

**Proceedings of the First Session of the Second Assam Legislative
Assembly assembled under the Provisions of the Government
of India Act, 1935**

The Assembly met in the Assembly Chamber, Shillong, at 11 a.m. on **Thursday,**
the **21st March, 1946**

P R E S E N T

The Hon'ble Mr. Debeswar Sarmah, Speaker, in the Chair, the seven Hon'ble
Ministers and ninety Members

QUESTIONS AND ANSWERS

(Starred question No. 9 was not put as the Questioner was absent.)

UNSTARRED QUESTIONS

(To which answers were laid on the table)

Homeless people in Jaintia Parganas

Moulana IBRAHIM ALI asked :

43. (a) Are Government aware of the various grievances and hardships caused to the inhabitants of Jaintia Parganas due to their being evicted from their homes for war purposes ?

(b) Do Government propose to hold a non-official enquiry into the grievances of these evictees and have a rehabilitation scheme prepared for the resettlement of the said homeless people ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

43. (a)—Government are not aware of any cases of hardship caused by requisition in the Jaintia Parganas for military purposes. If the hon. Member will cite specific instances, Government will make enquiries. They will not, however, be able to revise awards of compensation made by the local officers, but if the evictees are dissatisfied in any case they will refer it to arbitration under section 19 of the Defence of India Act.

(b)—Does not arise.

Communication in Barpeta Subdivision

Srijut KAMESWAR DAS asked :

44. (a) Are Government aware that the communication system in the Barpeta Subdivision is very bad ?

(b) Are Government aware that of the total communication system of the Subdivision, the Barpeta Local Board owns about $\frac{1}{8}$ th ?

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

44. (a)—Yes, so far as P. W. D. roads are concerned.

(b)—Barpeta Local Board owns $\frac{1}{8}$ th of the total communication in Barpeta Civil Subdivision.

Pilferage in the Railways

Mr. G. KYDD asked :

45. Will Government be pleased to state whether they propose to take all necessary steps to investigate and stop the enormous amount of pilferage that is going on on the Railways within the Province ?

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

45.—The question relates to the administration of Railways which is a Federal subject over which the Provincial Government have no control. Government will, however, direct the Superintendent, Government Railway Police, Haflong, to take necessary steps to prevent the recurrence of pilferage on Railways in Assam.

Mr. A. WHITTAKER : Sir, would the Hon'ble Minister take it from me that a mere direction to the Superintendent of Railway Police will have no effect whatever ? A similar direction had been issued in the past. All these directions are defeated unless the Railway will increase the staff at the disposal of the Watch and Ward Department.

The Hon'ble Rev. J. J. M. NICHOLS-ROY : Well, Sir, this Government has nothing to do with Railway but they will do their best to move the authorities in this matter.

Postal Services

Mr. G. KYDD asked :

46. (a) Are Government aware of the dissatisfaction that prevails in many outlying districts of the Province owing to the general deterioration in the whole of the Postal services and arrangements ?

(b) If so, do Government propose to move the proper authorities in the matter ?

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

46. (a)—Yes.

(b)—The question relates to the administration of Posts and Telegraphs which is a Federal subject over which the Provincial Government have no control. Government will bring it to the notice of the Post and Telegraph authorities for necessary action.

Irrigation and Drainage Projects

Babu RABINDRA NATH ADITYA asked :

47. Will Government be pleased to state whether they propose to set up Subdivisional Irrigation and Drainage Projects in each Subdivision and thereby effect better co-ordination of Agriculture and Public Works Department activities in the same direction ?

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

47.—Government do not propose to set up Subdivisional Irrigation and Drainage Projects because such projects may affect areas which are beyond one Subdivisional limits. The needs of different Subdivisions will be considered when schemes are selected for survey and execution. Moreover, the problems are not equally urgent in all Subdivisions.

Babu RABINDRA NATH ADITYA : Sir, what is the objection of Government to consider a subdivision as a unit ? Is it the idea to form a unit on the basis of a district ?

The Hon'ble Rev. J. J. M. NICHOLS-ROY: Sir, the question was, "Whether Government propose to set up Subdivisional Irrigation and Drainage Projects in each Subdivision"; that is the emphasis of the question and the reply is that it is not proposed to set up Subdivisional Irrigation and Drainage Projects because such projects may affect areas which are beyond one Subdivisional limits and so Subdivisional Projects are not desirable.

Babu RABINDRA NATH ADITYA: Sir, there must be some mistake probably. The question was: "There should be some advisory committees to take up Subdivisional Irrigation Projects". Is a subdivision too small a unit to justify formation of any advisory committee?

The Hon'ble Rev. J. J. M. NICHOLS-ROY: The question is, Sir, "Will Government be pleased to state whether they propose to set up Subdivisional Irrigation and Drainage Projects in each Subdivision?" Therefore the reply is to that. But the question now put is altogether a new one.

Babu PURNENDU KISHORE SEN GUPTA: Sir, when Government is going to survey Irrigation Projects in those Subdivisions where the matter is urgent?

The Hon'ble Rev. J. J. M. NICHOLS-ROY: Sir, the matter is that we have no expert in this line. Government have advertised for an expert. Our officers are at present doing what they can and as soon as we get an expert we shall do that as quickly as we can.

Babu PURNENDU KISHORE SEN GUPTA: Sir, do Government realise that many of the patch works that are now being done without any comprehensive scheme of irrigation might be detrimental to the project itself?

The Hon'ble Rev. J. J. M. NICHOLS-ROY: I think, Sir, that is evident and we are aware of that.

Srijut LAKSHESVAR BOROOAH: Sir, when there is need for irrigation in any particular subdivision, will the Hon'ble Minister take that up?

The Hon'ble Rev. J. J. M. NICHOLS-ROY: Yes, Sir.

Babu RABINDRA NATH ADITYA: Have Government made any estimate of increase in yield from the areas irrigated by these projects?

The Hon'ble Rev. J. J. M. NICHOLS-ROY: Does this question arise, Sir? The yield may be increased but this question does not arise here.

*Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI: Sir, are Government aware that by taking up individual project Government is doing more harm than good to the public for drainage purpose?

The Hon'ble Rev. J. J. M. NICHOLS-ROY: That is a question of opinion, Sir.

*Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI: My question is, Sir, whether Government is aware that they are doing more harm to the people by taking up individual project?

The Hon'ble Rev. J. J. M. NICHOLS-ROY: I am not aware of any such thing, Sir. What was done in the past, I am also not aware. But we shall examine the question.

Dr. C. G. TERRELL: Sir, will the Hon'ble Minister be pleased to give due consideration to the medical aspect of uncontrolled drainage with its attendant great dangers of increased Malaria unless expert medical advice is first obtained?

The Hon'ble Rev. J. J. M. NICHOLS-ROY: That, Sir, will no doubt be considered when the projects have been prepared by an expert whom we expect to get.

Babu RABINDRA NATH ADITYA: Sir, have Government any intention of taking the advice and co-operation of the public in the matter of selection of the schemes?

The Hon'ble Rev. J. J. M. NICHOLS-ROY: Surely, Sir, we shall be glad to have the opinion from any quarter.

Babu RABINDRA NATH ADITYA: Do Government propose to set up any machinery for the purpose, Sir?

The Hon'ble Rev. J. J. M. NICHOLS-ROY: That suggestion, Sir, will be considered.

Karimganj-Juri Road

Mr. W. D. RUTHERFURD asked:

48. (a) Will Government be pleased to state when a start is likely to be made on the repairs to the admittedly important highway from Karimganj to Juri which runs parallel to the railway and which has been classed as a Major District Road?

(b) Are Government aware that a portion of this Major District Road has disappeared down to *khet* level and its repair is a matter of public urgency?

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

48. (a)—The road in question is a Local Board Road, and has been tentatively included in the 5 crore Post-War Road Improvement Programme as a District Road. This Government will examine the question of the repairs of this road, and until, however, the road is taken over by the Public Works Department for improvement, the responsibility for its maintenance does not lie with the Public Works Department.

(b)—Government had no information until the receipt of this question.

BABU KAMINI KUMAR SEN: Sir, is it not a fact that the Karimganj-Juri Road is a Public Works Department Road and not a Local Board Road?

The Hon'ble Rev. J. J. M. NICHOLS-ROY: It is not a Public Works Department Road, Sir.

Dr. C. G. TERRELL: Will the Hon'ble Minister be pleased to consider the Public Works Department taking over this very important Road and beginning necessary work on it during the coming season?

The Hon'ble Rev. J. J. M. NICHOLS-ROY: That will be considered, Sir.

Islamic Intermediate College Examination

Maulavi ABDUL HAI asked:

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

(a) Whether there is any provision made in the Assam Madrassa Board for holding examination of the Islamic Intermediate college?

(b) If not, where such examination will be held?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

49. (a)—No.

(b)—Steps are being taken to have the Islamic Intermediate Colleges of Assam affiliated to the Board of Intermediate and Secondary Education, Dacca, in which case Assam students will be able to sit for the examination in any centre recognised by that Board.

Maulavi ABDUL HAI: Is it a fact, Sir, that the Dacca Board has refused affiliation ?

The Hon'ble Srijut GOPINATH BARDOLOI: The reply is, Sir, "Steps are being taken to have the Islamic Intermediate Colleges of Assam affiliated to the Board of Intermediate and Secondary Education, Dacca, in which case Assam students will be able to sit for the examination in any centre recognised by that Board."

Maulavi ABDUL HAI: But my information is, Sir, that the Dacca Board has refused the affiliation.

The Hon'ble Srijut GOPINATH BARDOLOI: Yes, the Dacca Board has refused affiliation in respect of one college but the matter is under correspondence with respect to schools and even in reference to that college.

Maulavi ABDUL HAI: Is it a fact that the Dacca Board has refused affiliation on the ground that there is no representation to their University from Assam ?

The Hon'ble Srijut GOPINATH BARDOLOI: I am not aware of that, Sir.

Maulavi ABDUL HAI: Will the Hon'ble Premier kindly look into the matter and take necessary steps ?

The Hon'ble Srijut GOPINATH BARDOLOI: I shall be glad to do that, Sir.

Maulavi DEWAN ABDUL BASITH: Will the Hon'ble Minister in-charge of Education take it from me that in reply to a reference from the Hamidabad Intermediate College, the Secretary, Dacca Board, has clearly mentioned that owing to the creation of a Madrassa Board in Assam, they have done away with the representation of Assam, and so they are not in a position to cater to the needs of this Province ?

The Hon'ble Srijut GOPINATH BARDOLOI: I am aware of that, Sir, but a fresh representation has been made to the authorities of Dacca University to reconsider their position.

Appointment of Horticultural Development Officer

Srijut GAURI KANTA TALUKDAR asked :

50. (a) Will Government be pleased to state whether it is a fact that a Horticultural Development Officer is going to be appointed and his services are to be lent by the Central Government to this Government ?

(b) Are Government aware that Nalbari will prove to be a good centre for starting a model Horticultural farm as evidenced by the successful fruit-gardening carried on by Srijut Ganga Ram Das of the village Sandha near Nalbari ?

(c) Do Government propose to start a model Horticultural farm near about Nalbari as early as possible ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

50. (a)—A Horticultural Development Officer has been appointed, financed jointly by the Central and the Provincial Governments.

(b)—No.

(c)—Government will examine the suggestion contained.

Srijut GAURI KANTA TALUKDAR: With regard to Question No. 50 (b), will Government be pleased to enquire into the fruit-gardening carried on by Srijut Ganga Ram Das and satisfy themselves whether Nalbari will prove to be a suitable place for the purpose or not?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: That will be done, Sir.

Maulavi DEWAN ABDUL BASITH: Will Government be pleased to take into consideration the examination of a suitable site in the Surma Valley for the purpose of a Horticultural Institute?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: We have as yet no information of any such possibilities at Sylhet.

Maulavi MD. ABDUL KASHEM: Do Government consider that there is need for Horticultural study at Nalbari in view of the fact that the place has already proved successful for fruit-gardening?

The Hon'ble the SPEAKER: This is a hypothetical question.

Maulavi ABDUL BARI CHAUDHURY: With regard to Question No. 50 (a), may I know from the Hon'ble Minister what is the percentage of expenditure borne by the Provincial and the Central Government?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: I want notice of this question, Sir.

Maulavi ABDUL HAI: Who is the appointing authority of the Horticulturist—whether the Central Government or the Provincial Government, Sir?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: I cannot say off hand; it may be this Government. I will look into these facts and if the hon. Members want them I shall supply the information later on.

Post-War Reconstruction Works

Babu JATINDRANATH BHADRA asked:

51. Will Government be pleased to state—

- (a) Whether they propose to undertake Post-War Reconstruction Works in connection with the development of roads and irrigation projects within the Province at an early date?
- (b) If so, what projects they propose to undertake in different Subdivisions in the District of Sylhet?

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

51. (a)—Yes.

(b)—This Government have to re-examine the projects sent up by District Officers and considered by the Sub-Committee on Post-War Reconstruction under the previous Government. Then they will be in a position to state the projects which they propose to undertake in the District of Sylhet.

Grow-More-Food Campaign

Srijut GAURIKANTA TALUKDAR asked:

52. Will Government be pleased to state whether it is a fact that the Agriculture Department is endeavouring to write off some lakhs of rupees considered to be losses in transactions in connection with the Grow-More-Food Campaign?

53. If the answer to the above question be in the affirmative, will Government be pleased to state—

- (a) The amount of money proposed to be written off;
- (b) The details of each transaction in connection of which the losses occurred?
- (c) The year during which these losses occurred?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

52.—Yes.

53. (a)—Rs. 1,08,248-8-9 pies.

	Rs.	as.	p.
(b)—Paddy seeds	13,073	2	0
Pulse „	31,726	7	9
Potato „	38,555	10	0
Wheat and Barley „	8,132	8	9
Oil „	6,411	13	3
Manure	2,006	2	0
Vegetable seeds	3,143	3	0
Maize „	43	12	0
Castor „	655	14	0
Empty gunny bags	4,500	0	0
(c)—1943-44.			

Srijut GAURI KANTA TALUKDAR: With regard to Question No. 53 (b), will the Hon'ble Minister be pleased to explain the loss of Rs. 13,073-2-0 on account of paddy seeds? Do we understand that the paddy seeds were so unfit that they could not be resold even at a lower price as food grain?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: Information is being collected, which may be sent to the hon. Member after it reaches our hands.

Srijut GAURI KANTA TALUKDAR: Will the Hon'ble Minister give us some indication as to how these losses were incurred?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: I have not received this information as yet, Sir.

Srijut GAURI KANTA TALUKDAR: Will the Hon'ble Minister be pleased to state whether these losses were due to the Government purchasing officers buying at unreasonably high prices, and that is why the seeds could not be sold to the public?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: I have already called for information, Sir.

Srijut GAURI KANTA TALUKDAR: Will the Hon'ble Minister be pleased to make an enquiry into the matter? My suggestion is that the Government purchasing officers bought these things at such unreasonably high prices that these could not be sold to the public due to the prices being prohibitive.

