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The question was asked: The Hon. the SPEAKER: I have not found the main question before the House. The question is: That the Assembly do assent to a demand which will come in the course of payment during the period from the 1st August 1942 to the 31st March 1943 of such sum as together with the expenditure already incurred from the 1st April to the 31st August 1942 will amount to Rs. 50,000 amount of the revised estimate in respect of the head 27—Miscellaneous. The expenditure incurred from the 1st April to the 31st August 1942 is believed to be about Rs. 1,87,017. The question was asked: I am putting the question before the House.

GRANT NO. 31

(Loans and advances granted and not repaid) The Hon. the SPEAKER: The account of a demand which will come in the course of payment during the period from the 1st August 1942 to the 31st March 1943 of such sum as together with the expenditure already incurred from the 1st April 1942 to the 31st August 1942 will amount to Rs. 11,80,000 amount of the revised estimate in respect of the head—Loans and Advances. The expenditure incurred from the 1st April to the 31st August 1942 is believed to be about Rs. 41,000. The question was asked.

Adjournment

The Assembly was then adjourned till 11 a.m. on Friday, the 21st August, 1942.

25-8-42  
The 21st August 1942

A. K. PARTI  
Member, Punjab Legislative Assembly

PROCEEDINGS OF THE ELEVENTH SESSION OF THE FIRST ASSAM LEGISLATIVE ASSEMBLY, ASSEMBLED UNDER THE PROVISIONS OF THE GOVERNMENT OF INDIA ACT, 1935

THE ASSEMBLY met at the Assembly Chamber, Shillong, at 11 a.m., on Tuesday, the 24th November, 1942.

PRESENT

The Hon'ble Mr. Basanta Kumar Das, Speaker, in the Chair, the eight Hon'ble Ministers and thirty-nine members.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(To which oral answers were given)

The United Kingdom Commercial Corporation

Mr. BAIDYANATH MOOKERJEE asked :

\*37. (a) Are Government aware of the activities in this Province of the United Kingdom Commercial Corporation in the matter of collection of commodities from this Province by them for exportation ?

(b) If so, will Government be pleased to state—(i) what commodities have been collected and exported from this Province by the United Kingdom Commercial Corporation, (ii) what are the quantities of each kind of such commodities up to 31st October 1942, (iii) since when such commodities are being collected and exported, (iv) at what rates the prices of such commodities have been paid (rates are to be shown separately item by item and month by month), and (v) through what agency the commodities are being purchased and exported ?

\*38. (a) Will Government be pleased to state if any help or assistance is being rendered to the United Kingdom Commercial Corporation by Government for (i) collection and exportation of commodities from this Province and (ii) payment of prices to the sellers of these commodities to the said Corporation ?

(b) If so, will Government be pleased to state in what way or ways such help or assistance is being rendered and through what agency ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

37. (a)—This Government have no information.

(b)—Does not arise.

38. (a)—Not so far as this Government are aware or are concerned.

(b)—Does not arise.

**Theft in the Sunamganj Munsif's Court**

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY**  
asked :

\*39. Will Government be pleased to state whether it is a fact that on the night of 1st September, 1942, a sum of Rs. 681-9-6 was stolen from the iron safe of the Sunamganj Munsif's court and fire was set on some of the records ?

\*40. If answer to question No.39 above is in the affirmative, will Government be pleased to state—

- (a) Whether any enquiry was held in the matter ?
- (b) By whom the enquiry was held ?
- (c) What was the result of the enquiry ?
- (d) Whether the District Judge of Sylhet personally enquired into the matter ?
- (e) Who was held responsible as a result of the enquiry ?
- (f) What action, if any, was taken against the man held responsible ?
- (g) Whether the money stolen has been recovered ?
- (h) If so, from whom ?
- (i) Whether it is a fact that Government has compensated for the amount ?
- (j) If so, why ?
- (k) Whether it is a fact that the door lock and the iron safe were opened by keys ?
- (l) Who was responsible for keeping the keys of the door and of the iron safe ?
- (m) What explanation did that officer submit ?
- (n) What was the hour of occurrence ?
- (o) What was the report of the Munsif, Sunamganj, on the matter ?

**The Hon'ble Srijut RUPNATH BRAHMA** replied :

39.—Yes.

40. (a)—Yes.

(b) and (c)—A departmental enquiry was held by the Munsif, Sunamganj. The matter has been taken up by the police and a thorough investigation is proceeding. Two Chakidars have been suspended, pending the result of the enquiry.

(d)—No.

(e)—No one has as yet been held responsible as the matter is still under investigation.

(f) to (h)—Does not arise.

(i) and (j)—Government have sanctioned the drawal of Rs.681-9-3, the amount stolen, for meeting the Government liabilities.

(k) to (n)—Government have no information.

(o)—Government are not yet aware of the contents of the report on the Departmental enquiry which was submitted to the Judge, Sylhet.

**Maulavi ABDUR RAHMAN:** Sir, may we know who is responsible for keeping the keys of the doors ?

**The Hon'ble Srijut RUPNATH BRAHMA:** Government have no information. The matter is under investigation.

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:** Before giving the reply, why Government did not inquire, under whose charge the key remains ?

**The Hon'ble Srijut RUPNATH BRAHMA:** I have already said, Sir, that the matter is being investigated and a thorough inquiry is proceeding.

### UNSTARRED QUESTIONS

(to which answers were laid on the table)

#### Duties of a Local Board Doctor

**Babu KARUNA SINDHU ROY** asked :

31. (a) Is it a fact that a Local Board Doctor has to perform the following daily duties ;

(i) to attend to outdoor patients, supply them with medicines and do clerical duties connected with their treatment ?

(ii) to attend to police cases ?

(iii) to attend to serious cases of childbirth ?

(iv) to attend to serious cases in villages when they are called by patients ?

(b) Is it a fact that a Local Board Doctor is also to perform in addition to his own, the duties of Government Public Health Department, viz. :—

(i) Cholera vaccination, (ii) Kala-azar injection, (iii) Malaria injection, (iv) Leper treatment, (v) Giving instructions regarding prevention of T. B. and (vi) clerical duties in connection with these works ?

(c) If the answer to questions (a) and (b) above are in the affirmative, will Government be pleased to state why the aforesaid double duties are performed by a single Doctor ?

(d) Do Government propose to enlarge the Public Health Department to entrust the entire duties of that Department to its own officers ?

**The Hon'ble Miss MAVIS DUNN** replied :

31. (a) & (b)—The answer is in the affirmative.

(c)—In the interest of the public health, the services of all available doctors whether under the employ of Government or Local Board have to be utilised as best as possible.

(d)—Not at present.

#### Joint Session of the Assam Legislature

**Babu KARUNA SINDHU ROY** asked :

32. Will Government be pleased to state why the Joint Session of the Assam Legislature to discuss the Sylhet Town Land Tenancy Bill has not yet been summoned ?

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN** replied :

32.—The hon. member is referred to the reply given to question No. 112 asked by him in the budget session of the Assembly 1941. Due to the resignation of the Ministry and suspension of the Constitution, the question of holding a joint session was dropped and the present Government have not yet had time to consider it.

**Names of Sailors of Sylhet District who lost their lives overseas**

**Babu KARUNA SINDHU ROY** asked.

33. Will Government be pleased to state—

- (a) Whether Government have been able to collect the names of sailors of the district of Sylhet who have lost their lives overseas due to enemy aggression?
- (b) Whether Government have made arrangements for giving pension to the dependents of the aforesaid dead sailors?
- (c) If so, will Government be pleased to lay on the table a statement showing the names of the dead sailors with the amount of allowance given to the dependents of each of them?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** replied :

33. (a) —These cases are dealt with in direct correspondence between the Deputy Commissioner and the Marine authorities.

(b) —Yes; the matter is one for which the Central Government is responsible.

(c) —This Government are not in a position to do so without calling for particulars from the Deputy Commissioner and this they do not propose to do because the matter is not directly within their purview.

