed. So, this power has been reserved by Government, but the appointment is always made with the advice of the President and the Cabinet.

Then, Sir, we would like that the whole State is served with Panchayats. But I have already explained the difficulties of doing it at the moment. The main difficulty is that of finance. We can, of course, by a stroke of the pen start Panchayats functioning throughout the State, but how will it help us? We want that the Panchayats should be of some worth and should be able to render real service to the people for whom they are meant. If they cannot do it, mere giving some paper powers to them will not help, neither will it enhance the prestige of the country or of the democratic institutions. There cannot be any analogy with the primary trading co-operatives. A primary trading co-operative is a commercial concern, which has no bearing with the Panchayats. The Panchayats are an administrative organisation and we would like this organisation to thrive. We have established these Panchayats with a definite ideal and that is we want to build up self-sufficient villages and people and give our people democratic training so that they can rule themselves, live themselves and work for themselves. Without that ideal in view Panchayats will mean absolutely nothing. Therefore, Sir, I fail to understand why Dr. Chaudhury should oppose this Bill. I hope he will now realise his mistake and render his whole-hearted support to the Motion I have moved.

**Mr. SPEAKER:** The question is that the Assam Rural Panchayat (Amendment) Bill, 1952, be taken into consideration.  
The Motion was adopted.

#### *Re. Arrangement of the Business of the House*

**Shri MOTIRAM BORA (Minister):** Sir, with your permission I want to make a submission. On the 9th September next a meeting of the Relief and Rehabilitation Ministers of eastern zone is proposed to be held at Calcutta in the Government House under the presidentship of the Central Minister, Mr. Jain. The meeting is convened at a short notice and it is presumed that some very important matters are likely to be discussed and decisions taken in that meeting. On behalf of the Government of Assam I want to attend that meeting as a Minister of Relief and Rehabilitation of the State of Assam. But there are certain difficulties in my way because 9th is a day reserved for non-official business and certain Resolutions and Motions pertaining to my departments will come up on that day for discussion in this House. There are two days allowed for non-official matters. If those matters that pertain to my Departments are taken up on the 19th instead of on the 9th, then I can attend that meeting. I think, Assam should not go unrepresented in that meeting. After consultation with all the parties, specially with the Leader of the Opposition, it will, I think, not be very difficult to accommodate me. I hope, Sir, you will kindly enable me to attend that meeting.



**Shri HARESWAR GOSWAMI:** Sir, I had a talk with the Leader of the House about the business of the House and I find that on 7th, 8th and 10th the House will not sit, and also on the 11th the House will not sit. The House sits only on the 9th during those days. I think it will be better not to have any business on that day and we agree not to sit on 9th provided we are given an extra day after the 20th.

**Mr. SPEAKER:** The point is that whether the matters that concern with Mr. Bora's Departments can be allowed to be discussed on the 19th instead of on the 9th. The question raised by Mr. Goswami is a new proposition.

**Shri HARESWAR GOSWAMI:** I agree to the request made by Mr. Bora, Sir.

**Shri BISHNU RAM MEDHI (Chief Minister):** If you permit me, Sir, I want to speak a few words. We do not want to curtail the non-official day on the 9th if this is held as a holiday so that the days on which there will be no sitting will be continuous, that is, from the 7th to 11th and then the Members will get good combined holidays. I have no objection if this can be arranged by the Secretary or by other parties by sitting together to see how that can be adjusted. There is no Government business beyond 20th. From the 22nd to 25th I am prepared to sit.

**Shri HARESWAR GOSWAMI:** It will be better, Sir, if we could get one more non-official day.

**Mr. SPEAKER:** He will discuss about it.

Then is this the sense of the House that on the 9th we should not sit?  
(Voices: Yes, Yes).

### The Assam Liquor Prohibition Bill 1952.

**Rev. J. J. M. NICHOLS-ROY (Minister):** Mr. Speaker, Sir, I beg to introduce the Assam Liquor Prohibition Bill, 1952. This Bill has been published in the Gazette on the 20th August, 1952. It has been published and circulated to the Members. I do not think I need, at this time of the introduction, say much about this Bill. I introduce the Bill.

**Mr. SPEAKER:** The Motion moved is that the Assam Liquor Prohibition Bill, 1952 be introduced.

The Motion was carried.

**Rev. J. J. M. NICHOLS-ROY (Minister):** Sir, I beg to move that the Assam Liquor Prohibition Bill, 1952 be taken into consideration.

The Government of Assam are committed to the general policy of prohibition. This Government has been carrying on the total prohibition of opium. This is a stupendous task which has caused this State to lose to the tune of 38



lakhs of annual revenue from opium. We have not yet reached the final stage of victory in our fight against the pernicious habits of opium. The fight is still being carried on against the opium habit and the opium smugglers.

While this fight is in our hand, the Government is gradually tackling the problem of prohibition of liquor, and necessarily the method is a gradual one. We have made some progress on this line. I mention some of the steps taken towards gradual prohibition. Many shops have been removed from their original sites and various controls have been imposed. Government have accepted the policy of abolition of all canteens and lessee manager shops within one mile of country spirit shop, and have fixed the minimum age of purchasers at 21, prohibited sale of liquor to students, ordered closure of all liquor shops in Dhubri and Kamrup as were contiguous to Goalpara on every Sunday, Independence Day, Gandhi Jayanti Day and Dussera Day. There has been restriction of *per capita* sale from 3 bottles to one bottle of liquor in the country spirit shops at Margherita, Ledo in Dibrugarh subdivision and in all country spirit shops in Goalpara District. Hours of sale of liquor also have been restricted. As regards the hours of this restriction I want to give the information to the Members as follows:—

Sale of liquor in the shops at Ledo and Margherita in the Lakhimpur District and shops in the Goalpara subdivision has been stopped on the pay day of the tea gardens and the succeeding day in the week. On the other days sale hour has been fixed from 1 P. M. to 4 P. M. The hours of sale at the Bijni liquor shop in the Dhubri subdivision have been fixed from 12 A. M. to 6 P. M. on week days and between 12 A. M. to 4 P. M. on Sundays, market days and holidays during the period from 16th March to 15th October (summer days) as a temporary measure. Under rule 320 at page 123 of the Assam Excise Manual, Volume I, the sale hours for all other shops have been fixed as follows:—From 16th March to 15th October, opening hour is 12 noon and closing hour is 7 P. M. From 16th October to 15th March, opening hour is 12 noon and closing hour is 6 P. M. On Sundays, market days and holidays the hours of sale have been fixed from 12 noon to 4 P. M.

Further the sale of 30 U. P. (higher strength) liquor was prohibited in Ledo and Margherita, Goalpara Subdivision and tea garden areas. And 15 country spirit shops have been closed. In the Barpeta Subdivision there were 4 shops. All these have been closed. No licence is given for selling liquor in railway and steamer stations and in steamers and in air field stations.

Now as we have abolished all the liquor shops in Barpeta Subdivision, it is necessary to bring about effective prohibition by preventing anyone to possess liquor in that area or to consume liquor therein. The Bill is being introduced in order to make this area free from liquor. No one can possess or consume liquor therein save under a license for a *bonafide* medicinal, scientific, industrial or such like purposes as will be prescribed by rules. The statement of objects and reasons says thus:—

“The Barpeta Subdivision has been declared by the Government as the area in which there would be no Government liquor shops since September, 1947 and the liquor shops had been finally abolished in that Subdivision. There is still a possibility under the present excise rules for a person to possess liquor inside this area, but the policy of the Government is to gradually and slowly introduce liquor prohibition in this State. In order to make it successful, it is now considered desirable to prevent by law the manufacture, import, sale, transport, possession and consumption of liquor in the prohibited area of Barpeta Subdivision.”



The hon. Members will notice that in sub-clause (4) of clause 1 of the Bill in regard to the extent of the Bill it is stated that "it shall come into force, in the Subdivision of Barpeta and other areas, on such date as the State Government may, by notification in official Gazette, appoint".

The prohibition is found in clause 3 of the Bill. The punishments for contravening the provision for prohibition are found in clauses 5 to 8 of the Bill.

Clause 12 provides that the Code of Criminal Procedure, 1898 shall in as far as they are applicable, apply to the execution of warrants, and making searches, arrest and seizures under this Act.

Clauses 13 and 14 provide the procedure how to deal with materials seized and persons arrested.

Clause 15 gives power to the State Government to invest some officers with certain powers.

Clause 16 makes provision to try offences under this Act.

Clause 17 gives power to the Commissioner of Excise to constitute Prohibition Committees and the duties to be performed by such committees.

Clause 18 has a provision against vexatious entry, searches, etc.

Clause 19 protects officers for any act done *bonafide* or ordered to be done in pursuance of this Act or rules made thereunder.

Clause 20 gives Government power to issue permits for foreign liquor under certain conditions and clause 21 gives power to Government to prescribe conditions under which licences may be issued on some grounds.

Clause 22 repeals the provisions relating to liquor in the Eastern-Bengal and Assam Excise Act, 1910 in respect of the area or areas in which this Act may be enforced.

Clause 23 gives power to Government to make rules.

These are all the clauses of the Bill.

The main provisions in the Bill is the Prohibition clause 3 and the extent of the Bill in sub-clauses (2) and (3) of clause 1.

This is the beginning of what may come gradually afterwards. The gradual method is a wise method which will enable the Government to proceed on so that the prohibition may not be only on paper but that it will be effective and produce actual temperance in the lives of the consumers of liquor.

With these words, Sir, I move that the Assam Liquor Prohibition Bill 1952 be taken into consideration.

**Mr. SPEAKER:** What is the financial loss as a result of the prohibition in the Barpeta Subdivision?

**Rev. J. J. M. NICHOLS-ROY (Minister):** No further loss now, Sir. The shops were abolished in 1947-48.

**Mr. SPEAKER:** Motion moved; "That the Assam Liquor Prohibition Bill, 1952 be taken into consideration."

**Shri HARESWAR GOSWAMI:** Sir, I beg to move an amendment that the Assam Liquor Prohibition Bill, 1952 should be circulated in order to elicit public opinion thereon by the 30th November 1952.