The Hon'ble the SPEAKER: Is it a speech or a question, please?

Srijut GAURI KANTA TALUKDAR: It is a suggestion, Sir. Will the Hon'ble Minister be pleased to enquire on these lines and find out the persons responsible and punish them for incurring such a huge loss?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: I shall make an enquiry, Sir.

Babu PURNENDU KISHORE SEN GUPTA: Are Government satisfied that the losses proposed to be written off are all unavoidable?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: At this stage it is not possible to reply to this question, without having received full information.

Srijut GAURI KANTA TALUKDAR: In view of the fact that the Government have to incur such heavy losses, do Government propose to discontinue the Grow-More-Food Campaign at the earliest possible time?

The Hon'ble the SPEAKER: Does the hon. Member suggest that food should not be grown?

Srijut GAURI KANTA TALUKDAR: Certainly not, Sir. I object to the way in which the Campaign was carried on in the past. It has proved to be a misnomer, Sir.

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: The position will be examined very thoroughly, Sir.

Maulavi ABDUL BARI CHAUDHURY: Are Government aware that the losses were mainly due to the fact that the quality of the seeds supplied was not good?

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

Babu PURNENDU KISHORE SEN GUPTA: Will Government try to realise the losses from those for whose negligence these occurred?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: The question of responsibility will be thoroughly enquired into, and those found responsible will be proceeded against.

Demands for Grants

The Hon'ble the SPEAKER: Now we take up Demands for Grants. There are four Demands to be taken up to-day, viz., 85A.—Capital Outlay on Provincial Schemes (time allotted is $1\frac{3}{4}$ hours), 63.—Extraordinary charges (time allotted $\frac{1}{2}$ hour), 27.—Administration of Justice (time allotted 15 minutes) and 47.—Miscellaneous Departments (time allotted $\frac{1}{2}$ hour).

We take up Grant No. 34 first, and I find there are as many as 41 Cut Motions tabled under this. Will the Hon'ble Leader of the Opposition kindly tell me which of the Cut Motions from his Group are going to be moved?

Maulavi Saiyid Sir MUHAMMAD SAADULLA: If we move No. 40, which is a comprehensive one, then all the hon. Members of my Party who have tabled individual Cut Motions may be able to take part.

The Hon'ble the SPEAKER: At the bottom of page 5 of the list of Cut Motions there is a Cut Motion to raise a discussion about the Motor Transport Organisation of the Government and at page 7 there is also a Cut Motion to raise a discussion about the corruption prevalent in the Department. These are the three main subjects as it appears to me. Cut Motion No. 40 is only to raise a discussion about the Supply Department of the Government. Of course, it may be the intention of the hon. Leader of the Opposition to raise discussions about corruption under No. 21 and Motor Transport Organisation under No. 27 and scarcity of cloth in the Province under No. 33 which can also cover the Motion in the name of Mr. G. Kydd tabled separately. But if it is the intention only to raise a discussion about the Supply Department of the Government, could it not be done under No. 40? May I know what is the opinion of the Opposition Leader in this respect?

Maulavi Saiyid Sir MUHAMMAD SAADULLA: Sir, we find that four different subjects are covered by all these Cut Motions under Grant No. 34. They are (1) Grain storage scheme, (2) Cloth procurement scheme, (3) Consumers' goods scheme and (4) Motor Transport Organisation scheme. If we take up each of these four subjects separately, the result will be that on each Motion, Government will have to speak separately and more time will be lost.

The Hon'ble the SPEAKER: What about Cut Motion No. 22 which seeks to criticise Government policy in the Department? Cut Motion No. 36 seems to be still more comprehensive as it seeks to raise a discussion about the Government policy underlying Capital Outlay on Provincial Schemes of State-Trading. It is still more an important subject.

Maulavi ABDUL HAMID: Sir, all the Cut Motions are comprehensive. If this Cut Motion is moved, all the Members will be able to speak.

The Hon'ble the SPEAKER: Then I think, we may take up Cut Motion No. 36. Now, we have saved 35 minutes out of the Question Hour. How this time is to be distributed among today's Demands for Grants?

Maulavi Saiyid Sir MUHAMMAD SAADULLA: Sir, my suggestion is to allow 20 minutes for Grant No. 34 and 15 minutes for Grant No. 11.

The Hon'ble the SPEAKER: Very well then.

GRANT No. 34.

(85A.—CAPITAL OUTLAY ON PROVINCIAL SCHEMES OF STATE TRADING)

The Hon'ble Mr. BAIDYANATH MOOKERJEE: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs. 29,08,100 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1947 for the administration of the head "85A.—Capital Outlay on Provincial Schemes of State Trading."

The Hon'ble the SPEAKER: Motion moved:

"That a sum not exceeding Rs. 29,08,100 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1947 for the administration of the head '85 A.—Capital Outlay on Provincial Schemes of State Trading'."

Maulavi ABDUL BARI CHAUDHURY: Mr. Speaker, Sir, I beg to move that the total provision of Rs. 29,08,100 under Grant No. 34, Major head—85.A—Capital Outlay on Provincial Schemes of State Trading, at page 154 of the Budget, be reduced by Rs. 100, i. e., the amount of the whole grant of Rs. 29,08,100 do stand reduced by Rs. 100.

My intention is to raise a discussion about the Government policy underlying Capital Outlay on Provincial Schemes of State Trading. Sir, during the last Budget Session of the Assembly there was a full-dressed debate on this subject and various hon. Members from the Government Bench and also from the Opposition took part in that debate. But we are surprised to find that the constructive suggestions given by those hon. Members on that occasion have not yet been taken into consideration by the Department, and the same state of things are continuing as last year. Of late Government have been the biggest trader who handled in not only food-grains but also the imported commodities like cloth and consumer goods. A huge sum of money which much exceeded the normal annual outturn of the Government of Assam was spent under this Department. As a result of that, a number of treasury bills had to be taken resort to for meeting the expenditure incurred. But the hon. Members are quite in darkness how this big sum was spent and what was the resultant profit or loss.

First of all, Sir, I will begin with the Grain Storage Scheme. From the Budget itself the hon. Members cannot form any clear idea how this huge transaction was carried out. In the Budget we find that under this particular scheme a sum of Rs. 7,77,51,969 was actually spent in the year 1944-45. The Budget estimate of the year 1945-46 was about 5 crores. The Revised estimate places the figures at about 6 crores. From the next year, purchase of food-grains are going to be radically curtailed. Still the Budget provides for a sum of about 3 crores. I maintain that the hon. Members have got the right to know the details of the expenditure under this head. Also we find that for the next year a sum of Rs. 4,40,000 has been provided only as pay of establishment. The Revised estimate of the current year places the figure at Rs. 3,32,000. Really, Sir, it is astonishing that in spite of maintaining so many officers a correct balance sheet could not be prepared. On the last occasion when this

matter was being debated on the floor of this Hon'ble House, my hon. Friend Mr. Whittaker made some uncharitable remarks but I am sorry, those remarks had no weight with the authority and in the same shabby manner this expenditure has been presented before the House. From the speech of the Hon'ble Finance Minister we cannot form any correct idea as to what loss was actually incurred under this transaction. There was a controversy over the matter while the Hon'ble Finance Minister maintained that the loss was in the neighbourhood of a sum of a crore and a half. The Leader of the Opposition puts it to a lower figure. Sir, we know that on the export, an *ad valorem* cess of $6\frac{1}{4}$ per cent. is levied; this has brought a huge income in the neighbourhood of 75 lakhs. But we do not know how this big sum was accounted for. Perhaps it went to write off the loss incurred. Sir, various rumours are afloat that large sums of money were being written off on various occasions. If a proper statement was made before the House, we could understand whether those sums were written off justifiably. I maintain, Sir, that a balance sheet for these years of transaction is an immediate necessity. The Hon'ble Minister says that the balance sheet for 1944-45 is not yet ready. Sir, the year 1944-45 is long closed and the actuals are available. We do not know why the balance sheet could not be ready by now. With due respect, may we know whether the balance sheet for the year 1943-44 has been prepared and submitted to the Government?

The Hon'ble Mr. BAIDYANATH MOOKERJEE: On a point of information, Sir, which year the hon. Member means? Is it 1943-44?

Maulavi ABDUL BARI CHAUDHURY: Yes, Sir.

Sir, the second item that I will take up is storage arrangement of the Government. I realise, Sir, that when the Government started operations they were in dead hurry and it was an emergency period. So proper arrangements for godowns could not be made. But still it appears to those who have seen the storing arrangements that not the least care was taken by those who were put in charge of the affair. This resulted in a huge loss to the Provincial Exchequer. From my personal experience I may say that in the Patharia Godown in the Sunamganj Subdivision, according to the Syndicate, they stored 30 thousand maunds of rice but when the officers went to take delivery they could find only 5 thousand maunds. So 25 thousand maunds were lost to the Government for neglect and carelessness. A good deal of this rice became decomposed and unfit for human use. A big portion had to be thrown into the river. Sir, this kind of play with people's food cannot be tolerated.

Sir, as regards imported commodities, our supply of sugar, flour and *atta* has not been up to the mark. In the rural areas there is acute scarcity of sugar. Even it cannot be procured to feed our babies. As regards flour and *atta* I am constrained to say again that for defective storage system a good deal of the stock became rotten and had to be destroyed.

As regards consumer goods, much has been said on previous occasions. Sir, to me it appears that the time has come when all control on these articles should be withdrawn. Sir, as regards kerosene, the scarcity which began in the year 1940 still continues. Our transport facilities have appreciably improved and I suggest that control on the supply of kerosene should be withdrawn. Arrangements should be made for bringing within the reach of the consumers large quantity of kerosene.

Sir, I would finish my remarks by saying a few words regarding our future arrangements. My suggestion to the new Ministry would be that they should profit by our past experience and should not commit the same blunders. Sir, I have got a Motion in my name and I hope, I will have time to speak in detail on this subject when the Motion comes before the House. Sir, the

Motor Transport Department has proved to be a paying one. But my opinion is that if this Department could be managed more efficiently, larger sums of money could be earned.

With these words, Sir, I commend my Motion to the acceptance of the House.

The Hon'ble the SPEAKER : Motion moved :

"That the total provision of Rs. 29,08,100 under Grant No. 34, Major head—85 A.— Capital Outlay on Provincial Schemes of State Trading, at page 154 of the Budget, be reduced by Rs. 100, i.e., the amount of the whole grant of Rs. 29,08,100 do stand reduced by Rs. 100."

Khan Sahib Maulavi NURUL HOSSAIN KHAN: Mr. Speaker, Sir, the complaint against the Supply Department has become universal and its administration appears to be very unsystematic and unsatisfactory from top to bottom. People do not get kerosene, cloth and consumers' goods regularly. The difficulty is that the Subdivisional Officers do not like to take the public into their confidence. They think that they can manage the business quite well with the help of the subordinate officers. But when we look to the actual state of affairs, we find that it is altogether a failure. It appears that people do not get even a small portion of cloth and other consumer goods meant for them. The difficulty lies in the fact that the dealers with the connivance of the subordinate officers somehow manage to dispose of the major portion of the stock in the black-market. People living in towns somehow manage to get their supply but the poor people living in villages do not get cloth and consumer goods regularly. Instances are not rare that villagers in many mauzas are not getting cloth for the last 6 months. These things will have to be looked into by the Government. When people come with complaints before the Subdivisional Officers to say that they are not getting cloth and that they are charged higher prices, they are told that the matter will be enquired into. I can cite one instance when a man bought a piece of cloth for Rs.22 though its actual price was Rs.7. That man brought a case before the Court. It was sent for an enquiry to the Sub-Inspector of Textile. He took about 4 months in submitting his report, and when the report came it was found that it was against the petitioner. He filed a Naraji against the report and the Subdivisional Officer asked an Extra Assistant Commissioner to hold an enquiry into the matter. The enquiry was held and the case was reported to be true and the Sub-Inspector was asked to institute a case. The Sub-Inspector took about 3 months in lodging the complaint. It was sent to the Government for necessary sanction. The poor man came again and again to the Subdivisional Officer's Court and made enquiries, but he could not find out what had happened to his complaint. It is about six or seven months past; the poor man has not yet been able to have his trial by a Court.

It is absolutely necessary for the Subdivisional Officers to take the public into their confidence and set up Advisory Boards consisting of officials and non-official leading men, so that the public may know when the supply will come and how much they will get. Sometimes the dealers do not even let the people know when supplies are due. But when the major portion of the stock is disposed of in the black-market the villagers come to know of it, and they cannot get any supply. So, I will urge upon the Government to look into the matter and insist on the Subdivisional Officers to set up Advisory Boards consisting of officials and non-official leading men so that there may not be any jobbery in the distribution of cloth and other consumer goods. If this is done, the result will be that the public will be in a position to know when supplies are coming and how much will they get, otherwise it will be altogether impossible for them to get their supplies.

Now there is another difficulty, Sir. It appears that people are to get their supplies of cloth from distances of about 15 or 10 miles or so. When they go to shopkeepers to get cloth, the shopkeepers say that they will not distribute cloth

on that day. The poor people go back to villages and sometimes cannot manage to come back and they do not get their supply and the dealers dispose of the stock, thus saved, in the black-market. So, I say that the management of the Supply Department in spite of a large number of officers is altogether unsatisfactory, so far as the villagers are concerned. I would urge upon the Government to look into the matter and take it into their serious consideration and see that the poor villagers do get their supplies.

There is a regular cloth famine in the Habiganj Subdivision. I have got reports from Silchar and Maulvi Bazar that there is no dearth of cloth. I like to point out that Habiganj is the biggest Subdivision in the Province. So, the supply also should be in proportion to the big population consisting of not less than seven lakhs.

There is another thing, Sir. Government issued licenses to people for dealing with rice and paddy. But it sometimes happens that persons having licenses are not allowed to move rice and paddy within the Subdivision. I refer to one particular case in Chunarughat. An Inspector went to the place and demanded licenses from the boatmen. They produced the licenses. In spite of that the Inspector seized their stock of rice and paddy and asked them not to deal with rice and paddy until further orders though Chunarughat is far away from the boundary of Bengal. This caused unnecessary harassment and loss to the dealers. They filed petitions again and again to the Subdivisional Officer but nothing has come out of it as yet.

The Hon'ble the SPEAKER: Hon. Member has already taken 10 minutes.

Khan Sahib Maulavi NURUL HOSSAIN KHAN: I have finished, Sir. With these few words, I beg to support the Motion and commend it for the acceptance of the House.