**Re Political prisoners**

**Babu KARUNA SINDHU ROY** asked :

34. (a) Will Government be pleased to state whether any personal or family allowance has been given to any of the political prisoners now detained in the different Jails in the Province of Assam?

(b) If not, why not?

(c) Whether any detained political prisoners have applied for personal or family allowance?

(d) Will Government be pleased to state (i) their names, (ii) names of jails in which they are placed and (iii) orders, if any, that have been passed on their application?

35. (a) Is it a fact that Government have released some convicted and restricted communist prisoners of Assam?

(b) If so, will Government be pleased to state their names?

(c) Will Government be pleased to state why Comrades Chanchal Chandra Sarma, Nibarana Chandra Dutta, Achintya Bhattacharjee, Jitendra Chandra Sarma and Radharanjan De, all members of the communist party have been arrested and detained?

(d) Why Rajendra Kumar Nandy, Digendra Nath Das Gupta, Prafulla Goswami and many other communists of the Province have been kept confined in their own houses?

(e) Will Government be pleased to state whether there is any uniform policy regarding the arrest, release and confinement of the communists of the province?

(f) If not, why not?

(g) Do Government propose to constitute a committee to enquire why the communists of the province are being arrested and kept confined?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** replied :

34. (a)—Yes.

(b)—Does not arise.

(c)—Yes : these cases are under enquiry save where orders have already been passed.

(d)—It would not be in accordance with public policy to discuss these details of individual cases.

35. (a)—Yes.

(b)—Government are not prepared to publish or discuss individual cases on the floor of the House.

(c) and (d).—Some of these cases are under correspondence with them, and Government cannot discuss them now.

(e)—Government certainly have a uniform policy both with regard to professing communists and with regard to others.

(f)—Does not arise.

(g)—No.

#### **Sirens during Air Raids in Dibrugarh subdivision**

**Mr. A. WHITTAKER** asked :

36. (a) Is it a fact that the sirens during the air raids in the Dibrugarh subdivision first sounded after the raiding planes had reached their objectives ?

(b) Are Government aware of the public indignation at the inadequacy of the warning system in the Dibrugarh subdivision ?

(c) What steps have been taken to improve the warning system ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** replied :

36. (a) (b) & (c)—Government are not in a position to disclose information which might be of value to the enemy. The Director of Civil Defence will be pleased to explain the position to the hon. member, if he so requests.

**Mr. E. H. S. LEWIS** : In view of the reply to this question namely that Government are not in a position to disclose information which might be of value to the enemy, I wish to say, Sir, that the other day in my remarks when discussing the grant for Civil Defence, I did make statement about the lateness of warning in the Dibrugarh area. Might I ask, Sir, that if it is considered that my remarks have disclosed information which would be of value to the enemy, they can be expunged from the proceedings ?

**The Hon'ble the SPEAKER** : The hon. member may move a motion in this House that what he said should be expunged from the proceedings. I cannot expunge it out of my own accord.

**Mr. E. H. S. LEWIS** : Mr. Speaker, Sir, if Government really consider that anything I have said would disclose information to the enemy, can it not be expunged ?

**The Hon'ble the SPEAKER** : The hon. member asked for an information and it was given on the floor of this House. What he said in asking for that information should find a place in the proceedings. It cannot be expunged unless there is a resolution of the House to that effect.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** : It was in connection with a cut motion that my hon. friend made this statement and he now enquires of the Hon. Chair whether these passages may not be expunged from the proceedings.

**The Hon'ble the SPEAKER :** All these were uttered on the floor of the House.

**Khan Bahadur Maulavi KERAMAT ALI :** Will it not do if the hon. member while correcting his speech omits this portion ?

**The Hon'ble the SPEAKER :** No, that is not permissible.

**Mr. BAIDYANATH MOOKERJEE :** What about question No. 36(c), Sir ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** That will also be giving valuable information to the enemy.

### Payment of compensation to relatives of labourers injured or killed during air raids

**Mr. A. WHITTAKER** asked :

37. Will Government be pleased to state—

(a) What measures have been taken to make immediate payment of compensation to relatives of contractors' labourers on Defence Projects injured or killed during air raids ?

(b) In how many cases such compensation has been paid ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA** replied :

37. (a) & (b)—Government have made general enquiries from district officers but will ask for a report on this particular matter.

**Mr. A. WHITTAKER :** Sir, in view of the very great importance of the promptest possible payment in case of injuries and deaths caused by Air Raids, would Government be pleased to make an urgent inquiry about this matter not only for the benefit of the dependents of those who are killed but for the maintenance of the morale of the people in general. As regards the tea industry labourers, Sir, I can say definitely that arrangements have been made on their behalf ; but I think, I am right in saying that as regards contractors' labourers, no arrangements have been made yet.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** Sir, as I have replied, Government have made a general inquiry from the District Officers but we will ask for a report on this particular matter referred to by my hon. friend as early as possible.

**Mr. A. WHITTAKER :** Thank you, Sir.

**\*Khan Bahadur Maulavi MAHMUD ALI :** Sir, may I put a question ? What about the labourers and others killed outside India ? Is it not a fact that their relatives, kith and kins are not getting any compensation for the death of their own people ?

**The Hon'ble the SPEAKER :** The hon. member perhaps means people killed outside India but belonging to this province.

**\*Khan Bahadur Maulavi MAHMUD ALI :** Yes, Sir.

**\*The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** All these questions are on the order paper that stand in the name of Babu Karuna Sindhu Roy. I have also answered them and it is in front of my hon. friend.

**The Hon'ble the SPEAKER :** Order, order.

**Motion re extension of the term of the Agricultural Marketing Scheme.**

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I beg, Sir, to move that the House approve that the term of the Agricultural Marketing Scheme, which expired on the 31st March 1942, be extended till the end of the year 1942-43

Sir, in moving this motion I am aware that I will be confronted with the criticism that I have put the cart before the horse. Although the sanction for the continuance of the Agricultural Marketing Scheme expired on the 31st March 1942, I have come before the House to-day to take sanction for its continuance till the end of the financial year. The reason for this is obvious. As there was no session, nothing could be placed before the Legislature for sanctioning this scheme. Hon. members may remember that the scheme for having a marketing section of the Agriculture Department was initiated at the instance of the Indian Council of Agricultural Research, which helped Government with funds. The scheme which was a five year scheme ended with March 1942. Since then, the same research body, the Indian Council of Agricultural Research, have intimated their intention of giving over Rs. 9,000 for the current financial year. The Government accepted the offer with thanks and are continuing the scheme. I think, in this connection it will be better if I place very succinctly the duties under this general scheme of the marketing section. The duties of the marketing section are—

- (a) Furnishing information on marketing questions to interested officers and private parties ;
- (b) Securing facilities from transport agencies for the movement of agricultural commodities at concessional rates ;
- (c) Improving packing of perishable commodities particularly fruits ;
- (d) Exploring new markets for agricultural commodities ;
- (e) Collecting information about prices ;
- (f) Conducting marketing surveys for Government of India ;
- (g) Organising better marketing of agricultural commodities ;
- (h) Planning production according to market requirements ;
- (i) Organising producers for obtaining their necessaries ;
- (j) Grading of agricultural produce ;
- (k) Adoption of measures for the passing of Acts calculated to improve the marketing of agricultural commodities.

Hon. members may remember that some time ago I produced before the House certain reports of the different Marketing officers on different commodities that are produced in the Province. Very helpful suggestions for meeting not only production, but also marketing of our agricultural produce were made therein. Government believe, and I hope hon. members will also find, that this section is doing useful work, and as part of the expenditure necessary for running this section is being provided by the Indian Council of Agricultural Research, members should accord their approval to finance this scheme till the end of the financial year of 1942-43.

**Mr. BAIDYANATH MOOKERJEE:** Will the whole amount be borne by this Government ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** No, a part. Rs. 19,000 shall have to be paid by the Province.

**The Hon'ble the SPEAKER:** Motion moved "That this House approves that the term of the Agricultural Marketing Scheme which expired on the 31st March 1942 be extended till the end of the year 1942-43".