This I do because, I consider this is an important step we are taking. Prohibition is being experimented in Bombay and Madras States, but up till now we have not experimented prohibition of liquor here. Why, after all Barpeta, a land of "Kewalia Vakats" should be selected for this experiment, I do not know, Sir? I personally know the "Kewalias" and "Mahapurushias" do not drink.

**Maulavi MAHMUD ALI:** On a point of information, Sir, may I know what is meant by "Kewalia Vakats"?

**Shri HARESWAR GOSWAMI:** Those who follow the Sankar Dev and lead a particular kind of life.



**Shri BAIDYANATH MOOKERJEE (Minister):** What is that kind of life, Sir?

**Shri HARESWAR GOSWAMI:** Celibacy, i. e., "Brahmacharyya," Sir. They lead a life of "Brahmachari".

**Shri BAIDYANATH MOOKERJEE (Minister):** They are not under the "Gosains"?

**Shri HARESWAR GOSWAMI:** No, Sir. That is a reflection on Barpeta. Sir, Barpeta is wet for flood and not for liquor. It would be better to make that Subdivision dry by removing the constant troubles caused by floods than by removing liquor. I do not drink, although it was customary in the Inns of Court to drink at dinner time.

**Shri BAIDYANATH MOOKERJEE (Minister):** Then his education is not complete. (*Laughter*)

**Shri HARESWAR GOSWAMI:** Sir, prohibition at this moment is not called for. Prohibition should not be taken as a gospel truth. Moreover, Sir, we have seen in the states of Bombay and Madras, crores and crores of rupees are being lost for carrying on this expensive experiment. In Bombay state about 10 crores of rupees are lost on Excise head and a huge sum is also spent for carrying on this prohibition experiment effectively. In Madras State also similar things have happened. Sir, the intention of the Bill is to restrict prohibition not only in the Barpeta Subdivision, but the Bill will be gradually extended over the whole of the State of Assam, then we shall be losing a substantial portion of our revenue under this head.

**Mr. SPEAKER:** How much?

**Shri HARESWAR GOSWAMI:** Sir, it will be about 75 lakhs.

And secondly there is not only this negative side, but a positive side also. We will have to spend some money for making the prohibition experiment effective and successful. That means, we will have to spend money in appointing more and more prohibition officers and in that way the state will have to incur a heavy expenditure under this head. This is going to be so, Sir, because somehow we have taken that, as Mahatma Gandhi said, "we should not drink and there should be prohibition", without doing anything for the welfare of the people we want to launch on this directive. We want to call ourselves disciples of Mahatma Gandhi by saying, "we are carrying out Mahatmaji's Prohibition Programme. This is the most important programme and therefore we are the best disciples of Mahatma Gandhi." Sir, the most important thing about prohibition is that this cannot be brought about by statutory legislation and there can be no statutory prohibition. I have seen in England people drinking, but they do not get drunk. Drinking is considered an essential part of their civilised life. Here also I am not worried about those people who drink within the four walls of their house, and I want that there should be legislation for those who get drunk. So, Sir, as it is important from the social aspect, this should be carried out by persuasion. It is no use making it a crime and say that "You must not drink" when many people actually drink. It is something like this when a man gets headache, instead of giving him medicine to cure the causes of headache you may as well say "Well, you cut off your head and there will be no headache". Similarly we are going to deal with prohibition of liquor telling people, "If you drink, you will be prosecuted". Sir, I don't think this is the proper way of doing things. It will only involve us in



more and more expenditure when our State is running a deficit to the tune of Rs. 2½ crores, when we have to tackle with so many problems of poverty, unemployment, illiteracy, etc. We have seen what has happened to opium prohibition. Simply by looking at the Government report Government can say that there is no opium for sale or opium is not selling freely in this state. As a matter of fact I can say that opium is still being sold freely in this State.

Sir, to my mind the best way to stop these vices is to educate the people first. People who use to take opium will avoid taking it when they become educated.

**Rev. J. J. M. NICHOLS-ROY (Minister):** May I ask one thing, Sir? The Member has said that opium is being sold freely. Is that his own experience? Did he see such a thing?

**Mr. SPEAKER:** In 1920, there were sales upto 20 maunds.

**Rev. J. J. M. NICHOLS-ROY (Minister):** Sir, I am asking him whether he has seen such a thing at the present time.

**Shri HARESWAR GOSWAMI:** Sir, we may follow an Ostrich like policy and be blind to things and say that these things are not there and prohibition is successful. As a matter of fact there is no prohibition of opium, it is in the books only.

**Shri SRIMAN PRAFULLA GOSWAMI:** On a point of information, Sir, where it is sold?

**Shri HARESWAR GOSWAMI:** Sir, I will substantiate what I have stated now and stick to my contention, viz., that opium is being sold in this State freely.

**Shri SRIMAN PRAFULLA GOSWAMI:** May we know from the Member where it is available at Gauhati.

**Shri HARESWAR GOSWAMI:** It is available in Nalbari too.

**Shri SRIMAN PRAFULLA GOSWAMI:** Can he give specific information?

**Shri HARESWAR GOSWAMI:** No, Sir. I am not giving in. The Member may collect any information regarding this. If he searches his own heart, he will also say that opium is being sold in this State. Sir, the best way to stop the use of these things is to educate the people and teach them the evil effects of opium, then only prohibition will be successful. Instead of that, if you bring a legislation it will not serve the purpose.

**Rev. J. J. M. NICHOLS-ROY (Minister):** May we ask him whether he has helped in pursuing people in checking the smugglers and thereby helping the cause of the country?

**Shri HARESWAR GOSWAMI:** I believe in prohibition through persuasion. I am not a Government agent to tell some officers that here is a man who is smuggling opium into this State and after that come through all the laborious processes of law and thus waste time in that way.



**Rev. J. J. M. NICHOLS-ROY (Minister):** Whether, Sir, he has given any information to the Excise officers confidentially?

**Shri HARESWAR GOSWAMI:** I say, Sir, I am not an agent of the Government.

That will be very difficult, Sir. These things are done in the dark and in the underground. Therefore it would not be possible to give accurate information. I believe the Assam Government has a very good Excise Department and C. I. D. Department. Instead of hunting the people, it will be better to hunt these people and find out the figures.

Sir, as I was saying, it would be better to have prohibition through persuasion. Because in that case it will go very deep into the heart of the people. They will understand the significance of prohibition and will act on it. It is not a question of stopping people from drinking by legislation. If we want to be successful, it should be done in a cordial and friendly atmosphere. So it is better that we should do things through persuasion, by advising the people to do certain things and bring their mind to it that it is bad to take to drinking. If they believe in the moral value of it, then it will be effective. So, let us do it in a different way, let us have a mass movement not in the sense of civil disobedience or Satyagraha, but let us have a propaganda movement, educate the people regarding the evil effects of drinks. Let us go to the people and tell them, "Do not waste your time, energy and money in these things and spend your money on better things". Moreover, Sir, the money that will be spent for making this campaign of prohibition effective will be well spent. If we can bring up the standard of the people, if we can rid them of poverty and if we can provide them with avenues of enjoyment and recreation, then I do not think that people will spend money on liquor. Even if some spend any money, the percentage will be very insignificant. Therefore, Sir, I am against this Bill which wants to make prohibition effective through legislation. Moreover, Sir, the Bill at the moment extends only to the subdivision of Barpeta. If a man from Pattacharkuchi comes to Tihu and takes a bottle of liquor, feels tipsy and goes back home, he will have no difficulty to evade any punishment provided under the Bill.

*Voices.*—He cannot carry.

**Shri HARESWAR GOSWAMI:** Yes, he cannot carry, but he can get drunk and go home without any difficulty.

Moreover, Sir, there is another important thing in the Bill which should not be lost sight of. Here in clause 20, "Notwithstanding anything hereinbefore contained, the State Government may prescribe the conditions under which permits may be issued for the use or consumption of foreign liquor to persons on the following amongst other conditions:—

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(d) that such person belongs to any of the armed forces of India".

Now, Sir, we have this spectacle before our eyes. Army stations are not far away from the centres of civil population. One can easily give some money to a member of the armed force and get a bottle of foreign liquor purchased for him. There are some people.....

**Shri MOTI RAM BORA (Minister):** Sir, the statement of my Friend that the members of the armed forces will indulge in black-marketing and help people in consideration of money is most unfortunate and it does injustice to the armed forces of our country.



**Mr. SPEAKER:** I think it is rather a sweeping charge and should not have been made.

**Shri HARESWAR GOSWAMI:** Sir, I am totally misunderstood. We all have friends in the Army and I believe in the honesty of the army. I am not casting any reflection on the armed forces. A civilian may go and say to his friend in the Army, "Well look here, here is the money, you please get me a bottle of liquor". He will then have it. In such cases, the man in the Army may not take any consideration but the civilian will have what he wants. I do not mean to say that they are always doing it but what I mean to say is that it is possible.

Then in sub-clause (c), "that such person was either born and brought up or domiciled in any country outside India where such liquor is being generally used or consumed".....

**Mr. SPEAKER:** What about the men "either born or brought up" ?

**Shri HARESWAR GOSWAMI:** Sir, belong to the prohibited area.

In tea gardens where liquor is not prohibited there one can easily get this thing in consideration of money. So Sir, I feel that the Bill though it seeks to prohibit liquor, it defeats its own purpose by clauses of this nature. If we really want prohibition, let us have it by educating the people, raising the standard of living of the people, by opening up avenues for enjoyment for them. Let us teach them about the vices of liquor and bring home to them that it is really in their own interest liquor should be given up. Then it will be possible to have really effective prohibition. It is not advisable to introduce compartmentalism in the matter of introducing prohibition, to have prohibition in one particular locality which is vulnerable and where prohibition will come to naught. Then there are the Tribal people who constitute a great bulk of our population and who drink not only as recreation but during important social functions, during the Bihoo and other festivals.

It is not drinking that have kept them backward ; it is the economic condition and other things that are making the Tribal people backward. They are virile people, enthusiastic in social activity. They drink, they dance, they talk nicely. Why should they be deprived of an age-old thing ? Sir, from these points of view I am opposed to this Bill, and before the Bill is taken into consideration I beg to move that the Assam Liquor Prohibition Bill, 1952 be circulated for eliciting public opinion thereon by the 30th November, 1952.