Mr. G. KYDD: Mr. Speaker, Sir, a question was put by a Member of this Group the other day to draw the attention of the Hon'ble Minister to the serious shortage of cloth for Tea Garden labourers in some districts of the Province. The position is so serious that I may be forgiven if I repeat the actual figures again. In Dibrugarh Circle during the whole of the year 1945 the cloth issued was only two yards per head of population, and in another District in Sylhet only 229 saris were issued for a population of over 32,000 souls. The Hon'ble Minister gave a sympathetic answer and we are fully conscious of his difficulties. We also do not doubt the good intentions of either the past or present Supply Ministers but in cases like this, Sir, good intentions are not enough. In his answer to the question, the Hon'ble Minister stated that for a long time past, orders had been given that the Tea Garden population should receive the same amount per capita as other members of the population. In which case, how does he reconcile the figures I have just given him? I cannot believe that the whole of Assam receives such short measure. Is not the answer that arrangements for proper distribution broke down and that some subdivisions did not receive the allotment to which they were entitled? I am confident that the Hon'ble Supply Minister will tackle this problem with zeal and I hope he will not overlook this very important bottleneck in his organisation.

Another point I wish to raise is the question of household linen, towels, sheets, etc. These articles have not been available in Assam for a very long time and the dearth of them is now being keenly felt. Would the Hon'ble Minister do his best to see that these articles can be imported as soon as possible?

Lastly, I come to the question of woollen cloth. This I find is available in the shops in Shillong but cannot be obtained in other towns of the Province. I trust the Hon'ble Minister does not consider that Shillong is the only cold place in Assam, and if he does I suggest he pays a visit to Dibrugarh during the five winter months and leaves his woollen clothes behind.

In this connection, Sir, we received a letter from Dibrugarh this morning to the effect that the whole labour force of one garden has demonstrated owing to the shortage of cloth. This, Sir, is an example; which if followed, might have very grave consequences. May I ask the Hon'ble Minister if he would consider transferring stocks to a needy subdivision, like this, from a subdivision that is very much better off.

Khan Bahadur Maulavi ABUAL MAJID ZIAOSH SHAMS: Mr. Speaker, Sir, though I have a similar Cut Motion standing in my name under this Head, I am speaking on the Cut Motion of Maulavi Abdul Bari Chaudhury and instead of speaking about all the commodities under the Supply Department I will speak only about one item, *viz.* cloth.

As you know, Sir, although cloth is not the primordial necessity of men, but next to appetite for food which is a primordial instinct for men cloth is next in importance. I can go so far as to say that in all civilised societies some persons would do without food for some days but they cannot manage without cloth. Under the war conditions prevailing in the country supply of textile products has come down to one-fourth. The main question is are we getting our minimum share of cloths evenly distributed? Reply to this question would be an 'emphatic no'. We are getting our requirements without any principle, without any system of distribution. Most of the hon. Members perhaps know that in towns we are getting our requirements almost fully satisfied according to the present circumstances as far as practicable. Though the finer qualities of cloths may not be available to satisfy the few luxurious people, the general people of the towns are getting their requirements to a great extent. But, on what principle they are getting cloths? They are getting their requirements not by any proper system but by favouritism sometimes, sometimes by petitioning and sometimes by some other means. Some are getting because they can bribe the officers in charge of such cloths in money or kind. This is the way, Sir, in which the town people are getting their cloths. But very few perhaps would visualise the miserable plight of the villagers in this respect, some of whom are not getting even 1/10th of their requirements satisfied.

So far as Goalpara District is concerned, we all know that there is a chowkidari system prevalent there and each person who pays chowkidari tax has got to produce the chowkidari receipt in purchasing cloths just to show that he is an inhabitant of that District for endorsement of purchase as an account. But there are persons who do not pay chowkidari tax at all and their plight is very miserable when they go to purchase cloths. They are unable to procure any cloths, unless they can catch hold of some one who can kindly plead for them before the Textile officers or the Textile shop managers. I have seen, Sir, streams of women folk coming from villages who have got to sit for hours and sometimes keep up the whole night in some kind gentleman's house without proper shelter, but they do not get their requirements fulfilled because they cannot produce the chawkidari receipt. There are cases in the villages in which for want of proper shrouds for Muslim dead bodies, the dead bodies had to be buried in tattered cloths. There are cases like that. But, Sir, if the distribution of Textile products would have taken certain method—certain systematic course—then things would not have happened in this way. Even under the present circumstances when there is a shortage of Textile goods there would have been in case of rationing much fairer

distribution.. I understand sometimes proposals are made to officers for rationing of cloth and certain officers do not pay much attention as they lose their income in the shape of illegal gratification. They have got a number of pet cloth—shopkeepers to whom allotment is made of the best things on payment. As there is no system in Goalpara we do not know to how many persons and to whom to issue our textile products—to a villager who is resident in Goalpara or to a person who is resident in Rangpur in Bengal. Things pass on to Bengal also by buyers of cloth as well as shopkeepers as there is no system.

The Hon'ble the SPEAKER: The hon Member has taken double the time.

Khan Bahadur Maulavi ABUAL MAJID ZIAOSH SHAMS: I pray, Sir, that the rationing should be introduced in Goalpara after a proper census of all persons; thereby the black-marketing of cloth dealers will be put a stop to. Then there will be the fairest distribution of cloth according to the minimum requirement. That will put a stop to corruption in some officers. Most of them are corrupt from top to bottom. On another thing I should like to criticise the Government. It may be due to the fault of the last Government or of the present Government. Government is a continuity. Under the present circumstances even when cloth is such a precious thing—it is sometimes more precious than life, may be to 1 per cent. or '0001 per cent., it is most precious to a person now-a-days—owing to the bungling of some provincial purchaser of cloth, I mean the Assam Co-operative Society of which Mr. Hazarika is a partner. Owing to their incompetency they could not purchase their quota for three or four months and there has been a lapse of quota. I think things should be rectified now. Three or four months' quota would have meant a good deal and come to the aid of persons a good deal. Another Marwari Company has been given some license to purchase our provincial quota. If under the present circumstances quotas are allowed to lapse like that our miseries become worse and intolerable. So, Sir, with these I would like to request Government to introduce rationing of cloth at least in the district of Goalpara.

Maulavi MD. ABDULLAH: Mr. Speaker, Sir, I have something to speak on the Motion moved by Maulavi Abdul Bari Chaudhury.

Mr. A. WHITTAKER: Sir, it is very difficult to hear.

Maulavi MD. ABDULLAH: Sir, I urge upon the Government the necessity of publishing the Report of the Surma Valley Rice Procurement Enquiry Committee. Sir, in the first place, I like to mention that, as a result of the Motion moved by Maulavi Abdul Bari Chaudhury in the November Session of the Assembly, 1944, a Committee was formed to enquire into the various allegations against the Eastern Bengal and Assam Commercial Syndicate. There was a long discussion continually for three days and after that it was decided that a Committee should be formed. After a long delay, very very reluctantly, Government appointed a Committee with the Advocate-General of Assam as Chairman. The Committee started enquiry in June, 1945 and it continued up to the end of July, 1945. The Report was submitted by the Committee in January, 1946, but up till now the people are quite in the dark about the Report submitted by the Committee. Vast quantity of paddy even to-day are lying and rotting in different godowns throughout the two districts of Sylhet and Cachar. Two godowns, I suppose, were burnt down by some interested persons. All persons irrespective of caste and creed are waiting eagerly for the Report to be published but the Report is not still going to be published by the Government. It is anigmatic, wonderful and queer why Government did not feel any necessity for publishing it. Above all I should like to raise another point regarding the necessity for the publication of the Report.

The Report has a good bearing upon the future scheme of procurement. In the face of the impending peril of famine I would like to urge upon the Government to publish this Report as early as possible.

I have another Cut Motion† Sir, standing in my name, No. 10. to raise a discussion about the dire scarcity of kerosene and cloth in the Habiganj subdivision as has been submitted by my hon. Friend Khan Sahib Maulavi Nurul Hossain Khan. In supporting his words I would like to say a few words. Sir, I should say that I am a villager, born and brought up in the village and as such I know the various aspects prevailing there. I wish I could bring before the House a picture of the village life—the miseries the people there are undergoing owing to the scarcity of controlled commodities; but unfortunately I have not much time at my disposal.

Any way, Sir, I should like to bring before the House a few words. The quota of kerosene, Sir, per family in village—so far as I know a family consisting of less than 10 members—is 10 chataks in a month and for a family consisting of more than 10 members one seer. Sir, it is for every hon. Member to consider what is the quantity actually required by an average family in a village. Sir, a family requires to keep burning at least 3 lamps, not to speak of lanterns, one in the drawing room, one in the bed room and the other in the kitchen. In the circumstances, will this 10 chataks suffice for a month, Sir? Will Government kindly see that the quota of kerosene is increased and instead of 10 chataks double the quantity is given to each family?

Regarding cloth, Sir, I should like to say that in towns $2\frac{1}{2}$ yards are allotted per head for adult and $1\frac{1}{4}$ yards to a minor and in village, Sir, I do not know under what principle Government has dictated to different officers of the subdivisions and districts that the villagers should get only $\frac{3}{4}$ th yard per head irrespective of the fact that they are adult or minor. Sir, I do not know whether Government is proposing to drive these people living in villages to the age of obscurity. I do not know, Sir, whether Government is proposing to send them to forests and hills to take shelter there and keep them far away from the modern civilisation. Any way, Sir, I think Government will take keen interest in the matter and increase the quota of these forgotten people.

Regarding distribution of this quantity of cloth, Sir, I should add a few words. People, as a rule, have to wait for indent. Whenever they will approach the shop keeper for cloth he will invariably turn a deaf ear and say that the cloths have not arrived and that they will have to wait for 15 days or a month. After that time when they will approach the shop keeper again the reply is that a very small quantity of cloth came but have already been sold and they are advised to wait. So, Sir, it appears that this system is not the best method of distribution of cloths and some ways and means should be devised for better distribution of cloths.

Officers engaged in the department, I think, have got very poor idea. There are so many officers of the departments of Supply and Textile, drawing big salaries but are not doing anything. I found an Assistant Sub-Inspector of Textile, Sir, that he does not even know how to write his report but he is drawing his salary and travelling allowances. Monthly he is getting more than Rs. 100. There

† Maulavi MD. ABDULLAH to move:

That the provision of Rs. 1,35,000 under Grant No. 34, Major head—85.—Capital Outlay on Provincial Schemes of State Trading, Minor head—A.—Grain-Storage Scheme, Sub-head—1.—Pay of officers at page 154 of the Budget, be reduced by Rs. 100, i. e., the amount of the whole grant of Rs. 29,08,100 do stand reduced by Rs. 100.

(To raise a discussion about the dire scarcity of Kerosene and cloth in the Habiganj subdivision.)

is no dearth of educated youngmen. These uneducated people are practically doing nothing but harassing people like anything. Once I met an Assistant Sub-Inspector in the Mirpur Bazar. There is not a single cloth shop but the gentleman took the trouble to go to that place, a distance of about 12 miles or so from the head-quarters. I told him "Hallo gentleman you have come after so much trouble but I am sorry there is no cloth shop and you have come to visit this place. What you will say to your officer" ? The reply was that it was not known to him that there was no cloth shop. Now, Sir, you just consider what sort of instructions are given to these people. These things, Sir, I think, are not rare in other departments of Government and should be put a stop to. These sort of unworthy people, Sir, should be driven away recklessly.

Sir, I have got another Cut Motion† also in my name ; that is No. 37 in the Order Paper.

The Hon'ble the SPEAKER : The hon. Member cannot have 15 minutes. He has already exceeded 10 minutes.

Maulavi MD. ABDULLAH : With these few words, Sir, I take my seat.

Maulavi Dewan ABDUL BASITH : Mr. Speaker, Sir, I rise to support the Motion moved by hon. Friend Maulavi Abdul Bari Chaudhury. Sir, I have also got a Motion in my name. I won't, Sir, deal with subjects which have been dealt with by my predecessors. I will deal only with three points.

My first point is the factors which are to be taken into consideration by the Government when taking steps for removing corrupt practices. Sir, I think the system in granting licences is partially responsible for encouraging corruption by the license holder. So far as my knowledge goes and I think, it is a common factor everywhere in the Province, that in granting license for kerosene, salt, sugar and other controlled commodities, the licensees are to pay an indirect tax in the form of subscription which is being realised in advance by the Government officials who are in-charge of granting these licenses. This, Sir, is known to us all that no margin is left after meeting the transit cost and shortage in weight. Consequently it is natural for the licensee, who pays a subscription of Rs.100 or Rs.200 or even sometimes a few thousands, to realise the amount by profiteering and black-marketing the commodity which is given to him for sale on controlled price. I have no quarrel with the Government officials who realise the subscription for purposes which may be beneficial but the method they adopt is highly objectionable. There will be no exaggeration if I say that the executive officers in all the branches are more busy in realising subscription than checking corruption. Sir, my request to Government is to take immediate steps so that the executive officers-in-charge of controlled commodities or other functions should be prevented from realising subscription.

My second point is the practice of the central co-operative stores and Government agencies in issuing permits to co-operative stores and individuals. From my personal experience I may say that not to speak of individual licensees, even co-operative stores have to undergo troubles for lack of sympathetic treatment from the officials. For distribution of controlled articles in a particular area a certain individual or a co-operative store is allotted a quota by the Subdivisional officer, or at his instance by the Co-operative Inspector in-charge of Supply, and the individual or the Co-operative Store is directed to deposit into the Government treasury or to the Central Co-operative Store an amount by a particular

† Maulavi MD. ABDULLAH to move:

That the total provision of Rs. 29,08,100 under Grant No. 34, Major head—85-A.— Capital Outlay on Provincial Schemes of State Trading, at page 154 of the Budget be reduced by Rs. 100, i. e., the amount of the whole grant of Rs. 29,08,100 do stand reduced by Rs. 100.

(To raise a discussion about the corruption prevalent in the Department.)

date. Generally the limited income of the Co-operative Stores or the resources of a particular dealer are not sufficient to meet that requirement. So, if he goes with a petition for allowing him to deposit money in instalments and take the controlled commodities in parts he is not allowed that privilege, and for these reasons they cannot get anything for three or four months. I enquired about the reasons and I was told that supply of commodities in instalments creates troubles and confusion in keeping proper accounts. My suggestion to the Government is that they should issue instructions to the authorities concerned to allow the co-operative stores and licensees to pay their dues in part and supply them the commodities in part for distribution.

My third point is the management of co-operative stores, so far as the controlled commodities are concerned. It was with high hope that we looked upon the establishment of Central Co-operative Stores and extended all possible help, but, Sir, they could not prove very useful so far. To my utter surprise I find that though one of the Government officials—a Co-operative Inspector—is running the Central Co-operative Stores and he has got Government trucks and other facilities, the management is not quite satisfactory. Instead of doing good to the co-operative stores at times these Co-operative Stores become a source of inconvenience to the people. I urge upon the Government to look into the whole system and try to give relief to the consumers, so that they may get things direct without any trouble and without any middlemen.

With these few words, I support the Motion moved by my hon. Friend Maulavi Abdul Bari Chaudhury.

Maulavi NASIR-UD-DIN AHMED: Mr. Speaker, Sir, I also agree with my hon. Friend Maulavi Md. Abdullah that the Government should immediately try to publish the Report of the Enquiry Committee which was appointed to enquire into the activities of the Eastern Bengal and Assam Commercial Syndicate. We know, Sir, that there was a country-wide agitation as a result of which Government was forced to appoint this Enquiry Committee, and the public are naturally very anxious to know the findings of the Committee. There were many omissions and commissions by the Eastern Bengal and Assam Commercial Syndicate. Sir, if it is found that the persons of the Syndicate, who came here as representatives of the public, are responsible for exploiting the poor cultivators, then the popular demand is that necessary action should be taken against those people.