**Mr. BAIDYANATH MOOKERJEE:** In this connection, may I point out that we know nothing when the last report was published ? It will be better if the Hon'ble Premier will explain the whole situation.

**Maulavi ABDUL BARI CHAUDHURY:** No report was published.



**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** If my hon. friend wants, I will have to give a brief description of the main activities of the marketing section.

As the marketing section was inaugurated with the financial assistance of the Indian Council of Agricultural Research, the work of the marketing section has so far consisted in carrying out marketing surveys for agricultural commodities and preparing very detailed reports required by the Government of India.

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:** On a point of information, Sir. What does the Hon'ble Premier mean by agricultural commodities?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** The marketing section has so far submitted 30 such reports on different commodities. In addition, a report on the marketing of cotton in Assam was prepared and submitted to the Provincial Government.

At present, marketing surveys for a number of new commodities are in progress. According to the list prepared by the Agricultural Marketing Adviser to the Government of India, marketing surveys for some 26 commodities have yet to be done.

The object of the marketing surveys is to have accurate and detailed information on which future development work could be based.

As regards the actual development work so far attempted and done, the following may be mentioned:—

- (a) *Grading*—This is regarded as a very important item of work on the programme of the marketing section. The efforts of the section to introduce grading of eggs, oranges, pineapples, mustard oil, atta etc., under the Agmark Scheme were promising of good results. The situation arising out of the war has given a set back to this work. All grading work in the province is done under the supervision of the marketing staff whose duty is to see that proper standards are maintained.
- (b) *Organised marketing of fruits*—The marketing section has appointed a Commission Agent in Calcutta through whom producers of fruits are advised to sell their produce in Calcutta. The working of this scheme is supervised by the section so as to guard the interest of the consignors. Large quantities of Assam fruits are being disposed of through the scheme which has in fact removed a long felt want.
- (c) *Supplying information to Government officers and others*—The information collected by the marketing section regarding the wholesale and retail prices of a large number of agricultural commodities for a number of markets is passed on to interested parties. The marketing section also serves as a clearing house for information regarding production, imports, exports, surpluses, deficits etc., of various commodities. This is found useful in connection with matters relating to the requisition of supplies, control of prices and promotion of trade.

*Introduction of Agmark food-stuffs*—A number of traders in the province were prevailed upon to deal in Agmark foodstuffs, such as Ghee, mustard oil, atta, butter, etc. On account of the present transport and other difficulties, only a few of those traders are now able to procure supplies; but every effort is being made to keep up the flow of supply as far as possible and to create a demand for standardised food products sold under the Agmark label. The marketing staff has also to collect and check samples of Agmark commodities and send them to Control Laboratories selected by the Government of India for analysis in connection with the Quality Control Scheme.

*Marketing legislation.*—So far the marketing section has submitted drafts for the following Bills which are under the consideration of the Government :—

The Assam Weights and Measure Bill, and

The Agricultural Produce Market Bill.

If and when these Bills become Acts, their administration is likely to fall on the marketing section.

*Miscellaneous.*—In connection with the "Grow More Food" campaign, the Marketing Section has been entrusted with the supply of the entire quantity of seed potatoes required for the province.

The Senior Marketing Officer has also been asked to supply fresh food stuffs for the Lakhimpur district where there has been scarcity of such food stuffs.

The marketing staff has been rendering all possible assistance to the Military supply officers in procuring supplies of agricultural commodities.

The Marketing Section is at present concentrating mainly on the marketing surveys and activities connected with war efforts. It is hoped that when the marketing surveys for the Government of India are all finished and when the war is over, the section will be in a position to pay more attention to improve marketing of agricultural commodities which is the ultimate objective. Schemes for the organised marketing of paddy and jute were actually drawn up, but these had to be given up on account of the war situation.

My hon. friend Maulavi Muhammad Maqbul Hussain Chaudhury wanted to know what is meant by agricultural commodities. In agricultural commodities, we include, Sir, various articles, such as, rice, paddy, potatoes, atta, maida, suji, wheat, oranges, pineapples, rapé mustard seeds, linseed, vegetables, gur, molasses, pulses, etc. Our reports on various commodities have already been submitted.

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:** Jute also ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Yes, it is included in the scheme. But we have not given it the first preference on account of the fact that the Bengal Marketing Section is devoting its entire energy towards jute and we shall be benefited by their report. But for the present, marketing surveys for the following commodities are in hand :—millets, castor seeds, table poultry, honey, bees-wax, onions, garlic and chillies.

So, Sir, this section has been doing considerable work though firstly at the instance of the Government of India but ultimately with a view to giving very valuable information to the province about such agricultural produce that may be exported to outside from Assam. As I have already stated in the beginning that we are practically in the middle of the year and as the 93 Administration continued the operation of this section, we have now come before the House for their sanction to continue this scheme up to the end of this year.

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:** Mr. Speaker, Sir, I have heard with rapt attention the lengthy report read by the Hon'ble Premier. He also kindly informed the House that jute, paddy and rice form part of agricultural commodities for which marketing is necessary.

Sir, I come from a district which produces rice, paddy and jute abundantly. I may inform the House that my district know very little about the existence of the marketing section maintained by Government at the instance of the Government of India. In my locality jute grows abundantly, but for want of marketing, the cultivators are not deriving benefit as they ought to have derived. The case of paddy and rice is also the same. Some tradesmen of Bengal come and make a combination and purchase jute and rice—sometimes themselves and sometimes through their agents at the price fixed by them. I do not know whether any officer of this Department ever paid a visit to my locality, say my subdivision. In 1937 or 1938, I spoke on this subject on this floor but I am sorry up till now I could not draw the attention of this Department to this matter. This year, for want of marketing facilities, the cultivators had to cut the plants of jute and clear the land for paddy cultivation. There is a Marketing Section ; Government

pays considerable amount for the maintenance of its officers and the Government of India contributes a decent sum for the upkeep of the Department ; but they are not doing the work as they ought to have done.

Before we accord our sanction for the continuance of this Department for a further period of one year I want that the Hon'ble Premier will give us an assurance that our cultivators will be benefited by the activity of this Department. If that is not done I can only say that the provision will be nothing but a colossal waste. In the name of cultivators, Sir, money is being sanctioned, but this money is not going to their benefit. We speak of facilities being offered to the cultivators, but that is only in paper. Actually when we go to the villages, we find that our people do not derive any benefit from this scheme or from the money provided in their name.

I appeal to the hon. members of this House and the Hon'ble Premier in particular and ask him if he can make the officers of this Department to become active and to tour the whole province and see that the agricultural commodities find a good market. I know, Sir, while jute was selling at Rs. 13 a maund at Mymensing, our cultivators sold it at Rs. 2-8 or Rs. 3 a maund. Government of Bengal has provided some lacs. My hon. friend on my right says one crore for giving benefit to the cultivators. But our Government, I find, was silent on this matter. We maintain officers—we spend money for nothing. I ask the Hon'ble Premier to make the Department active and ask the officers to do what they are meant to do. Only touring and submitting reports won't do any benefit to the people. Once I read a report of the Agricultural Department which was published with a Resolution and which included some paragraphs about the Marketing Section as well. The resolution said that the report was a nice piece of literature, but you know, Sir, that these high salaried officers are not meant for writing good literature. But, Sir, they are meant to work as public servants and if they fail to do so, these officers deserve no lease of their service life.

I bring these facts to the notice of the Hon'ble Premier and to the hon. members of this House with the hope that they will take these facts into consideration. If the Marketing Department can not be made useful to the people, the provision deserves to be refused.

**Mr. A. WHITTAKER :** I have heard with interest what Mr. Maqbul Hussain Chaudhury has said this morning, and I would like to suggest to him that there is a method whereby the cultivators of Sunamganj can be benefited, at least those cultivators who grow paddy. If Mr. Maqbul Hussain Chaudhury's facts are correct I would suggest to the Hon'ble Prime Minister that here would be a good field for Government agents in 1943 to buy foodstuffs for stocking purposes in the Surma Valley. That would be a very practical form of marketing organisation. I commend this suggestion to the Hon'ble Prime Minister.