**Mr. SPEAKER:** Amendment moved :

"That the Assam Liquor Prohibition Bill, 1952 be circulated for eliciting public opinion thereon by the 30th November, 1952."

**Shri BAIKUNTHA NATH DAS:** Mr. Speaker, Sir, at the very outset I must thank the Minister of Excise who has kindly introduced this Bill for the interest of the whole of Assam. I had no intention to take part in the debate, but when I have heard of the statement of the Leader of the Opposition I want to say something. The Leader of the Opposition says that this Bill will not affect the interest of the tribal people. Perhaps my Friend does not know what is the effect that will come out of this Bill, he has pointed out so many defects of the Government for which the tribal people of Assam he says are not coming along with the other advanced communities, I think the opposition to this Bill by the Leader of the Opposition will go to make the Tribal people of Assam more backward. The Tribal people inhabiting the lower parts, mostly Kacharis have held several meetings and sent several resolutions to us, as we are dealing with those matters, urging to support this Bill which was a long-felt one for the improvement of the Tribal people. I do not understand how my Friend, the Leader of the Opposition says that this Bill will make the Tribal



people more backward. One provision which was not made in the Bill should have been made, because at least in the month of Baisak people are allowed to drink for religious purpose; for that month only I hope some provision may be made in the Bill by way of amendment. With these few words, I oppose the Motion of the Leader of the Opposition and support the Government Bill.

**Shri MOHI KANTA DAS:** Sir, I cannot follow the arguments advanced by the Leader of the Opposition by moving the Amendment against the Bill. I welcome the introduction of the Assam Liquor Prohibition Bill, 1952. I am rather surprised at the attitude taken by my Friend and I am not at all happy with the words used by the Leader of the Opposition against the consideration of Bill. In the opium prohibition campaign that was started by the Government a few years ago, meetings were held all over Assam in consonance with the programme of Government for prohibition of opium in Assam. We tried to make the opium prohibition campaign a success throughout the whole of Assam by propaganda and otherwise and got the willing support of the public for the purpose of prohibition of opium in Assam. But my Friend in the Opposition has taken the name of Mahatma Gandhi, the Father of the Nation; but from his words it appears that he is not at all sincere to fulfil the desire of the Father of the Nation to root out this evil. He now says that the measures taken by the Government have failed, this is really very sad. If my Friend and his followers are out to hamper the measures of the Government for the good of the people, he should not have taken the name of the Father of the Nation whose aim was to do good to the people. Whatever my Friend says against the consideration of the Bill, I can assure him that the Bill will be whole-heartedly welcome by the people, and that the measures taken by the Government will be successful. Government are trying and struggling to carry out the wish of the Father of the Nation by legislation and also by campaigns. The Congress Committees and Congress workers, since last forty or fifty years are moving among the masses, among the labourers and among the tribals appealing to them to give up this bad habit which disqualifies them to be proper citizens of independent India. My Friend should have whole-heartedly supported the measures taken by the Government as brought out in this House to-day. But I am surprised at the attitude of my Friend as it transpires from his statements as regards opium prohibition and also from his reference to the proposed measure for prohibition of liquor in Assam. The House can foresee what support or active co-operation my Friend and his Party would give or what Government can expect from them in future. I did not expect such an attitude from the Leader of Opposition. He and the Party to which he belongs appear to me to be indifferent so far as the success of this campaign is concerned. I was also much struck to find him saying that there should not be any prohibition among our tribal people when even our tribal Friends in our villages, in our parts also want us that we should help them to get rid of this evil habit so that they can become true citizens of India. My Friend should have tried and should have helped them in order to make them attain that standard of life for which we are all striving. Instead, he has advanced the argument that prohibition of liquor will dissatisfy my tribal friends. I had just seen how one of our tribal Friends, who is with us in this House, protested vehemently and angrily against such references imputing them with the habit of drinking of liquor (*laughter*).

Then my Friend is making a complaint that this amount of money will be sheer waste and that the measure will bring no appreciable benefit to the country. I am surprised to find that my Friend cannot tolerate this "so-called waste" of money which had been sought to be spent with the best of intentions just to fulfil the wish of the Father of the Nation. He also took the name of Mahatma Gandhi two or three times, but I do not know whether he made any attempt either in his mind or



conduct to respect Mahatma Gandhi by trying to follow his tenets by suggesting certain measures which would fulfil the desire of our Father of the Nation.

Now, Sir, we and the Government should all try to see that our backward brethren, our brothers and sisters in the villages, in the hills and in the tribal areas are made, without delay, to attain to those qualifications which as Indian citizens they should have. This is one of the measures towards that end and this should have received the whole-hearted support and co-operation of all. But I do not find in the speech of the Leader of Opposition anything co-operative. On the other hand I felt—I may be wrong—that he is bent upon to oppose and hamper every measure that the Government have been trying to bring forward for the amelioration of the people. My Friends in the Opposition hold the attitude that they cannot expect any benefit from the ameliorative measures that this Government is going to undertake for the upliftment of the masses and it is really very regrettable that such an attitude could be taken by the Leader of the Opposition towards such ameliorative measures of the Government. I have every respect for my Friend, Mr. Goswami, but.....

**Mr. SPEAKER:** Will you please resume your seat? I think you have dealt with enough about Mr. Goswami. Will you try to discuss other points?

**Shri MOHI KANTA DAS:** Yes, Sir. But my Friend says that in Europe liquor is used as an essential part of civilised life, but, Sir, that is not the way of life that has been enunciated to us by our Father of the Nation. The Father of the Nation likes us to live a plain life and not with liquor on our lips. That is not the ideal of living our life here. I do not agree with my Friend as regards his arguments that drinking of liquor is an essential part of a civilised life. We do not like that sort of civilisation in India. Why opium prohibition has not attained that success which it ought to have, I have already explained. Government, and the Congress Organisation have been trying to make it a success, but it is only due to the attitude taken by the Leader of the Opposition and his followers against these measures taken by the Government that we have not been able to reach the goal that we have all been trying very much to reach. My Friend has been talking about co-operation, we have been doing our best to get that co-operation through Government Organisation, and Congress Organisation for a long time. But I must regretfully express that not an iota of co-operation from the Leader of the Opposition and the Party to which he belongs was received in our subdivision. I can challenge my Friend and he cannot deny that he and his party had never held any opium prohibition meeting in any part of Assam in pursuance of the campaign launched by the Government for eradication of this opium evil in Assam.

As regards the tribal people, there are tribal representatives here and they will have their own say in this matter. With these few words I oppose the amendment moved by the Leader of the Opposition and I hope the Leader of the Opposition would withdraw gracefully his amendment and just allow Government Motion to be passed unanimously without any public criticism of any kind.

**M. MOINUL HAQUE CHOUDHURY:** Mr. Speaker, Sir, I am really surprised to see the Leader of the Opposition coming with a Motion for circulation of the Bill for eliciting public opinion. I do not know what he means by it. All the right thinking people of the world—not only of this State but of the whole world—are in favour of prohibition. What is the use of circulating the Bill which seeks to prohibit liquor and such other pernicious drinks which are already condemned by the people? Sir, does the Mover of the Motion want that the opinion of addicts or opium eaters should be sought?



If he wants that, let him hold a conference of the addicts and opium eaters and seek their opinion. If he likes he may preside over the same. Truly speaking, I do not understand what he means by his Motion. I would rather advise him to seek the approval of this House in this matter instead of the addicts. Sir, it is a well-known policy of this Government as well as of the other Congress Governments in other States that for the well-being of the people there should be prohibition whatever may be the loss of the exchequers. Certainly, Sir, for the good of the people, for the good of the country as a whole, these pernicious things should go at any rate, whatever may be the financial loss. We know the history of China which, after taking to opium for many generations, went down and down and then lost its freedom and practically everything. The Leader of the Opposition probably wants that prohibition should not be introduced and that the bad habit of taking opium, etc., should continue so that he may enjoy at the cost of those who fall victim to this habit, thus ruining themselves and the country. Certainly, Sir, we cannot indulge in such things and certainly we shall not agree to such a thing. We are ready to make any amount of sacrifice to see that these bad habits go away from our people. Sir, I am really surprised to hear the Leader of the Opposition making a comment about the opium prohibition policy of this Government and telling before the House that opium is sold freely in our State. Sir, I have not seen opium being sold freely anywhere. If my Friend knows that it is selling somewhere in such a manner, as a citizen of the State, he ought to have given the information to the Government. But, Sir, he has not, nor is he willing to come with such an information. As the Leader of the Opposition he should have tried to help the House by giving his suggestions to improve matters, but instead he is simply alleging that opium is being sold freely without giving any definite information. Sir, we take food, but there is indigestion sometimes and for that reason should we stop taking food. There are many criminals in spite of the existence of the Indian Penal Code and for that reason should the Leader of the Opposition want that that law should go out of the Statute Book? That cannot be. There might be some criminals connected with opium smuggling, but that should not be the reason for which the law should be done away with. After all it is a good policy to prohibit opium and it will bring much benefit to the country day by day. I therefore expected that the Leader of the Opposition would lend his wholehearted support to this Bill. Sir, he has said that the Government policy should not be imposed upon the people in this matter against their will. Sir, we shall not go to the addicts to seek their opinion in this connection. No doubt, this piece of legislation is a small beginning of a great thing which seeks to eradicate a bad habit of the people. We consider ourselves in the position of a doctor who is to operate upon a dying patient—whether he agrees or not—to save him. And as such this Bill should be and shall be passed without seeking approval of the addicts—whether they agree to the same or not that is of no importance to us in this side of the House.

**Mr. A. S. KHONGPHAI:** Mr. Speaker, Sir, the last hon. Member who spoke just now before me, seems to think that no amendment can be moved and that the Bill cannot be circulated for the purpose of eliciting opinion thereon. I refer to Rule 59 (c) of the Assam Legislative Assembly Rules.