Now, Sir, coming to the present food position of our Habiganj Subdivision, due to the recent Food Debate in the Central Legislature and the propaganda in the Press, there is an apprehension of a food famine all over India, and as a necessary reaction to that the prices of rice and paddy have gone up considerably high in all the places, and particularly in our subdivision in the bordering areas—I mean the low-lying areas which are just contiguous to the borders of Bengal. In those areas, Sir, the price of rice has gone up to Rs. 19 or Rs. 20 per maund. In this connection I would suggest that Government should without any delay fix the maximum prices for rice and paddy. Due to a big margin between the prices in Bengal and in our Province, the profiteers and smugglers are exporting thousands of maunds of rice and paddy every day. In order to stop this export Government have a checking department, but the public has got absolutely no confidence in the checkers, the Sub-Inspectors and the Inspectors and the staff are quite inefficient. So, if the Government really desire that rice and paddy should not be exported across the border area of our subdivision, Government should immediately make some effective arrangement to stop that export.

In this connection, Sir, I want to point out one thing to Government. There was a failure of last Amon crop, particularly, in the low-lying Amon area in Habiganj. We cannot also hope for a better prospect so far as Buro is concerned. Due to want of rain Buro crop will not be up to expectation. So, the local

output will not even be sufficient for local consumption, not to speak of any surplus in the Habiganj Subdivision. Under these circumstances if Government do not take timely precaution, we may have to face great difficulty on account of shortage of rice and paddy. I therefore strongly urge upon Government that they should overhaul the present rice control department. I should also suggest that they should try to take the co-operation of the leading public in the bordering areas. With their help and placing honest and more reliable officers in charge of the department they should try to stop this export.

With these few words, Sir, I support the Motion.

Maulavi MUHAMMAD ABUL KASHEM: Mr. Speaker, Sir, my hon. Friends have already discussed the matter regarding the corruption that exists now-a-days and also about the scarcity of cloth in the Province, especially in the Goalpara District and Habiganj Subdivision. I find that the root cause of this corruption, black-marketing and profiteering are the intermediaries set up by the Government for procurement of textile goods. The Government servants who are appointed to check corruption and to make arrangements for the distribution of cloth and other things, are far lacking in intelligence to tackle the expert businessmen forming intermediaries and as such the Officers become constrained to follow the businessmen. So in the interest of the public even if the Government think they will have to incur some loss by taking over this task of distribution themselves, still I urge upon Government to do this task themselves to remove the scarcity of those goods.

One of my hon. Friends has suggested that the rationing scheme should be introduced in the rural areas as well. This will be effective only if Government is assured of sufficient supply of rationed goods. Otherwise this will create great troubles to the poorer section of the public. The co-operative system is helping only the richer section and the poorer section is getting no benefit out of this. So I suggest that shops should be started at different places to serve definite zones of operation and committees be formed from the local people to be selected by the people of those zones so that they may feel it obligatory to distribute evenly the goods that are received from Government. Otherwise the committee formed by the Officers at the instance of the dealers will again help the dealers and thus there will be no end of black-marketing. So Government should take up either the system of rationing or start shops to be run by forming committees. With these suggestions, Sir, I support the Motion moved by hon. Maulavi Abdul Bari Chaudhury.

Maulavi IDRIS ALI: Mr. Speaker, Sir, I rise to support the Motion moved by Maulavi Abdul Bari Chaudhury. The Muslim community have real grievance against the administration of the Motor Transport Organisation. The Muslim's claim for 37 per cent. of the appointment in all services is always recognised. But this claim is ignored by this Department. From its very inception a big staff has been maintained in this Department and the percentage of the staff of other communities are much in excess of the Muslim community. I may point out further that although there are only four Muslims there is only one from the Surma Valley. We know that this is not a permanent Department. But as this is going to continue for some time more and is not going to be closed down, as it is bringing a good return of revenue to the Province, we demand that due share of Muslim appointment should be given.

As regards scarcity of cloth many of my hon. Friends have made mentions. I want to bring to the notice of the House one thing that with the strength of a salt ration card only one Sari, not even a pair, is allowed and that is also for a year or two. A family consisting of even 20 members is entitled to get only one Sari. It is to be considered how is it possible to meet the demand of the whole

family. And naturally the family has got to purchase more Saries from the black-market. With these few words I support the Motion moved by Maulavi Abdul Bari Chaudhury.

Maulavi ABDUL KHALEQUE AHMED: Mr. Speaker, Sir, I shall speak mainly on five points. First is the fixation of the minimum price of paddy and rice which is the main source of uplifting the condition of the cultivators; secondly, how the present system of distribution of kerosene and cloth is defective; thirdly, how it is encouraging black-marketing and fourthly, how the Shome Report is necessary for us and finally how corruption is being encouraged by the District and Subdivisional Officers. Now I take my first point. Sir, 95 per cent. of the population of this Province, as the Hon'ble the Finance Minister said the other day, are cultivators. But nobody cares to uplift the condition of these cultivators. Sir, the condition of the cultivators is going from bad to worse day by day. The main cause, according to my humble opinion, is for the want of making a plan as to how much land they should cultivate in a year so that they may make some profit after meeting all expenses. They begin cultivation without making any plan or budget. So when a cultivator begins to cultivate his land he spends enough money, blindly engages labour and works himself hard day and night to produce paddy. But he does not know how much he will get in return as the price of the produce. Now if the minimum price is fixed, Sir, he will be in a position to make an estimate before he begins cultivation as to how much land he should cultivate in a particular year and how much he should spend as the cost of cultivation so that he may make a profit in the long run. Sir, I have been for the last few years, requesting the Government in my different speeches from different platforms to fix a minimum price of paddy and rice so that the cultivators may know what they will get in return before they cultivate the land. I urge upon the Government to consider these points and fix immediately a minimum price of paddy and rice.

Then, Sir, as regards the present system of distribution of kerosene and cloth, much has been said on the point. I like to say only a few words regarding kerosene. Sir, kerosene is given, according to the present system, at the rate of ten chataks per family. Now, a widow who lives alone gets ten chataks and a family of eight, nine or even ten members also gets the same quantity. The widow who alone gets ten chataks of kerosene in a month does not require to use the whole quantity and so she sells some chataks to others and thus makes black-marketing at a higher rate. This is what I saw in my village. Many a time it has been reported to the Government ...

*Srijut BELIRAM DAS: From where it has been reported, Sir?

Maulavi ABDUL KHALEQUE AHMED: I always spoke from the platform but nobody paid any heed to it. Sir, a family of one member under the present system gets ten yards of cloth and a family of ten to twenty members or more also gets the same quota. How is it possible for a man who has twelve members, to give cloth to all the members of his family, if he gets ten yards only? On the other hand, a man who is alone in his family, is getting ten yards. He for himself uses a few yards and sells the remaining portion of his quota to others at a higher price and thus makes black-marketing. I urge upon the Government to look at these things.

Then, Sir, the people of the Surma Valley, specially the cultivators, suffered to a great extent as regards the foodgrain purchasing system adopted by the Eastern Bengal and Assam Commercial Syndicate which has been dealt at length by my hon. Friend Maulavi Abdul Bari Chaudhury. I don't like to go into the facts now. Sir, the Report of the Enquiry Committee on the ugly business of the said Syndicate is very urgent as the people are not prepared to go back to the year

1944 once again. The sufferings of the people, I mean the cultivators in the year 1944 in Sunamganj, Habiganj and other subdivisions knew no bound. If the Reports is published at an early date all the hon. Members of this House will be in a position to consider how they should proceed with the procurement system in future. If again we engage for procurement of paddy and rice middle men like the Syndicate I think our position will be that of 1944. So I request the Government to publish as early as possible the Report so that we may be in a position to know how we should proceed with our procurement scheme.

Lastly, I like to speak a few words as to how corruption is being encouraged by the District and Subdivisional authorities on the plea of raising subscriptions for matters of public importance. Sir, in our Subdivision the officers of the Supply Department and Rice Control are being engaged by the authorities to realise subscriptions on many occasion without receipt, first for the College, then for clearing water hyacinth from the Sunamganj Municipal area, then for frivolous and frantic shows at Sunamganj, and then for bringing the Mohun Bagan team to Sunamganj (*laughter*). Sir, Sunamganj is always a surplus Subdivision. Sunamganj has always been able to maintain her 'sunam' not only by feeding her own sons but by feeding thousands of people both within and outside the Province. But, alas, Sir, in spite of a bumper crop last year, Sunamganj people are starving today. They are not getting their food. The people of Dharampassa, Tahirpur, Derai and Jamalganj thanas are passing their days half starved, half naked and in many occasions without food. This can be seen from a publication in the Hindusthan Standard, I think, in the edition of 20th March, where it was published that a number of people of Tahirpur thana approached the Subdivisional Officer of Sunamganj in a hunger-march for food and other things. The alarming condition of the people is also repored in detail in an article published in 'Janasakti' to which I refer the Hon'ble Minister in charge. If they go through these two articles the hon. Members will be able to know the position of Sunamganj people. The Subdivisional authority instead of taking active interest in the matter of distress of the people, engaged his whole staff for realisation of subscription for purposes already mentioned and these officers have been extorting money like anything from the public. As a result of this Rice Control Officers are encouraged to allow smuggling in exchange of money to satisfy the whims of their boss, the Subdivisional Officer. Sir, when people are going on hunger-march, is it the duty of the authority to bring down the Mohun Bagan Team to Sunamganj to give a show? This is an additional burden, Sir, to the people of Sunamganj. If the Mohun Bagan Team comes the children and men from different quarters—the remotest corners of Sunamganj—will fly to the town to see the game and thereby lose a good amount for this purpose. I urge upon Government to stop the coming of the Mohun Bagan team to Sunamganj and check the activities of the officer, who has entrusted the Supply and the Rice control staffs for the realisation of subscriptions.

I like to finish again with a request to the Hon'ble Minister in charge of the Supply Department to take immediate steps and to check the activities of all these officers I have just now mentioned.

*Maulavi ABDUL HAI: On a point of information, Sir. When will the Mohun Bagan Team come to Sunamganj?

Maulavi ABDUL KHALEQUE AHMED: I think on the 31st March,

Sir.

Babu NIRENDRA NATH DEV: My hon. Friend was complaining about the distribution of kerosene oil. His argument was that in a family of one widow

the quota was 10 chataks while in a family of ten members the same quantity was given. Now, kerosene is not supposed to be consumed per capita. It is for lighting our houses.

*Maulavi ABDUL BARI CHAUDHURY: Is it a speech, Sir?

Babu NIRENDRA NATH DEV: I have got to develop my argument, Sir. A family of ten members may not have more than one or two houses to light and in that case they may not require more than what the widow in one house may require. Kerosene is meant for lighting houses and while a family does not need to light more than one house why should that family require more kerosene than a widow?

The Hon'ble the SPEAKER: The contention of the hon. Member was that a widow should not have the "huge" quantity of ten chataks of kerosene oil in a month, that is to say a widow should not have one chatak of kerosene oil for three days. That is his opinion and another Member may differ.

Mr. PRABHUDAYAL HIMATSINGKA: Mr. Speaker, Sir, the burden of most of the speeches of my hon. Friends who have spoken so far has been that on account of want of honesty and fair play on the part of the officers concerned, there have been lots of difficulties in the supply of cloth, kerosene and other commodities which are controlled. Sir, as is well known, during the last war truth and honesty were amongst some of the first and major casualties. There was dishonesty all round. Every body was anxious to make as much money as possible. Sir, hon. Members have referred to corruption at the bottom. But unfortunately it was not confined there alone. I say that corruption was at the top also. When there is corruption at the top you can very well imagine, Sir, how very difficult it is for persons at the bottom to restrain themselves or to bring cases of corruption to the notice of the authorities who would, otherwise, be in a position to take action.

Sir, with the change of the Ministry, it is expected that there will be a change in the spirit of the persons who have so far been dealing with or were in charge of checking of malpractices, or inspection or distribution of controlled articles and it is also expected that with the change in spirit at the top, all parties concerned will take note that things which were possible before may not—nay, will not—be possible now.

With the limited supply of cloth, kerosene and other controlled commodities to Assam, some amount of inconvenience is bound to take place and we must be prepared to put up with it. But I feel, Sir, that so far as cloth is concerned, if 11 yards (that have been allotted by the India Government) are made available per head and if proper arrangement is made for distribution and for reaching the cloth to every person who is entitled to it, and if steps are taken—as I am sure, they will be taken—to stop black-marketing and to stop one man taking away the share of another and if articles are not allowed to pass from the border districts into the neighbouring Province or elsewhere, I am sure, Sir, that the trouble that we have been experiencing will very much decrease. Therefore steps should be taken to increase the import of commodities which need to be imported from outside the Province, so that inconveniences of the public might be removed.

I refer, Sir, first of all to wheat. I understand that 23,000 tons of wheat had been allotted to this Province by the Government of India, but subsequently this Province has been informed that only 9,000 tons will be allotted and be available. I appeal to Government, Sir, to fight for a larger quota of wheat because a very large section of the population of the Province do need wheat and unless the full quantity that had been promised before, nay more, is allotted there will be much difficulty. I found, Sir, in a report in a newspaper to-day that 2,50,000 tons of wheat has arrived in India between December 1945

and the 2nd March 1946 ; and another 2,40,000 tons are expected to arrive in India between 3rd of March and 30th April 1946. So, I think, Sir, this Government should press their claim for a more equitable quota to be allotted to this Province so that the supply that is available may be augmented.

The same applies to the case of *gur*. I understand Sir, that the Government of India has intimated to this Government that the United Provinces Government will not be able to supply any quantity of *gur* to this Government. The original allotment was 9,000 tons, and later on the quota of supply to this Province was reduced to 5,000 tons of *gur*. If now nothing is supplied the shortage of sugar will be felt more because a lot of people had been and have been carrying on with *gur*.

As regards *dal* also I found from a notice that has been circulated yesterday to the dealers that the supply of *dal* has been left to the mercy and sweet will of the traders in the United Provinces. Previously the quota that was allotted by the Government of India for this Province used to be imported by Government.

Now, I find, Sir, that it would be at the discretion of the dealers of certain Divisions in the United Provinces to send or not to send the quantity that has been allotted for this Province. I would request the Hon'ble Minister in-charge to take up the matter with the Government concerned to see that this Government or persons who deal on behalf of this Government are entitled to bring the quantity that is allotted to this Province. If it is left to the good-will or the convenience or inconvenience of the suppliers in the United Provinces, the difficulty of this Government and of the Province for want of *dal* would be very much increased.

Similarly, Sir, I would like to speak about the Motor Transport Organisation.

The Hon'ble the SPEAKER: Order, order. We must now adjourn for lunch. The hon. Member may continue after lunch.