**Mr. BAIDYANATH MOOKERJEE :** Mr. Speaker, Sir, after hearing the Hon'ble Premier, I cannot agree with my hon. friend Mr. Maqbul Hussain Chaudhury that the Department should be made more active, because the Hon'ble Premier had said that there were still 26 commodities about which the Department had not done anything up till now. The case is hopeless. I have heard the list of the commodities about which something has been done, and I can boldly say that except jute, orange and pineapples, this province is not going to derive any benefit out of the scheme. Sir, we do not want that at the present condition of the Province, any kind of foodstuffs like mustard seed, paddy or rice should go out of the province. Actually we do not know our requirements—I cannot rely on the figures supplied by the Agriculture Department because it changes its views almost every week with the slightest variation in the weather. Sir, it is high time when we should think whether only for orange and pineapples we should spend such a huge sum. I should also like to know from the Hon'ble Premier whether the amount that was realised by the sale of these fruits through our Calcutta Agent justified such a big expenditure.

Sir, the Hon'ble Premier has himself admitted that owing to war activities, the scope of this Department has been greatly minimised. But, Sir, he has

requested us to remember one point ; that the scheme was extended for another year when the present Government had nothing to do with it, and therefore whether it would be just on our part to refuse this amount. May I make a suggestion to him whether it would be possible to get rid of this Department from the 1st of January till better days come when the Department will be able to do good work ? If that is not possible, I want an assurance from him that from the next year, after the present term is over, he will try to do away with this Department. Otherwise I cannot support the motion.

**Mr. F. W. BLENNERHASSETT :** Mr. Speaker, Sir, may I first ask the Hon'ble Prime Minister whether he will tell us the strength of the Marketing Section in this province—I mean in personnel ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** There is one Senior Marketing Officer with three Assistant Marketing Officers at Sylhet, Gauhati and Jorhat. There are three Marketing Inspectors at Nowgong, Dhubri and Silchar, and appointed from February 1942, before we assumed office, are seven Marketing Demonstrators, seven officers, four clerks and eight peons.

**Mr. F. W. BLENNERHASSETT :** Thank you, Sir. That enables me to continue with a minor—not criticism exactly, but suggestion that I should like to make for consideration of the Government.

I want to refer particularly, Sir, to the immense disparities that exist between the actual prices which the cultivators derive for their produce and the prices which the dealers get for commodities they sell. As for instance, I quote the case of mustard oil. A cultivator gets probably Rs.3 or Rs.3-4-0 per maund for mustard seed whereas the dealer or seller of mustard oil, the finished article itself, is in many cases now getting as much as Rs.29 per maund in the province. Well Sir, this in no way benefits the cultivator, it clearly benefits one section of the community, *viz.*, the dealer. I know full well that many dealers in mustard seed have been hoarding the mustard seeds they bought, and cheaply, from the cultivators, waiting for a rise of the market and actually, if I may use the word, rigging the market to bring up the prices, and then selling at a great profit the mustard oil they themselves produced or got from the millers. So wide has this disparity been in some cases that a most unreasonable movement of mustard seed has occurred in the province. For instance, due to some unknown reason the price of mustard seed at Gauhati rose recently to a great height ; that, incidentally, benefited not the cultivator but just the dealer. The result was that either we had to pay, in my subdivision, a price equivalent to mustard oil cost at Gauhati, for mustard oil ; or alternatively, we had to let the mustard seeds leave our subdivision to go down to Gauhati where they could be sold at a higher profit derived not by the cultivator, I again remark, but by the dealer in mustard seed.

Now, Sir, if there is any sense in having a Marketing Section, surely they can put an end to these anomalies. They can either put the cultivator in direct contact with the right person who pays right prices for his commodity, which will prevent all this rather senseless shifting in the province, or alternatively, they can take such action themselves as will enable the commodity to be more economically produced than at the moment. I do not hold them responsible, but I do suggest that Government might seriously consider this, with particular attention to the anomalies that I have just mentioned, and see whether they can take steps to accord more benefit to the cultivator than the dealer.

**Babu KAMINI KUMAR SEN :** Mr. Speaker, Sir, I entirely agree with my hon. friend Maulavi Maqbul Hussain Chaudhury in what he has said. This Department has been continuing for the last seven years, but, Sir, it is a fact and I do not think it can be disputed—that in most parts of the province the general public do not know, or do not feel the existence of the marketing section. It is well known to the House that much of the poverty of the cultivators is due to the fact that there are no proper marketing facilities and for that reason they have to sell their commodities at a much lower price than they could reasonably expect to get at a better market. So I endorse the appeal of my friend Maulavi Maqbul Hussain Chaudhury and say that if this scheme is to be of any use to the province,

there should be proper marketing facilities for all the various agricultural commodities available in the Province so that the cultivators in all parts of the Province can be benefited.

Secondly, Sir, from what we have heard from the Hon'ble Premier, we find that all the marketing is done outside the province. I do not think, Sir, that it is advisable at the present time to export all the agricultural products outside the province. Besides that there is much disparity in prices between one part of the province and another. So I would urge on the Government to see that this Marketing Section also takes up the work of finding proper facilities for marketing within the province so that there may not be so much disparity in prices within the province and so that nothing but surplus stock goes out of the province.

Thirdly, we have not yet heard from the Hon'ble Premier what has been the net result of this scheme during the course of the last seven years. What has been the net gain to the Province? How much commodities has been sold through their agency, and what is the rate of price fetched for the commodities? We have also not been informed yet what is the working cost of the scheme. It seems that a portion of the cost is borne by the Central Government, but we do not know what is the cost met by the provincial exchequer. Of course, I do not deny that if the Marketing Section can find out better markets for the cultivator, and if our agricultural products which have to be sold within the province, as well as those which can be spared to be sold outside the province, can, through the agency of this Section, fetch higher prices, much useful purpose will be served. But the cost must be commensurate with the result. So I think that the past activities of the Section must be taken into account along with the expenditure involved, before continuing the scheme any further.

**Maulavi ABDUL BARI CHAUDHURY:** Mr. Speaker, Sir, I would like to speak a few words on the scheme. As we all know, the Hon'ble Prime Minister has told us that this expenditure is borne between the Province and the Imperial Council of Agricultural Research on the basis of fifty fifty.....

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Now the Provincial exchequer has to pay more.

**Maulavi ABDUL BARI CHAUDHURY:** I stand corrected, Sir. It has been in existence for the last 7 or 8 years. From last year the number of Assistant Marketing Officers has been increased with the approval of the Imperial Council. The Department no doubt is rendering a good account of themselves. So far our information goes, up till now the Department has undertaken the marketing of 30 varieties of Assam agricultural products. They are also trying to establish an all-India market for these products. But what is surprising is this, that the public have been kept in complete ignorance about the working of the scheme. Within this long period, the Government have not thought it necessary to publish a report about the activities of the Department.

Recently the Officer who was kept in Calcutta for grading purposes has been unfortunately withdrawn. Living in Calcutta, the Officer was in an advantageous position to collect valuable data about the comparative prices prevailing in different markets of India. Certainly, he was in a better position to popularise the Assam commodities in India. We are sorry to find, Sir, that up till now no soil survey work has been undertaken under the scheme. Without a proper survey about the soil conditions in Assam, it is not possible to improve our different varieties of the products.

I do hope that this aspect of the question will receive the attention of the Government.