The Assam Liquor Prohibition Bill, 1952 is not at all necessary to be brought in now, for it will come into conflict with the Assam Excise (Amendment) Bill, 1952 which is going to be introduced. Legislation should be for the whole State; why should we choose Barpeta Subdivision only? There are words in the preamble, "in other areas of the State as may be necessary from time to time".



I do not believe in compulsion and even legislation in matters like this. We want moral and spiritual persuasion. We should not rush with legislation, let us ask our people to have their willing co-operation and not compel them what they are to eat and what to drink.

For the present the Eastern Bengal and Assam Excise Act, 1910 as amended will serve the purpose for the Barpeta subdivision and elsewhere. And clause 3 of the Assam Excise (Amendment) Bill, 1952 which sought to substitute Section 53 of the Eastern Bengal and Assam Excise Act, 1910, will serve the purpose sought by clause 3 of the proposed Assam Liquor Prohibition Bill.

My Friend, Shri Goswami has spoken about Bombay and Madras where the experiment is being carried out. We should not try to introduce any good thing by compulsion. We should not always depend on legislation. There are measures which should be tried by persuasion, as that will yield good and lasting result. Here I shall give one instance. A woman whose husband used to go to a tavern after his work used to come home drunk every night and beat his wife and children. The wife dared not oppose him but used to pray to god that He should change her husband to be a good man to give up drinking. One evening she was completely surprised when her husband came home and bowed down before her saying "Forgive me for all that I have done to you." He went on breaking everything connected with the drinking of liquor. His wife did not believe him at first, but next morning she was overjoyed and thanked God for what He had done to her. From that day her husband never touched liquor and became a respectable citizen, a loving husband and father.

Sir, I oppose this Assam Liquor Prohibition Bill because the Assam Excise (Amendment) Bill going to be introduced, will serve the purpose for the present and will also serve the purpose in Barpeta too. I support the amendment moved by my Friend, Mr. Goswami.

**Shri GAURISANKAR BHATTACHARYYA :** Sir from the speeches of the Chief Whip of the Government Party as well as of the other Friends of the Government Party it has been seen or at least it has been our impression that they have misconstrued the object of the amendment moved by Mr. Goswami. It is not the intention of the Opposition to see our State to be flooded by wine. Not at all. We want to see our country to be free completely from the habit of taking liquor. The difference is only with regard to the approach, with regard to the method as to how to achieve it. This Bill seeks to follow a particular method and the amendment moved by Mr. Goswami suggests another. Now, we have seen in the Statement of Objects and Reasons that Government itself is realising that prohibition cannot be done all on a sudden. Therefore, the policy of the Government is stated to be to gradually introduce liquor prohibition in this State. This is a necessary caution, and I should say a correct course. Although the ideal is good it cannot and should not be brought all on a sudden. If it comes as a shock and prematurely, then the very purpose will be defeated. It is the opinion of this House that our country should be free from liquor. Nobody thinks otherwise. There were some interjections, exchanges of opinion and remarks which have created some misunderstanding. Mr. Chief Whip of the Congress Party has said that he did not see any member of Socialist Party who are followers of Mr. Goswami while he was holding prohibition meetings in the Subdivision of Tezpur. That does not mean that the followers of Mr. Goswami are not for prohibition. If I remember aright, it was during 1938-39, that I with other friends—some of whom are now in the Government Party, was moving



about in the Subdivisions of Dibrugarh and Sibsagar propagating opium prohibition; but we did not see the Chief Whip of the Congress Party in any meeting there. Should we therefore say that the Chief Whip is not for prohibition? So, it should not similarly be deduced by him that others are opposed to prohibition because they did not attend some meetings. As a matter of fact, the position has been made abundantly clear by Mr. Goswami. He has also made it clear how and when it should be done. If it is brought only by a fiat and only to be enforced by the force of law which the people are not prepared to accept, then it will meet the fate of the Child Marriage Act. There are many other laws in the Statute Book which in fact are not being followed. Moreover, if a law is introduced in the absence of adequate social urge and consciousness among the people, it does not serve the purpose of the people. The Government have also realised it to some extent and I hope they will now realise it to the full extent.

Prohibition as envisaged through this Bill is going to be imposed on a particular Subdivision. Why that particular Subdivision has been chosen has not been explained by the mover of the Bill. What is the special reason for selecting this Subdivision? It is a fact that in this Subdivision there are some very religiously minded people, *viz.*, the "Keolia Bhakats" who are against liquor habits. It is also equally true that on the northern side of Kamrup, there are tribals who have been taking liquor almost as a part of their food, not for years, not for generations, but for hundreds of years and scores of generations and that habit which has been there for hundreds and perhaps thousands of years cannot be removed immediately. My friend Mr. Baikuntha Das while speaking in favour of the Bill himself admitted that apart from habits, there are some religious considerations. Moreover, some people think that this sometimes becomes a necessity. There are certain trades where workers do not work without taking a little quantity of liquor. I know that sometimes doctors prescribe liquor to women after having their delivery. I know also that some patients in their convalescence are prescribed liquor by doctors. In that sense liquor is sometimes good and useful as it gives relief as medicine.

**Mr. SPEAKER:** Whether for medicinal purposes liquor is necessary?

(A voice—No).

**Mr. SPEAKER:** The question is that whether any quantity of liquor is necessary for medicinal purposes?

**Rev. J. J. M. NICHOLS-ROY (Minister):** For medicinal purposes and others, Government will have to frame separate rules and regulations, under the provisions of the Bill *viz.*

**Clause 21.**—"The State Government may prescribe the conditions under which licenses may be issued for the manufacture, import, transport, sale or possession of liquor on the ground that such liquor is required by such person for a *bona fide* medicinal, scientific, industrial or such like purposes."

and

**Clause 23 (1).**—"The State Government may, subject to the condition of previous publication, make rules for carrying out the purposes of this Act."

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(2) In particular and without prejudice to the generality of the foregoing power such rules may prescribe—

(2) (b) any other matter as may, or requires to be, prescribed.

(3) In making rules under this section the State Government may attach a penalty for the breach of any particular rule."



**Shri GAURISANKAR BHATTACHARYYA:** So Sir, after hearing the elucidations from the Minister concerned, it has been rather clear that the Bill creates a situation which, to use an Assamese old proverb, will be like—

মহতকৈ শিং চৰা  
or কেবেলাত কৈ গুটি দীঘল।

Now we have seen there are so many exceptions, and there are so many powers to make rules that liquor will not be out of bounds for the area concerned. Liquor will be in bounds when so many factors favourable to its entry will be in the same area if some people are determined to take liquor at all cost. So the crux of the question is whether it is right time to introduce such a Bill and in such a manner. We have to see whether we have been able to raise the standard of our people and educate the masses to a stage favourable for Statutory Prohibition and whether they are able to understand and appreciate the teachings of those who think that drinking is a bad habit. So Sir, let the House think and gather all shades of opinion and then they should decide what steps should be taken. Moreover, there have been other lacunae. Perhaps, Sir, those tribal people, who use liquor almost as a part of their food and are taking it from time immemorial will require some more time to avoid taking it. Sir, Government have also perhaps appreciated the special considerations and special necessities for the welfare of the tribal people and therefore they should consider this aspect of the question also before introducing such a piece of legislation. The habit of taking liquor has got to be removed gradually and more by pursuation than by legislation. Rights and privileges of people have got to be honoured first and then only their whole-hearted co-operation for a legislation can be expected. Sir, co-operation not only from the treasury benches, not only from this House, but from the entire country is essential for the success of such a measure.

The Mover of the amendment has already referred to Bombay and Madras States. The Minister-in-charge who has piloted this Bill will surely be able to enlighten us also about the attempts and results of Statutory Prohibition in the United States of America. He spent the War years in America and he has got some personal experience. As such, he will, I hope, be able to enlighten us what he saw in America after Prohibition was sought to be imposed there by law.

( A Voice—India is not America ! )

Yes, Sir India is not America. But our Government is trying to ape America. Though American method should not be introduced here in our country, Government is pursuing the American method, the American way of life.

Sir, here the police officers on the plea of prohibition will go hither and thither and arrest the innocent people on this plea and that. Our friend Mr. Moinul Haque Choudhury, who hails from Cachar District which is surely not the district most affected by opium, has spoken about his experiences in that District and has stated that there are hundreds of Opium Smuggling cases in the Law Courts. My own experience also corroborates it. What does it prove? It proves that in spite of total Prohibition of Opium by law, opium is in fact in circulation and use in the State.



Do I thereby say Sir, that opium prohibition is bad? No, not at all. I do say that opium should go. But in what manner? In the same manner as it went in 1938-39, when all the patriotic workers went to the villages, held meetings and persuaded people to give up this bad habit. At that time a great movement was launched, which made people to understand that opium habit was bad. Let us in the same way go today to every nook and corner of the State.....

**Rev. J. J. M. NICHOLS-ROY (Minister):** On a point of information, Sir, the hon. Member said that he had seen thousands of cases of smuggling of opium in the State. Is it an extravagant statement or he saw them with his own eyes and did nothing about them?

**Mr. SPEAKER:** These statements are made in course of debates. You can take them for what they are worth.

**Shri GAURI SANKAR BHATTACHARYYA:** I am afraid Sir, the Minister has either not heard what I said or he has misunderstood me. What I said was that I had seen hundreds of opium cases in the Courts. I happen to be a legal practitioner and as such, I saw many cases. Some of these smuggling cases were proved and others were not. I have seen some genuine cases of smuggling where the accused were convicted, but I have also seen many cases where the people who were accused had to be acquitted. This means that many innocent people were harassed taking them to be smugglers, though they were not actually smugglers. So, there are two sides of the law. This law may do some good to the people, on the other hand, it may also create some trouble for innocent people. It is in this context that I referred to the smuggling cases and not smuggling operations. I think I have been able to make the point clear to the Minister.