Adjournment

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

After lunch.

The Hon'ble the SPEAKER: I think, I should remind the hon. Members that the time fixed for this Demand for Grant is up to 2.30 P.M. Now, hon. Mr. P. D. Himatsingka may go on.

Mr. PRABHUDAYAL HIMATSINGKA: Mr. Speaker, Sir, I was suggesting that the Ministry should take steps to get more supplies from outside; I mean the additional supplies that might be made available. And then, if we have proper vigilance committees in different distributing centres properly representing different interests and persons, it will be able to give valuable assistance and I think a major portion of the trouble that the Province is suffering from should be removed.

Now, Sir, as regards grain storage scheme of procurement through Messrs. Steel Brothers hon. Mr. Whittaker mentioned that the Government had made a very huge profit. I think that the huge profit that appears on paper is more or less illusory. You will find from the statement at page 54 of the Memorandum of the Budget Estimates that by the end of the year 1946-47 the total lag for grain storage scheme will be Rs.4,43,62,000. Now, Sir, a portion of it—a very big portion, I think—must have been spent in erecting buildings for storage godowns and to make provisions for guarding, etc. And no account has been taken of these expenses when reference has been made to profit. As a matter of fact, all this capital or at least a major portion thereof can be taken more or less as a loss to Government as very little use could be made of the buildings and if the

schemes that had been started at the time of emergency are given up, Sir, you cannot avoid certain amount of loss on account of schemes which had to be introduced on account of the global war. But if you take all the facts and figures into consideration, you will find, Sir, that Government will have to face a very heavy loss in the different schemes initiated by them, because the Government had taken up these things themselves. If, as far as practicable, the existing trade channel be utilised and steps taken to see that the trade behaves properly, I think, Government can carry on the schemes with the greatest amount of advantage to the public and least amount of loss to itself. The troubles that had arisen in 1942-43, when the existing trade channel could not be utilised on account of various factors which came into play in 1942-43—difficulty of transport, loss of confidence and unavailability of commodities—still continue to some extent. But with the return of more or less normal conditions if the authorities utilise the services of the existing traders to the utmost capacity possible with proper safeguard to see that no underhand means are allowed to take place, and with such vigilance as can be arranged by vigilance Committees or other Committees, most of the difficulties will be over and Government will not run any risk of loss, and supplies can be broad based and available to the public.

As regards, Motor Transport Organisation also, Sir, I find that on paper, we have been told that it has been making a profit year by year. On paper from the last three years' actuals it appears that the Government will be making a profit of about 22 lakhs but, Sir, no account has been taken of the capital expenditure and investment in the purchase of these vehicles. I find from the note that the total lag at the end of the year under this head will be Rs.47,55,000. I do not know what the value of the vehicles at the end of the year will be after allowing proper depreciation that must be allowed in a business of this nature. Taking that factor into consideration, I feel in this matter of Transport Organisation, Government stands to lose a lot of money which is not apparent if you see the Budget Estimates only.

In conclusion I suggest that steps should be taken to import more of the commodities that are needed in the Province and a proper organisation set up to check and keep supervision on the existing trade channel which should be utilised for the distribution of the different commodities that come from different places. In this connection if you just examine the thing that has happened in the distribution of Standard Cloth you can very well realise, Sir, that the Deputy Commissioners and Subdivisional Officers were expected to become merchants over-night. The Standard Cloth was arranged to be handled through the Subdivisional Officers and Deputy Commissioners. As a result in many places Standard Cloth that came, has been lying over for twelve months. You cannot possibly blame the Subdivisional Officers and the staff that are expected to handle this stuff. It is not very easy to make a distribution on the basis of 10 yards to a large number of persons by the Subdivisional Officers and the Deputy Commissioners. If the existing trade channel had been utilised with proper safeguard a lot of the difficulties that we have been experiencing would have been removed and people would have got the commodities which have been lying undistributed.

Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI: Mr. Speaker, Sir, I want to add a few words by way of suggestion on the Motion that has been moved by my hon. Friend Maulavi Abdul Bari Chaudhury. It has been found from what has happened in the past and from what is happening at present that the rice and paddy procurement by the Government is a highly complicated subject. It is all the more so because of the impending danger of famine prevailing throughout this sub-continent and it may lead to disaster if this subject is not taken up and solved with courage and foresight. What is wanted here in this Province is that the quantity of rice and paddy required for the consumption of our people should be allowed to have an easy flow of

distribution from the surplus to the deficit areas. The surplus that we have got in the Province as a whole should I think go for the relief of the famine-stricken people outside the Province fetching a reasonable price on produces and it is now high time to decide whether we have got really a surplus and if so, how much. It appears that the prospect of *Boro* and *Aus* paddy is very very gloomy this year on account of the drought. This fact also should be considered in fixing a target surplus that is to be exported outside from this Province. The quantity that is meant for the consumption of our people should be allowed to be distributed within the Province through the ordinary trade channel as far as practicable. Government policy of purchasing the surplus should continue as before but the method of the purchase should be changed. In rice and paddy, trade and business in the true sense of the term should not be allowed. If it is to be allowed, it must be to the extent in which it is required for the free distribution of the paddy from the surplus to the deficit area. My suggestion would be, Sir, as follows :—

Let the Government fix a maximum price for paddy then purchase it from the cultivators direct, *i.e.*, from those who have got a surplus for sale to the extent of 500 maunds or more. Those who have got less than that amount should be allowed to sell their paddy to the consumers or to the internal traders. The maximum price for the internal trade should be fixed at a rupee higher than the Government price fixed for their own purchase so that the internal traders may get a small profit after meeting the transport and other incidental charges. No stocking by large-scale dealers should be allowed beyond a certain limit to be fixed by Government.

Another point to which I want to draw the attention of the House is that the present system of monopoly of trade through licenses—A, B, C, class—should at once be abolished and free internal trade should be allowed. If the Government do not obtain the target surplus from the method of purchase I have suggested then they may lower the maximum limit of the cultivators from whom they want to purchase, *i.e.*, they may go to purchase from those who have got 300 or 200 maunds of surplus paddy for sale. In my opinion, Sir, this will be the solution for the present crisis. If the Government go to purchase the surplus in the open market, it will have the tendency to rocket the price because all the surplus paddy does not come to the market all at a time. It goes gradually to the market throughout a year. So, if they want to avoid rocketing the price and maintain it to the level they have fixed, then the only method is to purchase direct from the cultivators.

With these few words, Sir, I take my seat.

The Hon'ble Mr. BAIDYANATH MOOKERJEE: Mr. Speaker, Sir, at the very outset, I must thank all the hon. Members who have taken part in the discussion. Sir, you have noticed that during the last few days the atmosphere of this House was quite different from what we find to-day. I am really very glad that all the hon. Members have really understood the situation and the gravity of the subject-matter which we are discussing to-day. Sir there cannot be any two opinions that the people of this Province are suffering from various difficulties relating to foodstuffs and cloth. Sir, I can say this much that the present Government is taking and will take all possible steps that is humanly possible to remove the difficulties under the present condition and limitations under which in certain cases the Government is compelled to work. By this, Sir, I do not mean to say that the previous Government did not do their part but I venture to say that as the matters stand now there were many things which, in my opinion, could have been taken up with more vigilance and many of the difficulties could have been removed. Now, Sir, before I take up all the points raised by the different hon. Members I should like to mention one thing that I shall try my best to give the reply as far as possible to all the points but in case I do

not touch or I cannot dilate on any particular point to the extent as it is desired by the hon. Members they will not take me amiss. I can assure them that all the suggestions, and I admit that most of them are very reasonable and sound, will be considered duly and the Government will try to implement all of them as far as practicable. (*Hear hear.*) Now, Sir, you have noticed in some cases, one hon. Member has given some definite suggestions but the other hon. Members have contradicted them. So, it is quite evident that all the suggestions of the hon. Members are not acceptable to all shades of opinion, but after going through the various suggestions carefully this Government will try its best to act according to the suggestions given.

Now, Sir, I shall take up the points one by one. I admit, Sir, that so far as the Budget figures are concerned, two or three hon. Members raised this point that the figures do not convey the real position of this Department. I admit this, Sir, but unless the present system of accounting is changed it is not possible for us to give more details. But I should like to say for the information of the House that when the Budget will be placed before the hon. Members next time more details will be available.

Now, Sir, as regards the balance sheet, I am sorry that my hon. Friend the Mover of the Cut Motion most probably did not find time to go through the report of the Public Accounts Committee; otherwise he would not have mentioned about the balance sheet for the year 1943-44. The balance sheet was placed before the Public Accounts Committee who scrutinised it and their remarks have already been placed before each hon. Member of this House. As regards the balance sheet for 1944-45, this has just come out from the Comptroller's office and in due course it will be placed before the hon. Members of this House.

Sir, I think it is my duty to give reply particularly to those points where I find that the blame due on the last Government has been laid at our door. As regards the Grain Storage Scheme, it is an admitted fact that so far as the Surma Valley is concerned, Government incurred a heavy loss. The hon. Members are aware that according to the desire of this House the last Government set up an Enquiry Committee and the Committee have submitted their Report. That Report is under the consideration of Government, but I can say this much that Government are not sleeping over the Report; they are taking necessary steps and when Government will think (of course not arbitrarily but with sufficient grounds) that the time has come to publish the Report, the Report will be published. At present there are difficulties, Sir, because Government have not as yet decided what action they should take; but I can assure the hon. Members that whatever steps that can be taken under the circumstances will be taken.

Maulavi ABDUL HAMID: May I know the figures of loss incurred, Sir?

The Hon'ble Mr. BAIDYANATH MOOKERJEE: It is very difficult to give the exact figure now, Sir, but so far as I can see it will be near about Rs.50 lakhs. But fortunately for us, and unfortunately for some other people, we have been able to export some of our paddy and rice which the people of this Province, who have got rice in abundance, did not like to take. Some portion of it has been exported outside where after some cleaning this has been used. But I can say this much that after examination, the commodity which was found to be unfit for human consumption has been destroyed.

Maulavi MAYEENUD-DIN AHMED CHOWDRY. May I know who examined this rice, Sir?

The Hon'ble Mr. BAIDYANATH MOOKERJEE: Not a layman but one who is a properly qualified medical man. Sir, those stocks which were found unfit and could not be used for any purpose, even for cattle consumption, were destroyed and those which were found capable of being used for human

consumption after some kind of operation, were exported outside with the direction that this rice should be cleaned before use.

Now, Sir, I am bound to admit that there was a time when really there was nobody to look after the stock. It is a fact but there were grounds also for that. It may be said that the grounds were not sufficient, but nevertheless there were grounds. There was a time when everybody was overworked and in view of the difficulties that came in the way it was not possible to pay proper attention. But at the same time I admit that the storage system was really very bad.

Sir, some hon. Members have suggested that we should try to increase our quota of imported foodstuffs. I can say this much that we have already taken this up in right earnest. We are trying our best to increase our quota. At the same time I think it is my duty to mention the fact, which has already been pointed out by my hon. Friend Mr. Himatsingka, that our sugar quota was 16,300 tons up to November 1945; during December 1945 we were told that we would get an additional quota of 2,700 tons. Now, Sir, I think it is not known to all the hon. Members that due to less crop our quota will be reduced by 13 per cent. and this reduction will take place not only in our case but in the case of other Provinces as well.

As regards wheat, Sir, our quota was 18,000 tons and later it was raised to 23,000 tons. Now, I cannot give the hon. Members a definite figure but as far as I could gather from the correspondence it will be reduced to somewhere near about 10,000 tons. That is the desire of the India Government. But we have protested and we are trying to get more so that we can meet the dire necessity of this Province.

As regards kerosene oil, Sir, the quota has been raised to 65 per cent. in the month of July last. Now it requires a little bit of clarification so far as the area and percentage are concerned. The area is based not on the subdivisional or District basis but it depends on the area served and quantity distributed by the dealers of the company in particular localities during 1941 and on that basis, the percentage of 65 has been fixed. Now, Sir, some hon. Members have spoken about some difficulties in some localities.....

The Hon'ble the SPEAKER: As the supply question is a vitally important subject of the Province, I give the hon'ble Minister a few minutes more to make his statement. But I do not like to create a precedent by giving extension of time as I have done now.

The Hon'ble Mr. BAIDYANATH MOOKERJEE: Sir, I may tell the hon. Members that they will get the opportunity of knowing the real position when the Motion which will be moved by Maulavi Abdul Bari Chaudhury to discuss the food position will come up before the House. At that time I shall get sufficient time to let the hon. Members know more about it. But I admit, Sir, that there are some defects so far as the distribution method is concerned, but there is scope for its improvement. In a way, we are bound by the decision of the Central Government. But as regards the quota of our supply we are fighting and shall be fighting with them so that we can get more and more. This Government is thinking of forming committees at the district headquarters and in each subdivision several small committees will be formed, one for each thana; and the controlled commodities will be distributed on the population basis under each thana. It will be the function of each committee to find out ways and means how best they can help the people of that locality in the matter of distribution and it will also be their duty to see that the direction they will give are carried out and they will also see that there is no black-marketing or scope for corruption. I am glad to find that all the hon. Members are taking interest to root out corruption from this Province. (A voice: Will those committees be formed from Members of the

Government party ?) From my speech it will be quite evident that I am not taking Members from our party alone. Certain leading organisations will be consulted and then we will get the opportunity of sending their names. There are persons of proved reliability ; though they might not belong to any organisation, such persons will also be taken in. I may also tell that certain hon. Members of this House will also get the opportunity of becoming members in those committees, because this Government desire to get full co-operation of all the hon. Members of this House.

Khan Bahadur Maulavi ABUAL MAJID ZIAOSH SHAMS : Sir, may I know whether those committees or bodies will be free from partiality and corruption also (*Laughter*) ?

The Hon'ble Mr. BAIDYANATH MOOKERJEE : That will depend upon the organisations to select reliable persons. They will be requested to nominate reliable persons. But if they choose black-marketeers and thieves this Government cannot help it. As I have already expressed, when hon. Members of this House will be in those committees, it will be their duty to see that corruption and black-marketing cannot creep in and undesirable people are not included in those committees. The final decision about the selection of the personnel of the committees will lie not with the District or Subdivisional Officers but with this Government. If any hon. Member informs Government that on certain specific reasons such and such persons are not to be included in any committee, this Government will certainly consider that matter..... Khan Bahadur Maulavi ABUAL MAJID ZIAOSH SHAMS : Sir, what will be the principle of distribution of cloth and other commodities : whether according to the number of members of families or according to the standard of living of particular families or in what way ?

The Hon'ble Mr. BAIDYANATH MOOKERJEE : I cannot venture to say anything on this point. It will not depend on the fashion of living of some particular persons. But there will have to be made some difference between the towns people and the rural people as far as distribution is concerned. My hon. Friend cannot deny that people living in the towns require more cloth than people living in the villages. At the same time I may tell that our quota of cloth is allotted per capita basis. So it will be the duty of this Government as well as of the committees which will be formed to see that poor villagers do get their due share.