**Maulavi MUHAMMAD AMIRUDDIN:** Mr. Speaker, Sir, I would like to add my humble voice to the debate regarding the marketing scheme. In the district of Nowgong where jute is very extensively grown by the immigrants, as well as by the local Assamese people, within recent times the jute market has fallen so hopelessly that the growers are in a great difficulty. This has been aggravated by a recent fire in the Mairabari Railway station burning thousands

of bales of jute that had been stored, both inside and outside the station on account of paucity of accommodation. Whether it was an act of sabotage or one of accident, nothing has been ascertained; at any rate as a result of this fire thousands of bales of jute have been burnt in a very short time, and this has put a very serious set-back in the sale or purchase of jute by the Marwaris, whose monopoly it is. Now, Sir, even if there was a slight tendency on the part of the Marwaris to purchase any jute, this fire has stopped them from making any purchase under the apprehensions that if they buy jute and stack it in the Railway godown, it may meet with a similar eventuality. So, Sir, while there is a widespread demand for the collection of land revenue, the jute growers are in a great difficulty to pay their land revenue as the market for jute is in a state of stagnation in consequence of the fire. Sir, the huge consignments of jute in the Railway godown had to be delayed owing to the difficulties of transport, and unless and until transport facilities can in any way be augmented, the jute market even though rising in Calcutta will be in a state of deterioration in the mofussils such as in the district of Nowgong. Up till now for the easy transport of jute, nothing has been done in the district of Nowgong, as elsewhere. This marketing scheme, so far as I can understand, is a paper scheme after all because jute appeared in the market from the month of July, Sir, and from July up till now in this apparently long period, the stock theory which is rampant with the railway authorities is that there is transport difficulty—waggons are not available and so what can we do. That is the stock theory rampant everywhere with the railway authorities. Is it Sir, possible for the Marwaris or jute traders to augment the transport facilities unless the matter is taken up in right earnest by Government?

That is regarding jute, Sir. Now apart from jute, from this fortnight, Sir, abundant consignment of paddy as well is being stocked in the railway godowns in the district of Nowgong. If there are transport difficulties continuing like this, the paddy market will also be getting dull from day to-day in a district where jute and paddy are the staple crops on which the growers have to exclusively depend for the liquidation of all their liabilities. If the transport difficulty continues like this, cultivators will be nowhere, Sir. However much the impetus is given to the "Grow More Food" Campaign, I would say that the campaign of "Grow More Food" will be no more a success unless and until the marketing facilities are augmented (*hear, hear*). The tillers of the soil will grow all possible crops and vegetables by the sweat of their brow throughout the whole year but unless they get proper facilities for the disposal of those articles however much the Provincial Government would supplement their endeavours, I think, these will not fully serve the purpose. Government should take the matter in right earnest in the light of augmenting the transport and marketing facilities of their commodities. Sir, the paddy sells at Nowgong now from Re. 1 to Rs. 2 per maund. Why this difference, Sir? This difference is due to the comparative suitability of conveyance. In the interior, Sir, some 10 or 12 miles away from the railway stations, paddy sells at Re. 1 per maund while at Rs. 2 near about a railway station. The difference is very big in the matter of sale of a commodity which only fetches a price of Rs. 2 and in a price of Rs. 2 for a commodity the difference of one rupee is a colossal one and that is particularly due to the transport difficulties and the want of proper means of conveyance, Sir. I would, therefore, urge upon the Government to make a proper survey of the activities of the Marketing Officers in the light of arranging in a proper and safer way the consignments placed in the railway godowns and also to see that the consignments of jute and paddy may be quickly despatched from one place to another where the market is a bit high and I think these observations will draw the attention of Government.

**Mr. C. GOLDSMITH:** Mr. Speaker, Sir, doubt has been thrown as to whether the Government has ascertained the utility of continuing this scheme. I must admit that the hon. members should be cautious in throwing suggestions

on the floor of this House and Government must thank for all the suggestions that they can receive at this time in order that the marketing scheme may be more utilised to public advantage and they will give proper weight on those. But reliance must, I think, be placed on the Government as to whether they have ascertained as to its utility. If the Government had not ascertained the utility, they would not have proposed the scheme for its extension to-day. In view of what has already been said on the floor of this House from the beginning to this day, it is clearly evident to the Hon'ble Premier that such a scheme is absolutely necessary at this time. If it were not necessary before, it is more necessary now. Over and above that, he must have heard and got public opinion on the present system of supply and demand in our province; he must have taken note of that. We must also understand and admit that there are things and there are facts which have not been presented by the hon. members of this House but they are known to the Government. Looking at the abnormal time and the agitation in the country, I believe, that the Government is fully alive to the situation and have taken note of them. The Premier surely knows all these and therefore to doubt as to whether Government has ascertained the utility is to make an unfortunate anticipation. Therefore, I would ask the hon. members of this House to endorse this scheme and the extension of the scheme.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Mr. Speaker, Sir, we have in this discussion travelled far wide of the original motion—right from the marketing of jute, paddy, cane etc. to the question of wagon supply. I know the difficulties of the times and therefore I did not object to the speeches of my hon. friends who introduced new matters which are quite irrelevant to the discussion before the House.

**Babu KAMINI KUMAR SEN:** Sir, is it not a fact that one of the functions of the Marketing Section, as stated by the Hon'ble Prime Minister, is to find transport facilities for the goods?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I spoke of concession rates in transport systems, Sir.

I would have been very pleased with all the remarks that have been made in this House if hon. members who had taken part in this discussion had gone through at least one of the reports that had already been published. I suppose, I will not be correct if I say that it had been published because these reports are to be submitted to the Government of India, Indian Council of Agricultural Research, but copies of these reports are with our Agricultural Department. If any hon. members are keen to learn the function of this Department, they would do well to read at least one of the reports and they will find it very illustrating and illuminating and hon. members of this House who go through these reports will realise the value of these surveys.

**The Hon'ble the SPEAKER:** No Government publications were supplied to the hon. members of the House during the period of suspension of the Constitution.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I know that, Sir. I will take up the criticisms of my hon. friends one by one. But in order to remove the apprehension I am constrained to lay before the House a very short summary of what have already been done. At the inception, this Marketing Section was to gather data of the products of the different provinces in India so that the Central Government would be in a position to know what crop grows where and what facilities could be given for distributing those products. Supposing there was a surplus which could be exported to other province, that could be arranged. It was with this idea that the Section was created and that is why the Indian Council of Agricultural Research came with monetary aid and report had to be made to them. So far the reports that have been made on different commodities, the line that has been taken in these reports is to furnish first how the crop is grown, whether there can be any improved method to grow them, what are the seasons and what are the climatic

variations that affect production and then what are the railway or other transport facilities for marketing them in different places, whether the products need grading to get better price and in order to meet competition whether concessional rate could not be had from public carrier companies and the railways. It is with this idea that the reports have been written and, I say, it gives very valuable information for those who go through them. So, Sir, I will give a very short account of what have been aimed at and what have been attained during the period during which the Section has been in existence. The Marketing Section serves as a clearing house for all information connected with the marketing of agricultural commodities. Numerous enquiries have been received from various sources and replied to during the few years the Marketing Section has been in existence. As the Marketing Section takes up development work in right earnest in future, as it is expected to do, there is no doubt that the work under this head will increase immensely. During the last few years, the Marketing Section has obtained quite a number of concessions in railway and steamer freights for several agricultural commodities. This in itself has already promoted trade and the matter will require constant attention from the Marketing Section in future. A small beginning only has been made this year in experiment on suitable types of containers and methods of packing for perishable commodities. There is hardly any doubt that a huge waste of Assam fruits exported outside the province takes place on account of defects in containers and methods of packing. I cannot but illustrate this point by a very simple and homely observation or experiment. If any hon. members have ever taken the trouble of packing perishable fruits such as mangoes or oranges, and the basket contained even one rotten fruit they may have noticed that in a short time very nearly the whole basket gets wasted because of the germs of the rotten or the decomposing fruit having spread to others. But if each fruit is separately wrapped in tissue paper—which sells very cheap—without any defect in packing, then the germs of the particular decomposing fruit cannot spread to other ones. On account of the tissue paper wrapping alone, though there may be one or two deteriorating or decomposing fruits, the others remain fresh and unblemished. Probably hon. members who have gone to the Calcutta New Market must have noticed apples booked from distant places like America, Japan, etc., are covered with tissue papers. It is for this simple reason that those fruits are preserved from getting rotten, that is by being kept segregated. This process of packing has now been made familiar among our fruit exporters by the Marketing Section. Similarly another thing which almost 90 per cent. of our people do not understand is the method of plucking. The normal system of plucking is to shake the whole tree and thereby the ripe fruits fall down below from a height of about 20 feet to the ground and many get their skins broken or bruised and they become an easy prey for the decomposing germs that are lurking in the air. But if the fruits are plucked without letting them fall to the ground and then packed individually in paper then there is least chance of any wastage in transit and the fruits can be kept fresh for a longer time. In Bengal, I have seen that mangoes are not plucked in the way that is done here but they use a kind of net hoisted at the end of a pole which is taken right up to the fruit and the branch is given little shake and the particular fruit drops on the net. This simple method is now popularised and gives the grower of fruits some chance of having the full consignment paid for, rather than a decaying consignment thrown away on account of simple preventive measures not taken at the time of either plucking or packing.