Then, Sir, there is another aspect of the question and that is the financial aspect. One hon. Member very eloquently said that for the good of the country and the good of the people we should not mind to spend thousands or even lakhs of rupees. Quite true. If this Bill can really do any good to our people the loss to our revenues would be worth incurring. But let us seriously consider whether this Bill is really worth the paper on which it is written, whether this Bill will make prohibition really successful or it will only be satisfaction of a fad, as Mr. Goswami has said. Our Ministers have many fads. They want to clear their own conscience by passing certain resolutions and by adopting certain measures. I am not going into the question whether a particular course is good or bad, but there are many fads of many people. It is our considered opinion that the Bill in the form it has been proposed is nothing but a fad, it will not serve any purpose, it will not make any prohibition successful, it will only create new complications and difficulties for many people. It will also bring certain unnecessary loss to our revenues. May be, just at the moment there may not be any loss because open liquor shops in Barpeta subdivision were abolished in 1949-50. But we shall have to maintain a group of officers to detect any contravention of this Act. That will mean some amount of loss to our exchequer. We should carefully consider whether we should incur that loss.

Sir, I do not want to take any more time of the House. I would only request the members of the Government Party to seriously consider the broad question whether this Bill is appropriate to the time and circumstances. If it is in keeping with the social consciousness, social condition and the social urge of the area that is sought to be covered, then this Bill is good, otherwise not. And



in our opinion this is a Bill which is not in keeping with the time and circumstances. I therefore support the amendment moved by Mr. Goswami that the Bill should be circulated amongst the people and their opinion should be obtained by the 30th November, and being enlightened and strengthened by public opinion so received, we should do what is proper under the circumstances.

**Shri DHARANIDHAR BASUMATARI :** অধ্যক্ষ মহোদয়,

পোন পুথমতে মই মাননীয় মন্ত্রী বয় ডাঙৰীয়াক এই সময়োপযোগী বিল খন অনাৰ কাৰণে ধন্যবাদ দিছো। দ্বিতীয়তে আমাৰ বিৰোধী দলৰ নেতা শ্ৰীযুত গোস্বামী ডাঙৰীয়াৰ সংশোধনী প্ৰস্তাৱটো তীব্ৰ প্ৰতিবাদ কৰিছো। তেখেতে সংশোধনী প্ৰস্তাৱটো আনিছে Public opinion create কৰিবৰ কাৰণে অৰ্থাৎ গণমত লবৰ কাৰণে। Public opinion বা গণমত মানে মই কব নোৱাৰো কাৰ মত তেখেতে বিচাৰিছে? মোৰ বোধেৰে এই বিষয়ত বিশেষকৈ জনজাতি সকলেই জড়িত—গতিকৈ তেওঁলোকৰ মত নোৱাৰে আহৰণ কৰিব। তাকে নকৰি যদি মোৰ বন্ধু শ্ৰীযুত গৌৰীশঙ্কৰ ডাঙৰীয়াৰ নিচিনা মানুহৰ হে মত লব লগা হৈছে বা হয়, তেনেহলে মই কও যে আমাৰ জনজাতি বিলাকক ধংশ কৰিবৰ কাৰণেহে এই সংশোধনী প্ৰস্তাৱটো দাঙি ধৰিছে। তেখেতে নাজানিব পাৰে যে এবছৰ নহয় দুবছৰ নহয় আজি সাত বছৰ ধৰি যেতিয়াৰ পৰা আমি ক্ষমতা হাতত লৈছো তেতিয়াৰ পৰা আমি বহুপৰিকৰ হৈছো। এই মাদকতা দ্ৰব্য নিবাৰণ বা লাউপানী আমাৰ মাজৰ পৰা উঠাই দিবলৈ। আৰু সভা-সমিতি পাতি সকলো ঠাইতে প্ৰস্তাৱ লোৱা হৈছে এই বৰ বিহটো উঠাই দিবলৈ। কিন্তু আমি দেখিছো যে গোস্বামী ডাঙৰীয়া আৰু তেখেতৰ দলীয় লোক সকলে অজলা টাইবেল সকলৰ ওপৰত এই সংশোধনী প্ৰস্তাৱেৰে লীলা-খেলা কৰিবলৈ চেষ্টা কৰিছে। আমাৰ মন্ত্রী মহোদয়ে যিখন বিল আনিছে সেইখন সচাকৈয়ে এখন অতি আৱশ্যকীয় আৰু সময়োপযোগী বিল। দেশৰ দায়িত্ব যেতিয়া আমাৰ হাতত আমি চাব লাগিব কেনেকৈ দেশখন উন্নতি পথত আঙুৱাই নিব পাৰি আৰু যিবোৰ বস্তু বা প্ৰথা অন্তৰায় তাক উঠাই দিবলৈ চেষ্টা কৰিব লাগিব। গতিকে মই সবৰাত্মকৰূপে সমৰ্থন কৰিছো। গোস্বামী ডাঙৰীয়াই সংশোধনী প্ৰস্তাৱটো অনাৰ লগে লগে কিছুমান কথা উল্লেখ কৰিছে। অৱশ্যে তেখেত বাস্তৱতা মানুহ। তেখেতৰ পৰা আশা কৰা নাযায়। তেখেতে বহুতো ঠাই দেখিছে—বিলাতলৈ গৈছে আৰু নানা ঠাইত মদখাই নাচ-গান কৰি নানা বকমৰ আমোদ প্ৰমোদ কৰা দেখি আহিছে; সেই কাৰণে মাদকতা দ্ৰব্য উঠাই দিয়াত বেজাৰ পোৱাটো তেখেতৰ প্ৰতি স্বাভাৱিক, তাত মোৰ কবলগীয়া একো নাই। কিন্তু টাইবেল সকলৰ মাজত এই মাদক দ্ৰব্য প্ৰচলন কৰি তেখেতে লীলা-খেলা কৰিবলৈ চেষ্টা কৰা দেখিছে মই বৰ বেজাৰ পাইছো। আপোনালোক সকলোৱে জানে কমিউনিষ্ট বা চৰিয়েলিষ্ট পাৰ্টীয়ে কি ধৰণৰ অপ-প্ৰচাৰ চলায়। তেখেতে আৰু কব খুজিছে যে টাইবেল সকলে মদ বন্ধ কৰাত কেতিয়াও সমৰ্থন নকৰে আৰু তাৰ লগে লগে তেখেতে কৈ গৈছে যে মদ বন্ধ কৰিলে ৭৫ লাখ টকা ক্ষতি হব। কিন্তু তেখেতে নাজানে নেকি বা জানিও নজনা হবলৈ বিচাৰে যে এখন বাঢ়িত টকাৰ প্ৰয়োজন কি? ৰাইজৰ মজলৰ কাৰণে নহয়নে? কিন্তু তেখেতৰ কথাৰ পৰা বুজিছো যে তেখেতে সামান্য ৭৫ লাখ টকাৰ লোকচান হব বলিয়েই টাইবেল সকলৰ ধংশহে বিচাৰিছে। তেখেতে বিচাৰিছে টাইবেল সকলে মদ খাওক মদৰ জালত টাইবেল সকলে চিৰকাল এই ধৰণে পিছপৰি থাকক, তেওঁলোকৰ মাটি বাৰী ঘৰ সকলো হেৰুৱাইছে অকল এই মদৰ কাৰণে তাক কোনে পিছপৰি থাকক, তেওঁলোকৰ ক্ষতি হব বুলি যি বোৰ কথা উল্লেখ কৰিছে সেইটো ভালৰ কাৰণে নাজানে। গতিকে ৭৫ লাখ ক্ষতি হব বুলি যি বোৰ কথা উল্লেখ কৰিছে সেইটো ভালৰ কাৰণে এই নহয়, টাইবেল সকলৰ ধংশৰ কাৰণেহে। আৰু এই কথা সকলোৱে জানে যে টাইবেল সকলে এই মদৰ কাৰণে আজি কি আৰ্থিক কি সামাজিক শিক্ষা দীক্ষা সকলোতেই আনৰ অনুপাতে কিমান পিছপৰা চৰকাৰে টকা-পইচা দি যিমানেই সহায় নকৰক যদি তেওঁলোকৰ মাজৰ পৰা এই মাদকতা উঠাই দিয়া নাযায় তেন্তে তেওঁলোকৰ কেতিয়াও উন্নতি হব নোৱাৰে। আন আন দলৰ মানুহে কেনে ধৰণৰ তেওঁলোকৰ মাজত অপ-প্ৰচাৰ চলায় তাক টাইবেল সকলে ভালদৰে জানে; আৰু তাৰবাবে দুঃখ নকৰি নোৱাৰো। সবল জনজাতি সকলক তেখেতসকলে কিয় যি হিংসা কৰে বুজি নাপাও। গোস্বামী ডাঙৰীয়া আৰু গৌৰীশঙ্কৰ ডাঙৰীয়া



নিচিনা শিক্ষিত মানুহৰ মুখৰ পৰা এনে ধৰণৰ কথা সচাকৈয়ে অশোভনীয়। Liquor Prohibition বিল আমি টাইবেল সকলৰ আৰু দেশৰ উন্নতি সাধন কৰাত মিনিষ্টাৰ আৰু আমাৰ মিয়ান দায়িত্ব তেখেত সকলোৰো তাতকৈ কোনো গুনে কম নহয়। এনেস্থলত গোস্বামী ডাঙৰীয়াই কৈছে কানি হেনো freely বিক্ৰী হ'ব লাগিছে। তেখেতে যদি সচাকৈয়ে জানে বা দেখিছে তেনেহলে তেখেতৰ জানো চৰকাৰক জনোৱা কৰ্তব্য নহয়?

বন্ধুবৰ বৈকুণ্ঠ নাথ দাস ডাঙৰীয়াই কৈছে বিহু আৰু পূজাৰ সময়ত কিছু option দিব লাগে। কিন্তু মই কছাৰী মানুহ মই জানো যে বিহু বা পূজাত যে মদ দিবলৈ লাগিব তাৰ কোনো কাৰণ নাই। কছাৰী সকলৰ খেৰাই বুলি এটা পূজা আছিল তাতো মদ দিয়াৰ থাখা বৰ্তমানে উঠি গৈছে। গতিকে মই কও টাইবেল সকলৰ নামত মদ প্রচলন কৰাৰ কোনো বুদ্ধি নাই।

এই বিল প্রস্তুত গোঁৰীশঙ্কৰ ডাঙৰীয়াই কৈছে, জন জাতি সকলে হেনো মদ খাদ্য হিচাবে ব্যৱহাৰ কৰে। এই কথা তেখেতে কত পালে? মই কও মদ কেতিয়াও খাদ্য হিচাবে ব্যৱহাৰ কৰা নহয়। আকৌ গোস্বামী ডাঙৰীয়াই কৈছে মদ গুচাই দিলে টাইবেল সকল হেনো মৰিব। মদ খাবলৈ নেপালে যে টাইবেল সকল মৰিব, এই কথা মই কেতিয়াও বিশ্বাস নকৰো। মই জনাত বহুত টাইবেলে আজি কালি মদ এবিধলৈ ধৰিছে—তেওঁলোক জানো মৰিছে?