Sir, I am thankful to you for giving me more time.....

Maulavi Saiyid Sir MUHAMMAD SAADULLA : I may tell the Hon'ble Minister that it is now 2-45 P.M., i.e., he has got only seven minutes more altogether.

The Hon'ble Mr. BAIDYANATH MOOKERJEE : As regards corruption, Sir, I do not like to particularise any section of officers that is responsible for it. I can gather from the speeches of the hon. Members that corruption is in the Supply Department alone and nowhere else. It might be that it is the difference of degrees. I may point out that by driving away the Officers and employees who are serving in the Supply Department, we cannot achieve our goal. I would appeal to all hon. Members of this House to bring particular cases of corruption whenever they are satisfied that there is a case which can be taken up by this Government and I can assure the hon. Members that this Government will do their very best to bring the culprits to book. And I agree that there is corruption ; but what is the good of saying that there is corruption ? Why don't you suggest ways and means by which this can be removed ? One or two suggestions have been made and this Government has taken up the question of transfer in this connection. We used to hear that there were cliques in some particular localities and the cliques should be

broken up and for that officers should be transferred. It will take some time. We are taking this step to remedy the evil arising out of this clique at least for a time and other measures are also being considered by us so that corruption can be stopped. I hope the hon. Members will not take me amiss when I say that it is better for us not to divulge the plan that will be followed by this Government because that may frustrate our whole purpose. Sir, I must again thank all the hon. Members for giving their suggestions which, as I have already said, are very helpful and Government will try their best to act up to their suggestions and whenever any difficulty will arise it may not be possible for this Government to consult all the hon. Members. But, Sir, I can say this much that so far as this Department is concerned, at least I shall consult the Leaders of the Parties and I shall ask for their help. I hope all the hon. Members of this House will kindly extend their helping hands to solve the burning problem of the day.

Maulavi ABDUL HAMID : One Question to the Hon'ble Minister. May I know whether the December quota had lapsed ?

The Hon'ble Mr. BAIDYANATH MOOKERJEE : Yes, I can give the figures. I have got every thing with me, not in full but in part. Thanks to the query of the Deputy Leader of the Opposition ; I may be able to give some idea about the quota. During September the procurement was very bad, during October as well as November practically nil and the December quota also lapsed ; but Mr. Dutta who is the Provincial Textile Commissioner went to Delhi and somehow or other managed to get some portion of the quota of December. But so far as January, February and March are concerned we have been informed regularly that procurement is going on.

Srijut BELIRAM DAS : Why the quota lapsed ?

The Hon'ble Mr. BAIDYANATH MOOKERJEE : Because all on a sudden one of the Procuring Agencies, Messrs. Hashem Kasim Dada, said that they were not in a position to procure any more.

*Maulavi ABDUL HAMID : Is it a fact that the Madras Government pointed out to this Government the default of Messrs. Hashem Kasim Dada ?

The Hon'ble the SPEAKER : That matter was asked and answered.

The Hon'ble Mr. BAIDYANATH MOOKERJEE : I know everything, Sir. But my request to the hon. Members is that without trying to find fault with the previous Government or with any particular person, when this is the burning question of the day and when we are dealing with food and cloth, we should not think of anything else except how we can serve best and we must see to that. As I have already said, Sir, I have received suggestions and any suggestion that will be given from time to time will be most seriously considered by this Government.

The Hon'ble the SPEAKER : Order, order. Does the hon. Member press his Motion ?

Maulavi ABDUL BARI CHAUDHURY : In view of the assurance given by the Hon'ble Minister, I beg leave of the House to withdraw my Motion.

The Hon'ble the SPEAKER : Has the hon. Member leave of the House to withdraw his Motion ?

The Motion was, by leave of the House, withdrawn

The Hon'ble the SPEAKER : Then I put the main Demand.

The question is :

"That a sum not exceeding Rs. 29,08,100 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1947 for the administration of the head '85A.—Capital Outlay on Provincial Schemes of State Trading'."

The question was adopted.

GRANT No. 31

(63.—EXTRAORDINARY CHARGES)

The Hon'ble Srijut BISHNU RAM MEDHI: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs. 13,400 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1947 for the administration of the head "63.—Extraordinary Charges".

I hope the House will accept the Grant.

The Hon'ble the SPEAKER: Motion moved:

"That a sum not exceeding Rs. 13,400 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1947 for the administration of the head '63.—Extraordinary Charges'."

For this Grant we have got half an hour's time. So we must finish it within quarter past 3.

Maulavi ABDUL BARI CHAUDHURY: Sir, I beg to move that the provision of Rs. 71,736 under Grant No. 31, Major head—63.—Extraordinary Charges, Minor head—A.—Charges in India. Sub-head (ii).—Small Saving Schemes, at page 150 of the Budget, be reduced by Rs. 100, i. e., the amount of the whole grant of Rs. 13,400 do stand reduced by Rs. 100.

The object of moving this Cut Motion is to raise a discussion about the Small Saving Schemes of the Government.

Sir, perhaps I owe an apology to the House as to why I intend to move this Cut Motion. The total expenditure on this scheme is met by the Central Government. My explanation is that the National Savings Certificate Scheme is still in operation and Government Officers are still collecting money for the scheme. This scheme was started as early as 1942, during the war. At the beginning, the whole operation was left with Government officials. The hon. Members will bear me out when I say that the officers mostly in Mufassil areas were extracting money from the people taking advantage of their position. People could hardly understand what a certificate meant, nor did they demand any receipt for it thinking that the money was required for the prosecution of the war. The people were told that the amount had to be sent to the Subdivisional headquarters and after that the certificates would be issued. But, I am sorry to inform the hon. Members that in most cases these certificates were not issued and somehow or other the amounts were misappropriated. Sir, the war has ended, but up till the present day, some local officers, specially, the Sub-Registrars in Mufassil areas are still collecting funds under the scheme.

I submit, Sir, to save our innocent officers from corruption these schemes ought to be discontinued.

With this few words, Sir, I commend my Motion to the acceptance of the House.

The Hon'ble the SPEAKER: Cut Motion moved:

"That the provision of Rs. 71,736 under Grant No. 31, Major head—63.—Extraordinary Charges, Minor head—A.—Charges in India, Sub-head (ii).—Small Saving Schemes, at page 150 of the Budget, be reduced by Rs. 100, i. e., the amount of the whole grant of Rs. 13,400 do stand reduced by Rs. 100."

The Hon'ble Srijut BISHNU RAM MEDHI: Mr. Speaker, Sir, the Mover of the Cut Motion says that money was extracted from poor persons by certain officers. If any such instances are brought to the notice of Government, Government will see that they are dealt with properly. He says that money was misappropriated and no certificate was granted. It is not in vogue now. Formerly there was difficulty in getting the certificates from the Post Office. Individual persons subscribing to the Defence Loan had to go to the Post Office to get the

certificate. But the method was changed when this system was introduced by which the people subscribing need not go to the Post Office. But some of the voluntary officers who used to get nominal commission go to the persons and induce them to subscribe to the fund and in case they agree they give them a receipt and with the receipt they go to the Post Office and get the Savings Certificate and return the Savings Certificate to the man from whom the money had been taken. By this method there has been some advantage to some officers as well as men who voluntarily subscribe, because the interest that accrues under this scheme is income-tax free and some poor persons and some poorly paid officers consider it as a sort of investment. That the scheme is very popular will be borne out by the fact how it is growing now. It was started in September, 1943 and from that year to the end of March, 1944 the total subscription amounted to Rs.17 lakhs, in 1944-45 the total subscription amounted to Rs.26 lakhs and up to February, this year, it has amounted to about Rs.35 lakhs, and no instance has been brought to the notice of Government that there was any coercion or anything of the kind.

There is a very interesting thing which I am reading out—the area under jurisdiction of each of these authorities must be defined. The target figures of each of these authorities will be recorded in confidential reports and will be taken into consideration for the purpose of granting titles or other special certificates of merits (*laughter*). Of course you all know that we are not in favour of bestowing titles. I will look up to the Members of the Opposition for their views—because almost one-fifth of the Members of that side are title holders (*laughter*)—if they would like titles being conferred on confidential reports (*Cries from the Opposition: Never, never*).

We are bent upon removing corruption from public life as well as from Government servants. If any instances are brought to our notice we will try our utmost to bring that culprit to book. In view of these circumstances, I request the Mover to withdraw his Motion.

Maulavi ABDUL BARI CHAUDHURY: I beg leave of the House to withdraw my Motion.

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

The Hon'ble the SPEAKER: Does the hon. Member like to move his other Motion.*

Maulavi ABDUL BARI CHAUDHURY: No, Sir.

The Hon'ble the SPEAKER: I am then putting the main Demand. The question is:

“That a sum not exceeding Rs. 13,400 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1947 for the administration of the head 63.—Extraordinary Charges”.

The question was adopted.

GRANT NO. 11

(27.—ADMINISTRATION OF JUSTICE)

The Hon'ble Mr. BASANTA KUMAR DAS: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs. 10,58,100 be granted to defray the charges which will

*Maulavi ABDUL BARI CHAUDHURY to move:—

That the provision of Rs. 13,446 under Grant No. 31, Major head—63.—Extraordinary Charges, Minor head—A.—Charges in India, Sub-head (iii).—Administration of Paper Control Order (total), at page 150 of the Budget, be reduced by Rs. 100, i.e., the amount of the whole grant of Rs. 13,400 do stand reduced by Rs. 100.

(To raise a discussion about the advisability of withdrawing the Paper Control Order.)

come in the course of payment during the year ending on the 31st March 1947 for the administration of the head "27.—Administration of Justice".

The Hon'ble the SPEAKER: Motion moved:

"That a sum not exceeding Rs. 10,58,100 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1947 for the administration of the head '27.—Administration of Justice'".

There are four Cut Motions—two in the name of Maulavi Abdul Bari Chaudhury, one in the name of Maulavi Md. Nazmal Haque and the other stands in the name of Dr. Terrell. Which Motion is to be taken up first?

Maulavi ABDUL BARI CHAUDHURY: No. 1, Sir.

The Hon'ble the SPEAKER: I must remind the House that time allotted for this Grant is only 15 minutes.

Maulavi ABDUL BARI CHAUDHURY: Mr. Speaker, Sir, I beg to move that the provision of Rs. 1,952 under Grant No. 11, Major head—27.—Administration of Justice, Minor head—High Courts—B—Law Officers, Sub-head—(a) English Law Officers—2.—Pay of Establishment (total), at page 63 of the Budget, be reduced by Rs. 100, i.e., the amount of the whole grant of Rs. 10,58,100 do stand reduced by Rs. 100.

Sir, my intention of moving this Motion is to raise a discussion about the differential treatment meted out to the Assam lawyers practising in the Hon'ble Calcutta High Court. This Province has been paying an annual contribution of over rupees one lakh 25 thousand towards the maintenance of the Calcutta High Court. From the Supplementary Statement of Expenditure, it will be found that last year's contribution has been assessed at Rs. 1 lakh 30 thousand. Though we are making this substantial contribution, year by year, the people of this Province are getting no consideration from the High Court in respect of its offices and emoluments. In the administrative staff, Assam is absolutely unrepresented. Assam lawyers get no place in the appointments made from the Bar to the Bench or as Lawyers for the Crown, and repeated representations in respect of this discriminatory treatment to the High Court and the Government of Bengal have borne no fruit. Within the last 70 years' connection with the High Court, Assam got only a temporary Judge in the High Court Bench for two months in 1919, in the person of Hon'ble Mr. Abdul Majid and an officiating appointment as Assistant Government Pleader for a few months of Saiyid Sir Muhammad Saadulla. These are the only two occasions on which the inhabitants of Assam got a tardy recognition of their rights. On other occasions, the claims of the inhabitants of Assam have been systematically ignored and men of equal or inferior status and ability coming from Bengal have been given preference. This state of things should cease. Some of these appointments require sanction of the Government of India and I request Government to make a representation to the Government of India drawing their attention to the injustice and discrimination to which the people of Assam have so long been subjected in respect of appointments in the Bench and Bar of the Calcutta High Court.

I understand there is an agreement with the Bengal Government for representation of this Province in the High Court in Government cases by the lawyers of the Bengal Government and for this we have to pay between Rs. 10 to Rs. 15 thousand per year to the Bengal Government.—Demands have been made on the floor of this House for inclusion of lawyers of Assam amongst the panel of lawyers representing Government in the High Court and also for separate arrangements for the representation of this Province in the High Court. I understand, representations from this Government to the Government of Bengal have gone in vain and this Government have been treated in this matter with scant courtesy. I suggest that the agreement with the Bengal Govern-

ment be terminated and Government cases from this Province be entrusted with some of the lawyers of Assam practising in the Calcutta High Court. The arrangement will not be more expensive than at present and even if it be a little more expensive, the claims of the people of the Province should have preference. The services of the Advocate General of this Province, who has very little work to do here, may also be utilised for this purpose and this may result in some economy. I request Government to consider these matters carefully and make new arrangements as early as possible.

With these words, Sir, I commend my Motion for the acceptance of the House

The Hon'ble the SPEAKER: Cut Motion moved:

"That the provision of Rs 1,952 under Grant No. 11, Major head—27.—Administration of Justice, Minor head—High Courts—B—Law Officers, Sub-head—(a) English Law Officers—2.—Pay of Establishment (total), at page 63 of the Budget, be reduced by Rs. 100, i.e., the amount of the whole grant of Rs 10,58,100 do stand reduced by Rs. 100".

The Hon'ble Mr. BASANTA KUMAR DAS: Mr. Speaker, Sir, the grievances that have been discussed under this Motion are not new grievances to many of the hon. Members of the House who were Members of the late House. I am in full sympathy with the hon. Member who has drawn attention of Government to these grievances again. Hon. Members know that in 1944, there was a similar Motion moved in this House. As a result of that Motion the Hon'ble High Court and the Government of Bengal were approached as to what could be done in regard to the question of appointing suitable persons in the administrative posts in the High Court and also for the Bench. Now, Sir, up till now Government have not received any reply to that communication and I do not know, Sir, how we can proceed with regard to this matter when the Government here were not being given the courtesy of a reply by the Government of Bengal and the Hon'ble High Court. I would ask the hon. Members to suggest as to how we should proceed in this matter.

Then, Sir, with regard to the question of engaging lawyers in cases which go up to the Hon'ble High Court from this Province—cases of criminal motions and criminal appeals—in which the High Court engage lawyers to represent the Crown, Government have, of course, received a sympathetic reply from the High Court that the matter will be considered. Now, with regard to these cases, the question of engaging lawyers from among those lawyers of this Province who are practising in the High Court is receiving attention of the present Government and I may also inform the hon. Members of the House that at present our Advocate General has been formulating a scheme, and I think by this time he has formulated it. This scheme has not yet been placed before me. I may also tell the hon. Members that in the High Court the Assam Lawyers who are practising there have already formed an Association to push forward their claims with regard to cases going up to the High Court from this Province with Mr. Satyendra Kisore Ghosh, who is a Senior Advocate of the Hon'ble High Court, as its President.