Then, during the last few years the Marketing Section has been concerned normally in carrying on survey within the province and to find out ways and means in connection with the exports of commodities of the province. In the interest of producers of export commodities of this province it will be necessary to study conditions prevailing in potential markets for those commodities so that producers may be put into touch with commission agents and wholesale buyers of those markets.



Then securing and publishing information about prices of selected commodities in selected markets—At present the Marketing Section is furnishing information to two hill officers regarding weekly prices of lac (including Assam lac) in Calcutta. Similar information for cotton and other commodities would be highly useful. In this connection I will remember the suggestion made by hon. friend Mr. Benjamin Ch. Momin about the information he requires for cotton.

Then marketing survey for new crops—Already the Marketing Section has submitted 27 reports in connection with agricultural marketing in this province. Several other similar reports will have to be prepared with a view to taking up development work intelligently. Marketing surveys are a necessary preliminary to all development work.

The promotion of organised marketing—This is evidently, the most important item. This includes such things as (a) pooling, (b) co-operative sale with a view to having greater bargaining power, (c) holding of stock against rise in price, (d) provision of ware houses, etc. In order to achieve these objects, producers will have to be organised into associations where feasible and practicable.

Then, starting special marketing agencies in outside markets.—This includes selection on proper security of market functionaries who would be recommended to producers sending their produce for disposal in outside markets. Where the volume of the trade demands it, the Marketing Section may provide supervision or start its own agency as it was done in previous years for pineapple and orange.

My hon. friend Mr. Abdul Bari Chaudhury has already informed the House that the Marketing Section had stationed an officer of this Department at Calcutta in order to see that the fruits sent by this province are properly handled in Calcutta and good prices are obtained. I was present at Calcutta during those days and I have noticed that whereas formerly consignments sent to Calcutta from Assam used to fetch a price on an average of four annas per pineapple, since the grading system was introduced and since the marketing officer was there to see that the Assam growers get a good price, on an average, twelve annas are now obtained for each fruit. I have seen such fruit selling at Re. 1 even. Probably hon. members know that not only in Sylhet but also in the Assam Valley the Agricultural Department have introduced the cultivation of the Giant Kew variety of pineapples. These fruits are very big, and some years before I brought a sample of a pair to the House weighing 11 pounds each but the normal weight is about 5 pounds each. They get a very good market in Calcutta and are fetching a price of over Rs 2 each even. The advantages of grading which is being introduced by the Marketing Section may be considered. A maund of jute if ungraded is sold to the market say at Rs. 4 to 5 and if the same bale of jute is graded according to its quality into *White Jat Tossa* and *Deshi*, the maund will fetch a very much higher price. '*White' Jat* is of very high market value selling from Rs. 10 to 15 per maund. This special variety of jute is produced from fibre near to the stem and is silvery in colour while the fibre near the skin or outside of the plant is rather reddish in colour and is normally sold at Rs. 3 to 4 per maund. If jute is graded properly and then sold, it produces a return of Rs. 12 per maund. Therefore this system of grading is very advantageous for the raiyots and this is being introduced by the Marketing Section. There are other activities of the Department but I don't propose to lay them before the House. Sufficient indications have been given about the functions of this Section. Therefore the remarks which my hon. friends—at least of some of them—have made towards this Section that it has not been of much use to the actual cultivator, that this Marketing Section misnamed by many as Marketing Board—has not done anything to level down price or that the Marketing Section's functions ought to be that there is no disparity of price obtained by the grower and the middlemen, I assure my hon. friends, that their remarks are besides the legitimate activities of the Section. I have taken notes of their criticisms and I will bear in mind all the suggestions made by them. I myself started by saying that on account of the

intervention of the war and on account of the extreme difficulty in transport, some of the functions and duties of the Department are not effective now.

It is no use telling the Assam cultivators that they will get a very good price for their sesamum or *teel* if it could be transported and sold in the Madras market. The hon. members may know that in Madras, the place of mustard oil is taken up by cocoanut oil while the place of ghee or butter in our culinary is taken up by what they call *Gingeli* oil made of *teel* and thus *teel* seed is very greatly valued in Madras Presidency. If we could only send all these to Madras, our cultivators could get a good price but as I said, on account of the transport difficulties, this information will remain only in theory and will not be translated into practice. So, reports of this nature will not be of much value to the cultivators of the province at this juncture.

Secondly, Sir, one of the functions of this Marketing Section is to obtain some concession rates for exports of agricultural commodities from the province, but when in this time there is no transport facilities, what is the benefit of getting any concession rates? Therefore, I am seriously considering whether the suggestions made from various quarters of this House that if we are to keep this Section, we should utilise their services on the lines mentioned by my hon. friends here, *i.e.*, they should give their attention now to see that people are instructed not to sell their commodities at a cheap rate at the beginning of the season, and that they should try to combine and form into co-operative societies with the intention of getting better prices and that the services of these Officers should be diverted towards helping the cultivators in transporting their goods, should not be given effect to. My hon. friend Mr. Mookerjee made the suggestion that from the 1st of January the services of this Section may be dispensed with. I have come up to the House with a proposal that their services may be retained till the 31st March, *i.e.* for three months more.

**Mr. BAIDYANATH MOOERJEE:** On a point of personal explanation. I said, that if it is not possible, it can be extended up to 31st March, 1943.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I am obliged to my hon. friend, for this. I missed that portion of his speech. In fact my motion and his speech are the same and if in the meantime, we can devise some means of utilising this Section for the benefit of the province then we can continue the scheme in the next budget year also. If we find that these officers are not producing anything further to help our province or in the event of the Indian Council of Agricultural Research not giving aid next year, in that case this scheme will be dropped automatically.

Now, in this connection, my hon. friend Maulavi Amiruddin spoke about the sad plight of the jute cultivators in his district. We all know, Sir, that on account of various reasons over which the Provincial Government have got no control, there was very little movement in jute not only here but also in Bengal. The reasons are obvious; formerly out of 1 crore 10 lakhs of bales which are the normal produce of a year, about 70 lakhs of bales were used by industry in India and the rest used to be exported to Dundee, Germany, Italy and South and North America. But since the war, on account of shipping difficulties, this export trade has been killed. Therefore there has been a surplus of very nearly 40 lakhs of bales in India, *i.e.*, about 2 crores of maunds. But the Military Department placed very big orders for sandbags and about half of this surplus was consumed by our own industry, *i.e.*, Jute Industry in Bengal, but even then there is a surplus. Hon. members may remember that Bengal alone grows over 85 per cent. of the total jute produced in the whole world and our share is only little more than 5 per cent.; Bihar and Orissa gives the rest. The cultivators of Bengal were very hard hit. The Government of Bengal by an Act tried to regulate the production of jute but on account of very fine weather the production of jute has been bumper there. The Bengal Government in order to come to the aid of the jute growers in Bengal, tried various measures; they tried to buy the crop from the cultivators at a reasonable price and later on to market the jute. As a vast amount of money was necessary for this, they tried to borrow funds from the Central Government

but they could not provide because even on an average of Rs.5 per maund, the total crops produced in Bengal would require some 300 crores of rupees. Now, Sir, I find from the press, that they have borrowed a crore of rupees from the Central Government with the idea of advancing this money to the cultivators, who on the assumption of this financial aid will be in a position to keep their stock atleast for sometime but the population of Bengal is 5 crores and so we can realise that this one crore of rupees which amounts to a help of about 13 pice per capita will not help the province much. Any way, they have tried their level best to help the cultivators. I have been accused why I have not done something for Assam. Sir, our jute question is not so acute as in Bengal because we produce only 5 per cent. of the total crop but we tried to help our cultivators in another way. When we found that on account of transport difficulties, Assam jute could not go out into the markets at Calcutta, the price of jute in the jute growing districts of Nowgong, Goalpara, Kamrup and also western portion of Sylhet was in the neighbourhood of Rs.2 which did not even pay the cultivators the return of his labour for retting alone. We tried hard both with the Steamer Companies and the other Transport concerns for facilities of shipping space or wagon. Then we placed the case of this commodity of Assam with the Regional Priorities Committee at Calcutta. I think most hon. members do not know the existence of such a Committee in Calcutta. It has been established in order to see which province and what commodities should be given priority in transport facilities either by rail or by steamer. Our interest is looked after by Mr. Vipan, who, as many hon. members know, was Commercial Manager of the Assam-Bengal Railway. He has got vast experience of transport and also experience of the requirements and difficulties of the province.