আমি পৰিষদলৈ আহিছো আমাৰ ৰাইজৰ উন্নতি সাধণৰ অৰ্থে কি উপায় অবলম্বন কৰিলে দেশৰ আৰু দহৰ মঙ্গল সাধন কৰিব পাৰি তাৰ আলোচনা কৰিবলৈ। তেনেস্থলত গোস্বামী ডাঙৰীয়াৰ নিচিনা বিজ্ঞ মানুহে এই পৰিষদলৈ আহি এই ধৰণৰ সকলো কথাত বিৰোধিতা কৰাত মই সচাকৈয়ে দুঃখ পাইছো। আশা কৰো তেখেতে তেখেতৰ সংশোধনী প্রস্তাৱ উঠাই লৈ দেশ গঢ়ি তোলা কামত বাধা নিদিয়ে।

শ্ৰীযুত গোঁৰী শঙ্কৰ ভট্টাচাৰ্য্যই আৰু এটা কথা কৈছে সেইটো বোলে স্বাস্থ্য ৰাখিবলৈ টাইবেল সকলে মদ খায়। হাহি উঠা কথা। বিৰোধী দলৰ নেতা মিঃ গোস্বামীৰ স্বাস্থ্য ভাল তেখেতৰ স্বাস্থ্য তেখেতে মদ খাই ৰাখিছেনেকি? অথবা তেখেতৰ নিচিনা অন্যান্য ভাল স্বাস্থ্যৰ মানুহ-বিলাকে মদ খাই ৰাখিছেনেকি? যদি সেইটোৱেই নহয় তেনেহলে 'টাইবেল' সকলক এনেদৰে অপবাদ দিয়াৰ বাহিৰে আৰু তেখেতৰ কি উদ্দেশ্য হব পাৰে মই বুজিব পৰা নাই। সেই কাৰণেই মই, বিৰোধী দলে, চৰকাৰী প্রস্তাৱৰ ওপৰত অনা অভিযোগ বিলাকৰ প্রতি তীব্ৰ প্রতিবাদ জনাই বিলখনৰ সমর্থন কৰিছো আৰু লগতে বিৰোধী দলৰ নেতাকো মই অনুৰোধ কৰিছো যাতে তেখেতে তেওঁলোকৰ অভিযোগ বোৰ উঠাই লয় আৰু যদি তাকে নকৰে তেতিয়া হলে বুজিব লাগিব তেখেত সকলে দেশৰ মঙ্গলৰ হেতু কোনো চিন্তাই কৰা নাই।

**Shri JADAV CHANDRA KHAKHLARI:**—মাননীয় অধ্যক্ষ মহোদয়, এই সম্পৰ্কীয় তৰ্ক বিতৰ্ক অংশ গ্রহণ কৰিবলৈ মোৰ ইচ্ছা নাছিল যদিও, মই কেইটামান কথা নটক নোৱাৰিলো। শ্ৰীযুত গোস্বামী ডাঙৰীয়াৰ তৰ্কৰ পৰা বুজিব পাৰিছো যে, সৰ্ব্বতো ভাৱে তেখেতে 'প্ৰহিবিচণ'ৰ বিৰুদ্ধে কোৱা নাই মাত্ৰ কৈছে, এইবিলাক খন আইনত পৰিণত কৰাৰ আগতে জনমতৰ কাৰণে 'চাৰকুলেচনত' দিব লাগে। এই সম্বন্ধত মই কও যে টাইবেল সকলৰ সকলোৱে মদ নাখায়। এই 'বিল'ৰ সম্পৰ্কত তেখেতসকলে কৰা অভিযোগৰ ভিতৰত অন্য এটা উদ্দেশ্য লুকাই আছে সেইটো হৈছে যদি জনমত আহবানৰ নামত 'চাৰকুলেচনত' পঠাব পৰা যায় তেতিয়া হলে কংগ্ৰেছ বিৰোধী দল বিলাকৰ, কংগ্ৰেছ চৰকাৰৰ বিৰুদ্ধে ৰাইজৰ মাজত অভিমান চলাবলৈ সুবিধা হব। তাৰ পিচত তেখেতে কৈছে—মদ, টাইবেল সকলৰ অপবিহাৰ্য্য খাদ্য আৰু সিবিলাকৰ স্বাস্থ্যৰ কাৰণে দৰ্কাৰী। তাৰ উত্তৰত মই কব খোজো যে, মইও 'টাইবেল' কচাৰী মানুহ। আমাৰ ভিতৰত আগেয়ে, মানুহে মদ খাইছিল—কিন্তু এতিয়া সকলোৱে এৰি পেলাইছে। মদ



নোখোৱাকৈয়ে আমাৰ পৰিয়ালৰ, মোৰ বাহিৰে, সকলোৰেই স্বাস্থ্যবান। সেইকাৰণে এইটো বুজিব পৰা নহল যে, মদ টাইবেল সকলৰ স্বাস্থ্য আৰু তেওঁলোকৰ স্বাস্থ্য আটুত বৰাৰ সামগ্ৰী। মদ যে বেয়া বস্তু আৰু তাৰ যে অপকাৰৰ সীমা নাই সেই সম্বন্ধে মানুহৰ মাজত প্ৰচাৰ কৰা হৈছিল। মই 'টাইবেল' 'লীগ'ৰ চাৰি বাৰ সভাপতি আছিলো আৰু তেতিয়াৰে পৰা এই বিষয়ত মনোনিবেশ কৰি, আমাৰ শ্ৰীযুত ব্ৰহ্ম ডাঙৰীয়াৰ জনাইছিলো যে, এই সংক্ৰান্ত ব্যাপাৰত আইনৰ সহায় নললে আমাৰ সমাজৰ পৰা এই কু প্ৰথা দূৰ কৰিব পৰা নহব। সৌভাগ্য বশতঃ আজি সেই অভিযানৰ স্তূৰ্পাত হৈছে।

আকৌ তাৰ পিচত তেখেতে কৈছে—চৰকাৰৰ কানি নিবাৰণী অভিযানত কৃত কাৰ্য্য হোৱা দেখা পোৱা নাই। এই সমালোচনাৰ আগতে তেখেত সকলে কাৰ্য্যকৰী বুদ্ধি পৰামৰ্শৰে চৰকাৰক যোগান ধৰাহে উচিত আছিল। চোবাং বেপাৰীয়ে কানি অনা দেখিলেও তেওঁলোকে চকু মুদি থকা আৰু কেৱল বক্তৃতাৰ ওপৰত দেশৰ মানুহৰ মজল সাধন হব নোৱাৰে। এই কথা ভালকৈ বুজি, এইদৰে আমাৰ মাজতে চলোৱা তৰ্কৰ যুজ নাগৰ বিলাকে দেশৰ মজলৰ পথত বাধা দিব।

সকলোৱে এইটো জনা উচিত যে, ধৰ্ম্মৰ লগত বাগীয়াল বস্তু-ব্যৱহাৰৰ কোনো সম্বন্ধ নাই; বৰং ধৰ্ম্মৰ প্ৰভাৱে বাগীয়াল বস্তু নিবাৰণত সহায়হে কৰে। উদাহৰণ স্বৰূপে, খাচীয়া পাহাৰত ইয়াৰ অধিবাসী সকলৰ মাজত, খৃষ্ট ধৰ্ম্মৰ প্ৰভাৱ আৰু তাৰ যোগেদিয়েই, তেওঁলোকৰ কানি, মদ খোৱা প্ৰথা দূৰ হয় আৰু তেওঁবিলাকে কানি নাখায়। সেই দৰে গোৱালপাৰা মহকুমাত লক্ষীপুৰত, এই বিষয়ত উন্নতি কৰিছে আৰু ধৰ্ম্মৰ যোগেদি মদ ত্যাগ কৰাৰ ফলত যিবিলাক মানুহে এতিয়াও কোনো ধৰ্ম্ম লোৱা নাই, সেই মানুহ বিলাকৰ মাজত যদি চৰকাৰৰ পক্ষৰ পৰাও কোনো সহায় নাপায়, তেন্তে তেওঁলোকৰ কি অৱস্থা হব? তদুপৰি বিৰোধী দলে যদি মদ প্ৰচাৰত সহায়হে কৰে—এই বিলাক মানুহৰ কেনেকৈ উন্নতি হব—যি হেতুকে যদি খোৱাটোৱেই উন্নতিৰ ঘাই অস্তৰায়? গতিকে বিৰোধী দলৰ সদস্য সকলেও এই Bill সম্পৰ্কত সমৰ্থন কৰক। এই কাৰণে মই এই Prohibition Bill সমৰ্থন কৰোঁ।