Sir, these are the facts which I place before the House and I think the hon. Member will be satisfied with what I have stated and would see his way to withdraw his Motion.

Maulavi ABDUL BARI CHAUDHURY: On a point of information, Sir. I suggested that the agreement with the Government of Bengal should be terminated. Will the Hon'ble Minister enlighten me on this point?

The Hon'ble Mr. BASANTA KUMAR DAS: Sir, I am not quite sure what that agreement is, but I have stated before that the Hon'ble High Court has informed Government that they would sympathetically consider the question of engaging lawyers from among the Assam lawyers who are practising in the High

Court in the cases that go up there from this Province. I shall look into this matter and if there be any agreement I shall see whether that agreement could be terminated. But I should also draw the attention of the hon. Members to the fact that for representation of the Crown in criminal appeals and motions, Bengal Government have got a Deputy Legal Remembrancer and a panel of lawyers under him. It will have to be considered whether the Assam Government should have a Deputy Legal Remembrancer of its own and a panel of lawyers from the Assam lawyers practising in the High Court for representing the Crown in criminal appeals and motions going up to the High Court from this Province. And as to civil appeals in the High Court in which Government of Assam would require to retain lawyers, Government are considering what else can be done. Unless this done, what the hon. Member wants cannot be achieved I can assure the House that with regard to this matter Government will take such step as are necessary as quickly as possible.

Maulavi ABDUL HAMID: May I know, Sir, whether the discretion to appoint some lawyers lies with the Hon'ble High Court or with the Government of Bengal?

The Hon'ble Mr. BASANTA KUMAR DAS: It rests with the Government of Bengal.

Maulavi ABDUL BARI CHAUDHURY: After hearing the Hon'ble Minister, Sir, I beg to withdraw my Cut Motion.

The Hon'ble the SPEAKER: I hope, the hon. Member has got leave of the House to withdraw his Cut Motion.

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

Dr. C. G. TERRELL: Mr. Speaker, Sir, I beg to move that the total provision of Rs. 10,58,100 under Grant No. 11, Major head—27.—Administration of Justice at page 63 of the Budget be reduced by Re. 1, i.e., the amount of the whole grant of Rs. 10,58,100 do stand reduced by Re. 1.

Sir, the object of this Cut Motion is to enter a plea for a more expeditious administration of justice in the criminal courts of this Province. The notoriously protracted procedure associated with many simple cases must result in inefficiency and unnecessary expenditure apart from much hardship to the unfortunate individual immediately concerned. A typical example of this recently came prominently to my notice and I pass it on for the information and possible amusement of the Members of this House.

As is probably well known there has been a considerable increase in the serious offence of cattle thieving in recent years—a crime which inflicts cruel hardship on the unfortunate owner and is very difficult of detection. In this particular instance a young stolen bullock escaped from the house of the individual who had unknowingly purchased it from the thief and the bullock obligingly returned to the house of its original owner of its own accord. Sufficient evidence became available for investigation and the individuals concerned were encouraged to report the matter to the local police with a view to tracing the original thief. In due course the wheels of justice began to turn.

The incident took place 6 to 8 months ago and at regular intervals, averaging once to twice a month, the unfortunate witnesses were required to present themselves at the local seat of justice, which involved a journey of 25 miles each way by road. Their pilgrimage was complicated by reason of a demand on each occasion for the production of this bullock in Court, presumably for the identification purposes; and as the local train and bus services refused transport for the bullock there was no other course than to make the journey on foot.

This tedious and lengthy expeditions thoroughly upset the constitution of the wretched bullock, whose condition shewed increasing deterioration at each of the identification parades and presumably this altered appearance was responsible for the orders for its repeated appearances. Ultimately, however, its sorry plight made further journeys impossible and, with a much shortened tail and practically hoofless, it was allowed to rest in peace.

The case, however, still proceeds.

I suggest, Sir, that one lesson to be learnt from this drama of the road, is that it is most unlikely that any of these unfortunate witnesses or their friends will ever submit themselves in future to the risk of such personal harassment in the interests of justice and in fact would probably prefer to undergo themselves a reasonable term of detention instead.

I hope, Sir, that it may not be considered that in passing on this true story in illustration of my point, I have indulged in undue levity, which would be unbecoming before such an august Assembly. It may, however, help to remind us all of innumerable other instances of the dilatory methods which so often prevail and which militate so much against the fair and efficient working of the procedure of justice in Assam. (*Applause.*)

The Hon'ble the SPEAKER: Cut Motion moved:

"That the total provision of Rs. 10,58,100 under Grant No. 11, Major head—27.—Administration of Justice at page 63 of the Budget be reduced by Re. 1, i.e., the amount of the whole grant of Rs. 10,58,100 do stand reduced by Re. 1."

The Hon'ble Mr. BASANTA KUMAR DAS: Sir, at the every outset I extend my sympathy to Dr. Terrell for what he has expressed with a strong feeling of disgust referring to a particular case of inordinate delay in the administration of justice and explaining the reasons that caused the delay. Now, Sir, "Laws delay is proverbial," and it has been always that even a determined fight against the state of things which "Laws delay" brings about seldom succeeds to the satisfaction of all. But, Sir, with regard to the causes which contribute to the delay of justice, I need hardly tell the hon. Members that they are many. Sir, very recently, I have looked into this question and have got a plan drawn up as to how expeditious justice and at the same time efficient justice can be administered. Now, in going to execute that plan we are confronted with certain difficulties. The first difficulty, Sir, is that we cannot give any directive to any Magistrate which may be construed as interfering with his judicial discretion and there are the High Court's Rules and Orders to be followed by the Magistrates; and whatever we do must be in keeping with these Rules and Orders. Therefore we are going to address a communication to the Hon'ble High Court giving our plan in detail so that we may definitely settle the plan for the purpose of putting it into execution (*Hear hear*). Sir, on account of a large number of under-trial prisoners in jails, our Commissioner reported that something should be done for the purpose of expediting the disposal of cases. It was in that connection we took up the matter and we found there are other causes, as for instance, there are a large number of holidays, which also contribute to the delay (*Hear hear*). We have thought it necessary to curtail some of the holidays. The hon. Members know that there is a holiday on the last Saturday of every month and I am of opinion that it is an unnecessary holiday, so far as the Magistrates are concerned. This last Saturday holiday was introduced in this Province when it was done away with in Bengal. So we are thinking whether we can do away with this holiday. There are other holidays which can also be curtailed without any inconvenience to the public. These are the facts I lay before the House and I am sure that my hon. Friend, Dr. Terrell, will considerably realise that we are doing our best to remove this undesirable thing in the administration of justice in the Province. (*Applause.*)

The Hon'ble the SPEAKER: Does the hon. Member press his Motion?

*Dr. C. G. TERRELL: In view of the very sympathetic and interesting reply from the Hon'ble Minister, I beg leave of the House to withdraw my Cut Motion.

The Hon'ble the SPEAKER: Has the hon. Member leave of the House to withdraw?

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

The Hon'ble the SPEAKER: Then I call upon Maulavi Abdul Bari Chaudhury to move his Cut Motion No. 3.

*Maulavi ABDUL BARI CHAUDHURY: There is No. 2, Sir, standing in the name of Mr. Nazmal Haque.

The Hon'ble the SPEAKER: Considering the importance of discussion to be raised between No. 2 and No. 3, I prefer to have No. 3 first, so that if time permits we shall pass on to No. 2.

Maulavi ABDUL BARI CHAUDHURY. I beg, Sir, to move that the provision of Rs. 4,102 under Grant No. 11, Major head—27.—Administration of Justice, Minor head—High Courts—B.—Law Officers, Sub-head—(a)—English Law Officers (total), at page 63 of the Budget be reduced by Rs. 100, *i. e.*, the amount of the whole grant of Rs. 10,58,100 do stand reduced by Rs. 100.

My object is to raise a discussion about the urgent necessity of separating the Judiciary from the Executive. Sir, hon. Members are aware that this question of separating the Judiciary from the Executive is as old as this Assembly itself. Every year, in the Budget session of the Assembly this matter is discussed, but unfortunately up till now no action has been taken on the matter. Sir, four years back, Mr. R. R. Dhar, was appointed Special Officer to examine this question. In due time this Special Officer submitted his Report but ultimately that Report was shelved and cold-stored. I do not know what has become of it. Sir, during the last few years like most of the departments, Administration of Justice in this Province has considerably deteriorated. The various Control Orders of the Government made our executives all the more 'Zabardast' and reckless. Judicial balance and temperament were sadly lacking. We found instances where cases were allowed to be compromised on flimsy grounds; worst criminals were let off by realising fat subscriptions for one purpose or other. Sir, I submit that this is a very important affair and the new Government should take it up in right earnest and as early as possible, the Judiciary must be separated from the Executive.

With these words, I commend my Motion.

The Hon'ble the SPEAKER: Cut Motion moved:

"That the provision of Rs. 4,102 under Grant No. 11, Major head 27.—Administration of Justice, Minor head—High Courts—B.—Law Officers, Sub-head (a)—English Law Officers (total), at page 63 of the Budget be reduced by Rs. 100, *i. e.*, the amount of the whole grant of Rs. 10,58,100 do stand reduced by Rs. 100."

The Hon'ble Mr. BASANTA KUMAR DAS: Mr. Speaker, Sir, I welcome the views of my hon. Friend, Maulavi Abdul Bari Chaudhury, on this question of a reform of great importance. My Friend has said that this question is as old as the House itself. I would go further and say, Sir, this question is as old as the Indian National Congress. Sixty years ago when the Congress came into existence to ventilate popular grievances against Government the whole Indian Nation could find the voice to give vent to their feelings against this system of having Judiciary and Executive combined. Year after year, for long years, the Indian National Congress urged upon the Government the desirability of the separation of the Judiciary from the Executive. Now, Sir, this combination of Judiciary and the Executive undoubtedly is a feature of the British Administration which came to be established and developed in this country and to-day when we hope that we shall soon get a Government here of the people, for the people and by the people, I think, Sir, that this is an anachronism which must be done away with, as soon as possible.

My hon. Friend has referred to the Report of the Special Officer appointed by this Government to look into this question. I am, Sir, going through that

Report and we are paying our attention to that Report. And we are examining the whole question to decide whether we can do anything for the purpose of introducing this much desired reform. Now it has been realised that for future recruitment of our officers for the services this question should be first settled and a decision come to about having two different branches of the administration—one for the Administration of Justice and another for the performance of the duties and functions of the Executive and on a solution of that question will depend the number and kind of officers that we shall have to recruit. We are paying our serious attention to the whole question and I can assure the hon. Member that I am not less keen than he is on this matter of a much desired reform. I have lived all my life—a period of 36 years—in the atmosphere of law so to say, and I have always realised the necessity of this reform. This is a reform over which the people or the whole of India is of one mind. I am informed that the last Sind Government have done something in regard to this question. I shall call for the report of that Government to see in which way they proceeded. I now hope the hon. Mover of the Motion will kindly withdraw it.

The Hon'ble the SPEAKER: Does the hon. Member like to withdraw his Motion?

Maulavi ABDUR BARI CHAUDHURY: Yes, Sir.

The Hon'ble the SPEAKER: Has the hon. Member leave of the House to withdraw his Motion?

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

Maulavi MD. NAZMAL HAQUE: Mr. Speaker, Sir, I beg to move that the provision of Rs. 1,952 under Grant No. 11, Major head—27.—Administration of Justice, Minor head—High Courts—B.—Law Officers, Sub-head (a)—English Law Officers—2.—Pay of Establishment (total), at page 63 of the Budget be reduced by Rs. 100, i. e., the amount of the whole grant of Rs. 10,58,100 do stand reduced by Rs. 100.

My object for moving this Cut Motion is to raise a discussion about entrusting Sub-Deputy Collectors without legal experience with Magisterial work. The Sub-Deputy Collectors after being recruited get training for some months and then are placed in charge of settlement work in which capacity they do survey work, supervise the work of the Mandal, Mauzadar and Kanungo. They dispose of the revenue cases on the reports of the Mandals, Mauzadars and Kanungoes. They have nothing to do with the law of crimes of the country, law of evidence and law of procedure. But even then they are given chance to administer justice. Sir, to administer justice, one must be experienced in laws of crimes, laws of procedure and laws of evidence. My hon. Friends, who are pleaders, will certainly find that the pleaders for the prosecution and pleaders for the defence find it very difficult to go on with the cases and to do justice to their clients.....

The Hon'ble the SPEAKER: I think that will do for the purpose.

Maulavi MD. NAZMAL HAQUE: I suggest that these Sub-Deputy Collectors when old and on the verge of retirement may be placed in-charge of Treasury, Sub-Treasury and Registration office.

The Hon'ble the SPEAKER: Cut Motion moved:

“That the provision of Rs. 1,952 under Grant No. 11, Major head—27.—Administration of Justice, Minor head—High Courts—B.—Law Officers, Sub-head (a)—English Law Officers—2.—Pay of Establishment (total), at page 63 of the Budget be reduced by Rs. 100, i. e., the amount of the whole grant of Rs. 10,58,100 do stand reduced by Rs. 100.”

The Hon'ble Mr. BASANTA KUMAR DAS: Mr. Speaker, Sir, as I was listening the hon. Member who has moved his Motion, I could not really understand what he was driving at. It appears to me that he has only given his own views with reference to some particular officers; but he has not named those

officers. But I may tell the hon. Member that Sub-Deputy Collectors are not given magisterial duties simply because they are Sub-Deputy Collectors. Now the position is not this, as he says, Sir, that they are placed in charge of magisterial duties without any legal training. Unless they get some sort of training they are not placed in charge of magisterial duties. According to rules in force all Sub-Deputy Collectors have to pass their Departmental Examination in law—Parts I and II by the lower standard before they are confirmed, that is, even before their confirmation all Sub-Deputy Collectors are required to pass an examination in Law. First Class powers are not generally given unless and until they pass in Law Parts I and II higher standard...

*Srijut DANDESWAR HAZARIKA: On a point of information, Sir. Are they required to pass Criminal Law or Civil Law also?

The Hon'ble Mr. BASANTA KUMAR DAS: Both, because they are also Revenue Officers. It appears only 4 Sub-Deputy Collectors—I need not give their names—are now engaged in magisterial duties and although there are about 9 more Sub-Deputy Collectors who have passed the examination in Law. They have been given only the powers, but they are most probably not allowed to exercise those powers. So, this is the whole position, Sir, and I don't think the hon. Members will agree to censure the Government on this Cut Motion. On these facts which I have placed before the House, the hon. Members may judge whether this Cut Motion is at all justified.

The Hon'ble the SPEAKER: Does the hon. Member want to press his Motion?

Maulavi Md. NAZMAL HAQUE: No, Sir, I beg leave of the House to withdraw my Motion.

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

The Hon'ble the SPEAKER: I am now putting the original Demand. The question is:

"That a sum not exceeding Rs. 10,58,100 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1947 for the administration of the head '27.—Administration of Justice'."