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:** Is there no representative of the public in that Committee?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** No, Government of India selected the personnel.

The Regional Priorities Committee has been good enough to assure us that they have given priority for the transport of 40,000 maunds of jute per week from Assam into Bengal, and I have been informed by Mr. Whittaker that we have received just now the report of the number of wagons for carrying several commodities including jute, that have been placed at the disposal for transport into and out of Assam. In the month of October the number of wagons that we got was 83 for the whole month; but for November up to the 10th, that is one-third of the month, already 126 wagons have been placed at our disposal and we have taken advantage of the facilities. But so far as jute of Nowgong is concerned, there has been another stumbling block. I will read from this Report:—

“Jute started moving from Nowgong from 19th October 1942 but as many of the jute bales did not conform to the standard dimensions, they were not accepted by the Steamer Company and consequently there was a large accumulation of jute wagons at Pandu. The Priorities Committee was approached on the subject and they issued the necessary instructions with regard to the acceptance of the over-sized bales and this happened to ease the position. The size of jute bales are further restricted from 1st December and it is feared that the balers will not be able to adhere to the new dimensions and this might lead to a fresh congestion at Pandu. The District Traffic Superintendent, Lumding, who has inspected some of the hand presses in the Nowgong area is almost convinced that the new sizes cannot be worked to, owing to the unsatisfactory conditions of jute presses and has asked for a sufficient margin to be allowed in the prescribed dimensions to prevent a large number of bales from being rejected and I am of the opinion that this should be done. I have recommended that bales exceeding the standard volume by 10 per cent. should be accepted for despatch and the freight raised by the corresponding amount to allow for the increased shipping space.”

So, from all these facts hon. members will find that Government is perfectly alive to the difficulties of the situation. They have done their level best to obtain shipping and transport facilities for our food-stuffs and agricultural commodities. Monthly meetings are being held of the Economic Advisory Board in which the Agricultural Department as well as seven hon. members of this House are represented. We have pressed both the Railways and the Steamer Companies to give priority and shipping space for transport of civil supplies both to and from Assam.

Sir, I have given every possible details of the working of the Marketing Section and have also taken note of the suggestions made which will receive very careful consideration from the Department. I have enumerated the various steps that we have taken to ease the situation and I hope that this belated motion of mine for giving sanction for the continuance of the Marketing Section till the end of the financial year will be voted by the House. This sanction ought to have been obtained in the previous financial year, but on account of the abnormal situation of the province then, this could not be done.

**The Hon'ble the SPEAKER:** Question is:

"That this House approves that the term of the Agricultural Marketing scheme which expired on the 31st March 1942, be extended till the end of the year 1942-43.

The question was adopted.

**Motion re: expenditure of funds from the revenues of the Province—(i) on the control of motor transport, and (ii) on the purchase of the motor transport vehicles.**

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I beg to move, Sir, that this Assembly approves the expenditure of funds from the revenues of the Province—

(a) on the control of motor transport for the purpose of conserving the vehicles available for moving the supplies vital to the public and securing the maximum efficiency of road transport for the public service; and

(b) on the purchase of motor transport vehicles, recovery of derelict vehicles and the servicing and repair of all motor transport vehicles at the disposal of Government, in the form of a Pool operated under the control of Government.

Sir, the difficulty about transport by rail and by steamer I have mentioned on various occasions and also while discussing the last motion of mine. Yesterday various hon. members had also mentioned the great difficulties of the travelling public in regard to road transport—I mean transport by means of motor vehicles, that the country has experienced since the beginning of this year, with the result that the public has felt great inconvenience in transporting their goods and themselves from one place to another. Also great difficulties are being experienced in the matter of movement of vital necessities of life.

I have told the House that this situation arose for two reasons: one is the urgent necessity felt by the Central Government for rationing the supply of petrol issued to the public including the transport companies and lately, by the requisition by the Military of the available motor transports, for Military needs, in particular sections of Assam. Buses and goods lorries that were plying in various nooks and corners of the province, were hurriedly taken away and given to the Military authorities for use by them for the effective defence of the province and of India as a whole from enemy aggression. Be it said to the credit of the people of Assam that they cheerfully bore all these difficulties that were brought home to them by this sudden stoppage of motor transports in the province. Government thought that they would be able to manage to get some shipping space in the steamer companies and wagons in the railway companies to make up the deficiency caused to the motor transport. In this also there was a big surprise, for the steamer companies which were carrying civil goods were suddenly confronted with the demand

of the Military to transport their goods as the main artery of communication between the province and outside was breached on account of heavy floods that washed away 2 or 3 bridges on the main railway line of communication. Passenger facility that was given by these steamer companies was thus curtailed and with the greatest difficulty, the Civil Administration prevailed upon the steamer companies to reserve a small part of their shipping space for movement of the vital necessities of civil supplies.

We have been impressing upon the Central Government the sad plight of Assam, which is a war front province, as regards transport vehicles, and when a high official from the Central Government Communication Board visited Assam, he, after personal and local enquiry, was convinced that Assam's war efforts should be strengthened and promised that he would see that Assam gets priority to the purchase of new motor vehicles and that in a consignment of new motor vehicles that had already arrived from America, Assam's share would be 250 lorries. We were in great hope that transport vehicles that had been taken away by the Military would be replaced by new vehicles and our road transport would be rehabilitated. But since that high official returned to Delhi, probably he was pressed by the demands of other provinces and ultimately Assam's share of vehicles had been reduced to 50 only. The position had to be reviewed because 50 new vehicles will not solve our problem. At this time, we requested the Military authorities to release the vehicles which they had requisitioned earlier in the year so that they could be put on the road again. The great tea industry which had ungrudgingly and cheerfully spared their officers and labour force for helping in the war efforts again came to our rescue and they promised that if a pool is organised they will be only too glad to release the very few motor vehicles left with them and place them in the pool. We had, therefore, tried to create such a pool and we thought that this will make about 400 vehicles. New purchases, vehicles that will be loaned by the tea industry and the vehicles that are repairable or which are runners from the Military will add to that strength. An explanatory note giving all the necessary information on the proposed method of working this pool has been placed before each hon. member, but last night I had a note from the Motor Transport Controller that after a tour of the province, he has found that the figures which have been printed need some modification. He has reported that out of the 330 vehicles that were expected to be released by the Military only 162 are repairable and could be placed on the road after necessary repairs, whereas 168 have been cannibalised. These vehicles have been used to such an extent and have been left in such neglected condition that they are beyond repair. We can get parts from these cannibalised vehicles which may be utilised for repair of other vehicles or which can be kept for future needs. But we must have a very good workshop with a capable Mechanic to repair all these vehicles that are not beyond use. Then certain vehicles which we thought we would be able to put to the pool have now been taken away for urgent work in other areas and contrary to our expectation, the Army have now refused to release any runners whatsoever. But even then, I think, with a pool of 200 vehicles we can work the scheme and therefore I have come before the House for sanctioning this venture of the provincial Government and it is expected that although this will require over 3 lakhs of rupees initially, that sum will be more than recouped by the sale of spare parts that we will get from the cannibalised vehicles.