**Swami KRISHNA NANDA BRAHMACHARI:**—“সত্যং পৰং ধীমহি”। মাননীয় স্পীকাৰ নমস্কে, মাননীয় সদস্যগণ নমস্কে। আজি এই সদনত মাদক দ্ৰব্য নিবাৰণী বিলখনৰ আলোচনাৰ প্ৰসঙ্গত বহুতেই তৰ্কবিতৰ্ক চলাই অগাহকত এই সদনৰ সময় নষ্ট কৰাত মই অলপ আচৰিত হৈছোঁ। আমাৰ বিৰোধী দলৰ বন্ধু সকলে 'টাইবেল' সকলৰ বিভিন্ন অৱস্থাৰ বিশ্লেষণ কৰি এই বিল খনৰ প্ৰয়োজনীয়তাৰ সম্বন্ধে জনমত আহ্বান কৰোৱাবলৈ 'প্ৰেচ' কৰি দেশৰ এটা গুৰুত্বপূৰ্ণ সমস্যাৰ প্ৰতি অৱহেলা কৰিছে। যিবিলাক আইন কাৰুনৰ দ্বাৰা দেশৰ সামাজিক অৰ্থনৈতিক অৱস্থাৰ উন্নত হয়, সমাজৰ আৰু জনাবিলাক দূৰীকৰণত সহায় হয়, সেইবিলাকৰ বিৰুদ্ধে প্ৰতিবাদ কৰাটো দেশৰ প্ৰতি কৰা বিদ্বেষনা মাথোন। আমি চাব লাগিব—এই আইনৰ উদ্দেশ্য কি? ইয়াৰ উদ্দেশ্য হৈছে—মাদক দ্ৰব্য অৰ্থাৎ সমাজৰ পৰা মদ প্ৰচলন নিবাৰণ কৰা। জাতিৰ পিতা গান্ধীজীৰো নিৰ্দেশ আছে মাদক দ্ৰব্য বৰ্জন কৰা কিন্তু ইমান দিনে মহাত্মাজীৰ পৰিকল্পনা বাস্তবত পৰিণত কৰিব নোৱাৰাত আমাৰ দুৰ্বলতা প্ৰকাশ পাইছিল, আজি আমাৰ চৰকাৰে তাকে কাৰ্য্যত পৰিণত কৰিবলৈ পৰীক্ষামূলক ভাৱে এই প্ৰদেশৰে এটা এলাকাত যথা বৰপেটাত এই আইন বলবৎ কৰি ফলাফল নিৰীক্ষণ কৰা প্ৰয়োজন মনকৰিছে। মাদক দ্ৰব্য নিবাৰণ কৰাটো সহজ এই কথা স্বীকাৰ কৰো। তাত ইমানবিলাক তীব্ৰ বাদ প্ৰতিবাদ কৰাৰ কি কাৰণ থাকিব পাৰে? আমাৰ জীৱনৰ অনেক সময় 'টাইবেল' সকলৰ লগত ওতপ্ৰোত ভাৱে জড়িত। যিবিলাকৰ মাজত আশ্ৰম পাতি, তেওঁবিলাকৰ আচাৰ পদ্ধতি নিৰীক্ষণ কৰি আমি মাদক দ্ৰব্য প্ৰচলন বন্ধ



কৰিবলৈ অনেক চেষ্টা কৰি বিভিন্ন ধৰণৰ অভিযান চলাই হতাশ হৈছে। সেই কাৰণে আমাৰ বিশ্বাস চৰকাৰৰ এই বিল আইনত পৰিণত হ'লে, ট্ৰাইবেল সকলৰ তথা দেশৰ বৃহৎ এটা অঙ্গৰ সামাজিক উন্নতি হ'ব। তাৰোপৰি বৰ্ত্তমানে ট্ৰাইবেলৰ বাহিৰেও অন্যান্য সম্প্ৰদায়ৰ লোকসকলৰ মাজতো মদ খোৱা নীতি তীব্ৰ গতিত চলিছে। এই অন্যান্য সম্প্ৰদায়ৰ জাতিবৰ্ণ-নিষিদ্ধিশেষে শতকৰা প্ৰায় ৯০ জনে মদ খায়। ইয়াৰ দ্বাৰাও দেশৰ সামাজিক তথা মানসিক বৃত্তিৰ অৱনতি আৰু অৰ্থনৈতিক অৱস্থাৰ বিপৰ্য্যয় ঘটিছে। এটা ভুল ধাৰণা মানুহৰ মাজত আছে যে, মদ খালে যুদ্ধ কৰিব পাৰি, টান কাম কৰিব পাৰি, স্বাস্থ্য অটুট ৰাখিব পাৰি ইত্যাদি। সেই কাৰণে কিয় সমাজে মদ খোৱা বন্ধ কৰিব আৰু চৰকাৰেই বা এই বিষয়ত হস্তক্ষেপ কৰাৰ উদ্দেশ্য কি থাকিব পাৰে? এই কথা বাস্তবিকতে মনত উদয় হয়। মেটৰ বিলাকে মদ খায়, চোৱৰৰ মজুত খায়; অতি লেতেৰা ধৰণৰ কাম কৰে আৰু সজ্জ দুৰ্ব্বলতাৰ পৰিচয় দিয়ে। বনৰাজ সিংহই দিনো মজুত খায়। শুনাযায় ১২ বছৰত এবাৰ মাথোন সজ্জ কৰে আৰু ছাগলীয়ে তৃণ ভক্ষণ কৰি সৰ্ব্বদা ইন্দ্রিয় সন্তোষত মত্ত, আহাৰে তাৰ কি প্ৰতিক্ৰিয়া কৰে? নিজৰ বল বীৰ্য্য অটুত ৰাখে। কাষেই এই চলিত আচাৰ ব্যৱস্থাই মানুহক কোনো অপকাৰ কৰি অহা নাই। এই প্ৰাচীন মনোভাবৰ প্ৰবোচনাত মদ পান কৰা সকলো লোকেই এই বিলৰ ওপৰত তথাকথিত জনমত প্ৰকাশ কৰিব ইয়াৰ প্ৰতি কুলে—অনুকুলে নহয়। কাষেই জনমত আহ্বান কৰিলে তেওঁবিলাকে তালেই পাব (হাত চাপৰি হাৰিৰ খলকনি) আৰু মজল জনক এই অভিযানৰ কামত কৃতকাৰ্য্যতা লাভ কৰা দূৰৰে কথা আবস্ত কৰাই সহজ সাধ্য হৈ নুঠিব। শিক্ষিত অশিক্ষিত গোঁসাই মহন্ত, কোচ, কলিতা, কায়স্থ সকলোৰেই মাজত এই মদ খোৱা কুপ্ৰথা বৈ বাব। এইবিলাক মানুহৰ সংখ্যা শতকৰা প্ৰায় ৯০ জন আৰু সিবিলাকৰ মানসিক বৃত্তি ধুৰাই আনিব নোৱাৰিলে বৃহৎ সমাজৰ অথবা দেশৰ কি কল্যাণ হ'ব? কাষেই বিৰোধীদলৰ সদস্য সকলক মই সানুনয়ে অনুৰোধ কৰো যাতে তেখেতসকলে এই অত্যাৱশ্যকীয় বিলখনৰ বিৰোধীতা নকৰে। দেশৰ আৰু দহৰ মজলৰ হকে কাম কৰাৰ দায়িত্ব লৈ আমি সকলোৱে এই সদনলৈ আহিছো। আমি হাজাৰ হাজাৰ মানুহৰ সমৰ্থিত হৈ আহিছো, তেখেত সকলেও যেনিবা সেইদৰে নিৰ্বাচিত হৈ আহিছো—(হাহি) কিন্তু উদ্দেশ্য সকলোৰে একেই। ৰাজনৈতিক ক্ষেত্ৰত তেখেত সকলে বিৰোধীতা কৰিলেও, য'ত জাতিৰ সমৃদ্ধি আৰু মজল সাধন কৰাৰ উদ্দেশ্য নিহিত আছে, সেই কামত বিৰোধীতা কৰাটো অশোভণীয়। সেই কাৰণে মোৰ বিনীত নিবেদন যে এনেকুৱা জনহিতকৰ কামত বিতৰ্ক কৰাটোও অবাঞ্ছনীয়। তেখেতসকলৰ কংগ্ৰেছ চৰকাৰৰ লগত মতান্তৰহে মনান্তৰটো নহয়।

কাষেই মই আমাৰ বিৰোধীদলৰ মাননীয় সদস্য সকলক ইয়াকেই অনুৰোধ কৰো যাতে এনেকুৱা জনহিতকৰ কামত তেখেত সকলেও আমাৰ সহযোগীতা কৰে, আৰু তেখেত সকলেও আমাৰ লগতে নগৰে নগৰে গাৱঁ গাৱঁ গৈ আমাৰ ট্ৰাইবেল ভাই সকলক এই মাদক দ্ৰব্য বৰ্জন কৰাবলৈ চেষ্টা কৰে। তাকে নকৰি যদি এই কামৰ বিৰুদ্ধে প্ৰচাৰ কাৰ্য্য চলায় তেন্তে কোনো জনহিতকৰ কাম নহ'ব আৰু আমাৰ দেশৰ মজলো নহ'ব। গতিকে এইবিষয়ে জনমত সংগ্ৰহ কৰাৰ কোনো অৰ্থ নাই, আৰু মই মাননীয় বিৰোধী দলৰ নেতা ডাঙৰীয়াক তেখেতৰ প্ৰস্তাৱ উঠাই লবলৈ অনুৰোধ জনালো।

**Shri JOGAKANTA BARUA:** মাননীয় অধ্যক্ষ মহোদয়, মোৰ এই বিষয়ে বিশেষ একো কবলগীয়া নাই। মাত্ৰ এটি কথা কবলৈ ঠিয় হৈছো। সেইটো হৈছে এই যে, এই মদ নিৰাৱণী বিলৰ আলোচনা প্ৰসঙ্গত এই সদনৰ বহুতো সদস্যই যুক্তি দিছে যে, এই মদ খোৱা প্ৰথাটোৱেই ট্ৰাইবেল ভাই সকলৰ উন্নতিৰ পৰিপন্থি।

ট্ৰাইবেল মেম্বাৰ সকলৰ বহুতৰে পৰা অনুমান হৈছে যেন তেখেতসকলেইহে ট্ৰাইবেল সকলৰ প্ৰতিনিধি। আমিও ট্ৰাইবেল; আমিও Ex-Tea Garden Labourers আৰু



আহোমৰ ভোটবোৰেই নিৰ্বাচিত হৈ আহিছে। এই সকলোবোৰ লোকৰ ভিতৰতে মদৰ প্ৰচলন আছে। মাননীয় সদস্য সকলে কেবল এটি কথাতেই বিশেষ জোৰ দিছে যে মদ গুচাই দিলেই ট্ৰাইবেল সকলৰ উন্নতি হ'ব। তেওঁলোকে মদ বেচিকৈ খোৱা কাৰণেই ইমানদিনে উন্নতি হোৱা নাই; কিন্তু মদ নোখালেই যে উন্নতি হ'ব সেইটো নহয়। উন্নতিৰ কাৰণ অইনহে, (*Hear, hear*). মই মনত পেলাই দিও যে ট্ৰাইবেল সকলেই আগতে এই দেশ শাসন কৰি আছিল। মোৰ মনেৰে ট্ৰাইবেল সকলে তেতিয়া এতিয়াতকৈও বেচি মদ খাইছিল, অৱশ্যে মই এই বিলৰ বিৰোধীতা কৰিবলৈ বিচৰা নাই। মই এটা ন্যায্য কথাহে কৈছো যে মদ খোৱা বন্ধ কৰিলেই উন্নতি নহয়। পৃথিবীৰ ভিতৰত ভাৰতেই মদ নোখোৱা দেশ, আৰু ভাৰতেই যোৱা এহেজাৰ বছৰে বিদেশীৰ পৰাধীন আছিল।

কিছুমান সদস্যই কানি নিবাৰণৰ কথা কৈছে। কিন্তু অন্ততঃ দুহেজাৰ মানুহৰ মাজত এতিয়াও কানি চলি আছে। যিহওক মোৰ বোধেৰে কেৱল মদ খোৱাটোৱেই উন্নতিৰ প্ৰতিকূল নহয়। (*Interruption*)....I can give names of two thousand people who are opium eaters and who have been taking opium in my constituency.