The question was adopted.

GRANT No. 24

(47.—MISCELLANEOUS DEPARTMENTS)

The Hon'ble the SPEAKER: I pass on to Grant No. 24.

The Hon'ble Srijut RAMNATH DAS: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs. 1,62,200 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1947 for the administration of the head "47.—Miscellaneous Departments".

The Hon'ble the SPEAKER: Motion moved:

"That a sum not exceeding Rs. 1,62,200 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1947 for the administration of the head '47.—Miscellaneous Departments'."

There are as many as 6 Cut Motions under this Demand. Time permitting, we shall go through them in the order laid down.

Maulavi Dewan ABDUL BASITH: Mr. Speaker, Sir, I beg to move that the provision of Rs. 13,200 under Grant No. 24, Major head—47.—Miscellaneous Departments, Minor head—B.—Labour, Sub-head—1.—Pay of officers (total), at

* Speech not corrected.

page 132 of the Budget be reduced by Rs. 100, *i.e.*, the amount of the whole grant of Rs. 1,62,200 do stand reduced by Rs. 100.

By this Cut Motion I want to raise a discussion about the unsatisfactory labour conditions prevailing in the River Steam Navigation Company's Workshop at Fenchuganj.

Sir, it may come as a surprise to many hon. Members in this House to know the real condition of the labourers in the Fenchuganj Engineering Workshop. The workshop belongs to the Indian General Navigation and River Steam Navigation Companies, Limited. There are about 145 workers, out of whom more than 82 are getting daily wages at a rate less than Re. 1 a day. All the 145 workers are employed on a daily wage basis; they are not paid for Sundays and other holidays. These grievances were reported to the authorities about a year back. The matter was referred to the authorities of the Company and a copy was sent to me when I was a Member of the Central Assembly. I raised the question in the Central Assembly, but I was told that it is a provincial subject. On return from Delhi I went to the spot, saw things for myself and advised the workers to represent their case to the Provincial Government. Accordingly they represented the matter to the Provincial Government. I was told that the Minister-in-charge of Labour and the Commissioner of Labour visited the place on several occasions, but unfortunately the poor workers could not get any relief whatsoever. The rate of wages varies from annas 2-6 to 11-6 per day. Eighty two workers are getting at this rate and only 9 workers are getting at the rate of Rs. 2. The workers when they go out of the line to do repairing work to a steamer or in a tea garden, they are paid at the rate of annas 8 or 12 to meet their daily expenses. Sir, it is well known to all of us that it is not possible even to get one meal for 12 annas. The matter was represented on several occasions to the Engineer-in-charge, but he refused to consider the matter. The unfortunate thing about the whole situation is this; one Union was organised by the workers to put their grievances before the authorities, and it was registered under the Trade Unions Act. But the Engineer-in-charge on some pretext or other is not giving any recognition to this Union. If a worker is found to be an active member of the Union this evening, the next morning when he goes to work he is told by the Chowkidar that his services are no longer required. The conditions of service are most uncertain; workers are discharged without any reason. I know of one instance when the Engineer went out of his way to influence a constable of the Rail Force to institute a false case against the Secretary of the Union and put him into such harassment that he had to leave the job and went away.

Under these circumstances, Sir, I ask the Labour Department of this Government to look into the matter. In general, I may be allowed to observe that similar labour conditions prevail almost everywhere in the Province. So, I request the Hon'ble Minister-in-charge of Labour to give his best consideration and take immediate steps for improving the unsatisfactory conditions of labour throughout the Province.

With these words, I beg to commend my Motion for the consideration of the House.

The Hon'ble the SPEAKER: Motion moved:

"That the provision of Rs. 13,200 under Grant No. 24, Major head—47.—Miscellaneous Departments, Minor head—B.—Labour, Sub-head—1.—Pay of Officers (total), at page 132 of the Budget be reduced by Rs. 100, *i.e.*, the amount of the whole grant of Rs. 1,62,200 do stand reduced by Rs. 100."

The Hon'ble Srijut RAMNATH DAS: Mr. Speaker, Sir, I quite agree with the views expressed by the hon. Mover of this Motion. The condition of labour in that factory is not satisfactory, both with regard to wages as well as dearness allowance. But, Sir, the present relation between the Government and the employers is such that we cannot make the employers do a certain thing which they do not like to do. We can at best request the employers to improve

the conditions of their labour. And in this particular case we have made a reference to the authorities through the Labour Commissioner to raise the wages and the dearness allowance of their labourers. My information is that the authorities are giving consideration to our reference. My predecessor, Mr. Buragohain, went to the locality and tried to settle up a quarrel which had been going on between two rival Unions, one registered and the other not yet registered. The latter was formed by the Manager of the Company. But although he went there and tried his best along with the Deputy Commissioner of the District, he could not effect a compromise between the two Unions and I can assure the hon. Members that we will try our best to see whatever possible can be done to improve the condition of the labourers. I hope with this assurance, Sir, my Friend, the Mover will please withdraw his Motion.

Maulavi Dewan ABDUL BASITH: Sir, on the assurance given by the Hon'ble Minister that he will himself visit the spot in consideration of the grave situation which is prevailing for over one year, I beg leave of the House to withdraw my Motion.

The Hon'ble the SPEAKER: I think, the hon. Member has the leave of the House to withdraw the Motion.

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

Maulavi Dewan ABDUL BASITH: Mr. Speaker, Sir, I beg to move that the provision of Rs. 13,200 under Grant No. 24, Major head—47.—Miscellaneous Departments, Minor head—B.—Labour, Sub-head—1.—Pay of officers (total), at page 132 of the Budget be reduced by Rs. 100, i.e., the amount of the whole grant of Rs. 1,62,200 do stand reduced by Rs. 100.

This has been moved to raise a discussion about payment of compensation to the dependents of the victims of the Karimpur tragedy. This tragedy is well known to all of us. It is about 2 years that the accident took place in broad day light and about 311 innocent lives were lost owing to the negligence of a gentleman who has been charged for the neglect of his duty. Unfortunately for us, in spite of our best efforts by representation to realise compensation for the dependents of the victims, only Rs. 250 in each case has been paid so far. In spite of our subsequent representation we could not even get a reply either from the authorities who recruited those labourers, I mean the Indian Tea Association, or from the Labour Department of the Government of Assam. I got about 100 registered acknowledgment letters written to the Labour Department of our Government, but to my utter surprise I learn on enquiry that only the acknowledgment receipt has been sent but no reply. Many of my hon. Friends know that this Karimpur case is still pending and the Manager who was responsible for the sad accident is now on trial.

The Hon'ble the SPEAKER: I may point out to the hon. Member that any case which is *sub-judice* should not be discussed on the floor of this House?

Maulavi Dewan ABDUL BASITH: Very well, Sir, now I am coming to other points. The previous Government appointed a Committee to enquire into the causes of the sad incident and we pressed many times for the publication of the Report of the said Enquiry Committee, but to no avail. We are anxious to know the portion of the Report as far as the payment of compensation is concerned. I think, Sir, that the publication of this portion of the Report could be done without prejudice to the case now pending before the law court. Now what I want to point out on the floor of the House is the negligence on the part of both the recruiting authorities and the Government in dealing with the matter properly. So I urge upon Government to see their way to take immediate steps to make payment of compensation to the poor dependents of the victims. With these words, Sir, I commend my Motion for the acceptance of the House.

The Hon'ble the SPEAKER: Cut Motion moved:

"That the provision of Rs. 13,200 under Grant No. 24, Major head—47.—Miscellaneous Departments, Minor head—B.—Labour, Sub-head—1.—Pay of officers (total), at page 132 of the Budget be reduced by Rs. 100, *i.e.*, the amount of the whole grant of Rs. 1,62,200 do stand reduced by Rs. 100."

Mr. A. WHITTAKER: Mr. Speaker, Sir, may I intervene in this debate because it so happens that I know more about the facts than either the hon. Mover or the Hon'ble Minister-in-charge? I would like to intervene particularly because the good name of the Indian Tea Association has been attacked by the Mover on quite inadequate grounds. Had the hon. Mover sent me only one of those 100 registered letters I could have given him useful information about the compensation for this particular tragedy. I do not claim, Sir, that any compensation will in any way atone for the loss of those valuable lives. But I do wish to show that the Manager of Karimpur, entirely on his own initiative, paid out Rs. 250 for interim compensation to every claimant, within a few months of the tragedy. It was not within the powers of the Manager or of the Indian Tea Association to pay any further compensation without the sanction of the Government of India as all those labourers were recruited on behalf of the Government of India and the Indian Tea Association merely acted as agents. What the Indian Tea Association could do they did it and did it immediately by paying up to a sum of Rs. 70,250 in respect of 281 cases. Thereafter, Sir, all the account books in connection with this affair were transferred to Patna, the headquarters of the Military Audit and Accounts Department. They required for scrutiny all the receipts and documents in support of the payment of interim amount of Rs. 250. Those documents came back into the hands of the Indian Tea Association in January last. One of the first things I did on my return from leave was to expedite payment of the balance of compensation and I am glad to inform the hon. Mover and the Minister concerned that the Government of India has accepted the full liability for the payment of the balance of compensation, namely, Rs. 650. The amount of compensation due in the case of death is Rs. 900. Now each one of those cases, Sir, has been forwarded by the Indian Tea Association to the Commissioner of Compensation here in Shillong within the last 4 weeks. All the death reports, doctors certificates and the necessary supporting documents, as far as the Indian Tea Association and the Manager of Karimpur are concerned, are on the record and the record is complete. The payment of the balance of compensation will be made as soon as the Commissioner of Compensation here in Shillong can ascertain from the Deputy Commissioners of the Districts these men came from—and they came from 5 different districts, 4 districts in Bengal and one in Assam—the names of the correct dependents who should receive the balance of the compensation. I can assure the hon. Mover and the Minister, that money will be paid—that money is now here in Shillong for disbursement to the dependents. Therefore the present state of the cases is that the delay, from now on, if any, rests with the Deputy Commissioners of Bengal districts enquiring into the correct names and addresses of the relations of these deceased labourers. What I hope the Hon'ble Minister will do is to ask his Department to see that the Deputy Commissioners in Bengal do not delay these enquiries and so hold up payments to the relatives of the victims of this extremely unfortunate tragedy. I leave it to the decision of the Hon'ble Minister. I have said that everything that can be done by non-officials has been done. My only regret is that Mr. Basith did not consider writing me one letter instead of writing a hundred registered letters to the Government Department—and wasting his money for I would have replied to an unregistered letter with a one and half annas stamp.

Maulavi . MAYEEN-UD-DIN AHMED CHOWDRY: My hon. Friend, Mr. Whittaker, has said about the payment of compensation to be made to the dead only, but he has not mentioned anything about payments to be made to the injured. From my personal knowledge I can say that some of the labourers who received serious injuries have become permanently disabled but hon. Mr. Whittaker has not said whether any compensation will be paid to those disabled persons.

Mr. A. WHITTAKER: Sir, the payment of compensation to the injured is a little more difficult because the disability of an injured person requires medical opinion and sometimes two medical opinions to determine what the percentage of disability will be. To the best of my information, Sir, and I am subject to correction by the hon. Questioner, there are only 25 of those cases outstanding. Payment will be made on a percentage disability basis as soon as we can get reliable medical opinion as to the degree of permanent disability those men have suffered. If the hon. Mover of the Cut Motion and the hon. questioner or any other person in this Assembly can tell me who those other persons are—I have in my record 25 cases—we can have them examined by a medical panel and the degree of disability assessed. Payment will be made on that assessment. If we can get details of the cases I can assure the hon. Questioner that those cases will be dealt with expeditiously by the same authority, the Commissioner of Compensation here in Shillong, with such assistance that my office can give.

Maulavi ABDUL HAMID: Sir, it is a case of sheer discourtesy that in connection with an incident of this nature as many as hundred registered letters were sent to the Government Department but not a single reply was received. Sir, we are grateful to hon. Mr. Whittaker for giving us all the information and all that he has done. I am sorry, Sir, it was necessary for hon. Mr. Mayeen-ud-din Chowdry to mention the cases of the permanently disabled persons. It would have been right and proper for the Government not only to take into consideration the cases of those unfortunate labourers who lost their lives but also of those who suffered permanent disabilities, as well as of persons who have undergone mental violence. Government might well have appointed a medical officer for assessing disabilities. It should not have caused so much delay. Even Tea Association have got very good medical officers at their disposal and they might be able to do this work. It is perhaps rather late. Medical officers should have assessed the damage and the poor victims should have been paid long ago. I am sorry for the unfortunate incident as well as for the fact that the victims of the unfortunate incident have not received compensation from the appropriate authority.

The Hon'ble SRIJUT RAM NATH DAS: Mr. Speaker, Sir, at the outset I must thank hon. Mr. Whittaker because he has dealt with the subject more explicitly.

As regards permanent disabilities, the Central Government decided to give compensation to the extent of Rs. 1,200 in each case. But as regards compensation to the dependents of those people who died, as Mr. Whittaker, has already explained, the Central Government authorised our Labour Commissioner to pay compensation to the dependents and he has referred these matters to the District Magistrates of the different districts in Bengal as most of these people were recruited from the different districts of Bengal and as soon as informations such as names, locality of the dependents etc., will be available, the compensations will be paid to the dependents. So I hope, Sir, with what Mr. Whittaker has said and what I have added, my hon. Friend will see his way to withdraw his Motion.

Mr. A. WHITTAKER: The position, Sir, is that the Government of India have accepted a claim for Rs. 1,200 for what is called a hundred per cent. permanent disability and the assessment for temporary or partial disability is made on

a percentage basis and the payment made accordingly, *e.g.*, if a man has fractured his arm and has had to give up his work for 12 months a temporary assessment will be made. Though we have got our own medical officers, the Government of India have decided that the assessment of disabilities should be made by a medical panel and, I think, the final responsibility lies with the Civil Surgeon of the district.

Maulavi Dewan ABDUL BASITH: Mr. Speaker, Sir, what I have heard from Mr. Whittaker and the Hon'ble Minister of Labour I am not convinced. I want to clarify my position. Mr. Whittaker has charged me for not bringing the matter to him as the representative of the Indian Tea Association.

The Hon'ble the SPEAKER: Hon. Member has no right of reply, he has to make up his mind whether to withdraw or press his Motion.

Maulavi Dewan ABDUL BASITH: I am not convinced with what Mr. Whittaker has said, but in anticipation and on the assurance given by the Hon'ble Minister that he will look into the matter and give a sympathetic consideration, I beg leave of the House to withdraw my Motion.

The Hon'ble the SPEAKER: Has the hon. Member leave of the House to withdraw his Motion?

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

The Hon'ble the SPEAKER: Now I put the original Motion:

The question is:

"That a sum not exceeding Rs.1,62,200 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1947 for the administration of the head '47. — Miscellaneous Departments'."

The question was adopted.

Adjournment

The Assembly was then adjourned till 2 P.M., on Friday, the 22nd March, 1946.

SHILLONG: }
The 4th May, 1946. }

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