**Shri HAKIM CHANDRA RABHA** :—মাননীয় অধ্যক্ষ মহোদয়, আজি অসমৰ ভাগ্য আকাশত এটি নতুন আশাৰ ৰেখা বিৰিঙি উঠিছে। আমাৰ বহু দিনৰ আশা আজি কংগ্ৰেছ চৰকাৰে কাৰ্য্যত পৰিণত কৰিবলৈ ওলাইছে। বহু দিনৰ পৰা আমাৰ মাজৰ পৰা বিশেষকৈ ট্ৰাইবেল সমাজৰ পৰা এই বৰ বিষ মদটো গুচোৱাৰ প্ৰবৃত্তি আমি পোষণ কৰি আহিছিলো; সেইটো আজি কাৰ্য্যত পৰিণত হোৱা দেখি আমি নতৈ আনন্দিত হৈছো।

অলপ আগতে মাননীয় সদস্য শ্ৰীযুত যোগকান্ত বৰুৱা ডাঙৰীয়াই কৈছে যে সামাজিক আৰু আৰ্থিক উন্নতিৰ ক্ষেত্ৰত মদ খোৱাই বাধা জনোৱা নাই। মই বৰ দুখেৰে তাৰ প্ৰতিবাদ কৰি কওঁ যে মই এটি কৃষক বাতা সন্তান। আমাৰ অঞ্চলটো বাতা সম্প্ৰদায়ৰে বসতি, সেই অঞ্চলটো ইমানেই পিচপৰা যে ময়েহে প্ৰথম Graduate. এতিয়া ভাবি চাওক, এনেকৈ আজি এটি অঞ্চল আৰু এটা সম্প্ৰদায় পিচপৰি থাকোঁতে কিমান শোভণীয়। ইয়াৰ ঘাই কাৰণ মদেই।

আমাৰ ট্ৰাইবেল সমাজৰ কথাকেই কওঁ, মোৰ নিজৰ ঠাইত কচাৰী সম্প্ৰদায়ৰ মানুহো বহুত আছে, কেবল মদ তৈয়াৰ কৰাৰ কাৰণেই আমাৰ প্ৰতি বছৰে হাজাৰ হাজাৰ মোন ধান নষ্ট হয়। ফলত ভাত খাবলৈ আমাৰ চাউল নোহোৱা হয়। সেই কাৰণে আমি ইমান দিনে আমাৰ মাজৰ পৰা এই মদ খোৱা প্ৰথাটো তুলি দিয়াৰ চেষ্টা কৰি আহিছো। কিন্তু আমাৰ বিৰোধীদলৰ নেতা ডাঙৰীয়াই এই প্ৰথা তেওঁলোকৰ মাজত সজীৱ ৰাখিবলৈ চেষ্টা কৰিছে। মোৰ বোধেৰে এই মদ খোৱা প্ৰথাটো যদি বিশেষকৈ ট্ৰাইবেল সম্প্ৰদায়ৰ ভিতৰত থাকি যায় তেন্তে ই ট্ৰাইবেল সমাজক আৰু এশ বছৰ পিছলৈ লৈ যাব। গতিকে মই এই গুৰুত্বপূৰ্ণ প্ৰস্তাবৰ যোৰ প্ৰতিবাদ কৰো।

ইয়াৰ পিচত বিৰোধীদলৰ শ্ৰীযুত ভট্টাচাৰ্য্য ডাঙৰীয়াই কৈছে যে এই মদ উঠাই দিলে চৰকাৰৰ ৰাজহৰ বহুত ক্ষতি হ'ব। কিন্তু মই কওঁ যদি আমি Liquor Prohibition মানি লওঁ আমাৰ সমাজৰ উন্নতি হ'ব। মোৰ বোধেৰে আমাৰ এটা সাময়িক আৰ্থিক ক্ষতি হ'লেও সামাজিক উন্নতিৰ অন্তৰায় বিলাক আতৰাবলৈ লাগিব। নহলে আমি যি কাৰণে এই সদনলৈ ৰাইজৰ প্ৰতিনিধি হৈ আহিছো তাৰ কোনো সাৰ্থকতাই নহ'ব। কাজেই আমি আমাৰ কৰ্ত্তব্য কৰিবলৈ হলে সকলোৱে এই কামত সহযোগীতা কৰিব লাগিব। সেই কাৰণে আমাৰ সমাজৰ পৰা এই বৰ বিষ মদটো দূৰীভূত কৰাত সহযোগ কৰিবলৈ মই সকলোকে অনুৰোধ কৰিলো।

**Dr. HOMESWAR DEB CHAUDHURY** : মাননীয় অধ্যক্ষ মহোদয় মই মাত্ৰ এটা কথা কবলৈহে ঠিয় দিছো।



প্রথমতে আমাৰ নেতা শ্ৰীযুত হৰেশ্বৰ গোস্বামীয়ে এই Liquor Prohibition Bill ৰ আলোচনা প্ৰসঙ্গতে যিখিনি কথা কৈছে তাক ভাঙিচিঙি twist কৰি বিজ্ঞপাকাৰে সমালোচনা কৰি আমাৰ বিৰোধীসকলে দাঙি ধৰিছে।

দ্বিতীয়তে কংগ্ৰেছৰ পক্ষৰ পৰা বহুত সদস্যই ইয়াকেই বুজিলে যে, গোস্বামী ডাঙৰীয়াই এই Liquor Prohibition Bill ৰ বিৰোধীতা কৰিছে, কিন্তু মই এইটোতেই বিশেষ জোৰ দি কওঁ যে প্ৰকৃততে তেখেতে এই বিলৰ বিৰোধীতা কৰা নাই, কেবল বাইজৰ মতামত লব লাগে বুলি কৈছে। তেখেতে যিখিনি কথা এই প্ৰসঙ্গত কৈছে, সেইখিনি ভাল কথাই কৈছে।

তৃতীয় কথা হৈছে আমাৰ যিসকল ট্ৰাইবেল সদস্যই বক্তৃতা দিছে, তেওঁলোকে বোধ হয় ভাবিছে যে কেবল ট্ৰাইবেল সকলেহে মদ খায়। আমাৰ যিবিলাক ট্ৰাইবেল সম্প্ৰদায়ৰ লোক আছে অকল যে তেওঁলোকেই মদ খায় তেনে নহয়, sweeper আৰু বনুৱা সম্প্ৰদায়, আনকি আধুনিক ভদ্ৰলোকসকলৰ ভিতৰতো বহুত আছে (Voice—যেনে) সেই সকলৰ ভিতৰতো বহুত মানুহ আছে, যিবিলাকে মদ খায়। মদে আমাৰ সমাজৰ moral নৈতিকতা বহুত তললৈ নিয়ে। আমি নৈতিকতা ৰক্ষা কৰিব লাগিব নহলে সমাজে বা দেশ এখনে আগ বাঢ়িব নোৱাৰে। আমাৰ মতেও মদ নিবাৰণ কৰিব লাগিব। কিন্তু নিবাৰণটো এনেকৈ নকৰি এটা জনপ্ৰিয় মতৰ ভেটিতহে কৰিবলৈ কোৱা হৈছে। সেই কাৰণে আমাৰ গোস্বামী ডাঙৰীয়াই কৈছে যে বিহু আদি উৎসবত আমাৰ বাইজৰ বহুতে বিশেষকৈ আমাৰ ট্ৰাইবেল ভাই সকলে মদ ব্যৱহাৰ কৰি সাময়িক অলপ আমোদ পায় আৰু পূজাতো দিয়ে। আৰু এই বিষয়ে তেওঁলোকৰণো কি মতামত সেইটোও জনাত কোনো বাধা থাকিব নোৱাৰে। গতিকে শ্ৰীযুত গোস্বামীয়ে কৈছিল যে, বাইজৰ মতামতৰ কাৰণে বিলখন প্ৰচাৰ কৰিব লাগে আৰু তাৰ কাৰণে এটা জনমত সংগৃহ কৰিব লাগে। এইখিনি কথা কোৱাটো বিলখনৰ বিৰোধীতা কৰা নহয়।

কাষেই মই সদস্যসকলক অনুৰোধ কৰো যেন তেখেতসকলে গিছাকৈ ভয় খাই শ্ৰীযুত গোস্বামীৰ ন্যায্য কথাখিনি বেয়া ধৰণে বিশ্লেষণ নকৰি, ভালকৈ ভাবি চায় আৰু গ্ৰহণ কৰে। গোস্বামীয়ে মদ নিবাৰণৰ বিৰোধীতা কৰা নাই, আন্দোলন কৰি আৰু জনমত লৈ গ্ৰহণ কৰিব কৈছে।

#### Adjournment

The Assembly was then adjourned till 1-30 p.m., on Friday, the 5th September, 1952.

SHILLONG,  
The 15th November, 1952.

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