(At 12-50 P. M. the Sirens sounded the "Air Raid Alarm", and the House dispersed and the members took shelter in slit trenches provided by the Assembly Department in the Assembly Building Compound).

(At 12-57 P. M. the House re-assembled after the "All Clear" was given).

### Adjournment

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

*After Lunch*

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Mr. Speaker, Sir, I was nearly at the end of my speech when we were interrupted by the warning siren as the Subdivisional watchers from Sunamganj telegraphed that three unidentified planes were proceeding to the north-east.....

**Khan Bahadur Maulavi MAHMUD ALI:** From Sunamganj, Sir?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Yes, Sir, all credit to Maulavi Maqbul Hussain Chaudhury's constituency. I have just got the information from the Hon'ble Minister-in-charge of Civil Defence.

My proposition was that in view of the fact that in the near future there is an apprehension that the Railway and the Steamer Transport Services will not have either the wagon capacity nor shipping space for utilization by the civil public, and in view of the fact that the province is suffering for deficiency of road transport, we propose to embark on a system of commercial undertaking—a new venture for a Provincial Government—and start a pool of motor vehicles partly by buying new vehicles and partly by repairing old vehicles released by the Military, and also taking advantage of the offer made by the Tea Industry. We hope, Sir, that if this pool can be organised and administered properly, motor transport will be available in every creek and corner of the province to the great benefit of the passenger traffic and for the transit of goods, which is essentially necessary at this time when there is a dearth of food-stuffs and staple food-stuffs such as rice and paddy have to be moved from one part of the country to the other. I have already stated that according to the scheme the working will be self-sufficient, for, the freights earned will probably meet the running expenditure, and the capital sum will be available by the sale of spare parts and the vehicles, etc., when we move to normal times.

With these words, I commend my motion to the acceptance of the hon. members of this House.

**Mr. BAIDYANATH MOOKERJEE:** Mr. Speaker, Sir, I must thank the Government that after all they have realised that there is a necessity for taking up at least some portion of the road transport in their own hands—what we wanted about three or four years ago, I find, has come to pass now. What our request could not bring at that time, the necessity of the present days has compelled the Government to bring that now. But at the same time, I am really sorry to remark that although the idea is quite up to the mark, the way in which the Hon'ble Premier wants to give effect to the idea is not very sound, in my opinion. How, Sir, I shall just explain. We understand that about 250 lorries were to be given to this Government, but now I understand that only 50 lorries will be given.....

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** We shall have to pay for the 50 lorries.

**Mr. BAIDYANATH MOOKERJEE:** Exactly, I know that it is not a gift, but we shall have to pay for every bit of it—that I am quite sure, Sir. We shall get 20 per cent. of the promised lorries. From the figures that we have got here in the explanation, we find and it is quite well-known to all the hon. members that in case we get more number of lorries the cost in the management will be less. Sir, we shall get only 50 new lorries; we were given to understand in this explanation which has been subsequently modified by the Hon'ble Prime Minister that the running vehicles will not be given to us. We shall get only used lorries. Not only that, but those which are of no use at present to the Military will be sold to us. Sir, we must think before we take up the scheme, whether these rejected lorries will be of real use to us. Without entering into details I can say that certainly some of them will be of some use to us. But, Sir, whether the scheme should be based on such a hypothetical ground that is to be seen. Sir, as regards the cost that has been shown here

at page 5, I am sorry that in these few pages there are many mistakes in figures. Sir, of course, it may be said that the gentleman has volunteered his service gratis and we should not expect perfection from him. If I may be allowed to draw your kind attention to the last two lines of the first page, you will find that the services of the Comptroller himself have been obtained on a no cost basis for a period to initiate this scheme. Sir, whether such a scheme should be initiated by a person who has nothing to do with the scheme after the scheme is initiated, is a question which should be most seriously considered. I think to initiate a scheme, there must be some responsible man who shall have to reply or answer to the Government in case it meets with failure. Sir, the very first item of expenditure under 4(a) at page 5 running costs per lorry—petrol—60,000 miles at 8 mile per gallon required 7,500 gallons at Rs.2-2-6. Sir, I think, the Hon'ble Prime Minister will agree with me that the figures shown here are not correct. Then again, Sir, as regards lubricating oil it is well-known to those who own cars as well as to all the hon. members that old cars require more lubricating oil than new cars. This is common sense. The figures that are shown here that for old lorries one gallon mobile will be required to run 500 miles in an average is not at all convincing and, Sir, I am sure any expert will bear me out. As regards tyre, Sir, the cost has been shown at Rs.80 per tyre. Sir, even with regard to ordinary vehicles—private cars—we find that the price of tyre is not less than that. In case of a lorry which will carry 2½ tons over and above the weight of the lorry itself, he suggested Rs.80 per tyre, I do not know wherefrom he found it. What about tubes? My hon. friend Mr. Chaudhuri says that it will be not less than Rs.200. Then again, Sir, taxation, insurance, etc., say at Rs.30 per month. Wages of driver say at Rs.60 per month for 18 months. Mark these two figures. From this I can understand that these 60,000 miles will be covered in course of 18 months. For the helpers, Sir, 25 rupees a month has been allotted and that for 18 months. I think it is not Rs.375 but Rs.450 will be required. It is most simple, Sir. Quarter of 1800 is not 375 but 450. Sir, I am very sorry, I could not go into details in regard to these figures as I had to look into 6 other Bills. Sir, in this scheme many mistakes have been made. These are simple and do not require a very careful scrutiny. However, these may be rectified but my main point is whether it would be advisable to run such a business with these old lorries. As regards the total cost for 18 months (Page 6) the figure has been shown as Rs.1,10,520; that figure is also wrong, Sir. So, Sir, my humble submission is this that the Hon'ble Prime Minister should think twice before he adopts such a scheme with old vehicles which have been rejected by the Military. I have got full sympathy, I am quite alive that there must be some enterprise like this and it is really gratifying that Government has taken it up in their hands but not with these old lorries; we must try with new vehicles. The calculation that has been made in the explanatory note is not at all convincing and under the circumstances, I cannot support the motion.

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:** On a point of information, Sir. Does this scheme include Surma Valley, Sir?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Yes, it includes the whole province.

**Mr. A. WHITTAKER:** Mr. Speaker, Sir, I should like to congratulate the Government of Assam on what I think even the most cautious person will describe as an extremely bold venture. In my budget speech, Sir, I appealed for a spirit of enterprise and also of adventure. Having gone through this statement, I think, we are going to get both in very full measure. Mr. Mookerjee has made a very pertinent criticism about the proportion of old vehicles to new. But I think Mr. Mookerjee has overlooked one point—that

we had no choice in the matter. We are to run the old vehicles or nothing. This is really a desperate situation which calls for a desperate remedy and the spirit of enterprise which has prompted the Government of Assam to run this Pool, is deserving of all praise. Like Mr. Mookerjee I do not agree with the arithmetical calculations in a number of places, but I understand that these calculations have been revised.

One other comment I want to make. I hope the Government of Assam will not be entirely satisfied with the Government of India's offer of 50 new lorries. Surely, we have still got some right of appeal and in view of what the Hon'ble Prime Minister has said this morning about the latest military decision that no tea garden lorries will be returned from Defence Project and no runners will be returned, we have an additionally strong case to go to the Government of India to ask them to redeem at least a part of their original promise to send 250 new vehicles. The whole basis of the Pool scheme is worked out, as far as I know, on an expectation of 200 running vehicles. I have the advantage of most persons in this Assembly in having seen some of these immobilised lorries, and having seen, Sir, I do not question the courage of the Government of Assam in tackling this problem in this very praiseworthy way. I do appeal however to the Hon'ble Prime Minister not to rest content with 50 new lorries in view of this latest army decision to retain most of our transport. I think we have a very good case for going up again to the Government of India, if not for 250, at any rate, for 150 and I hope the Hon'ble Prime Minister will make his usual exertions in the interest of the province with the Government of India in this respect. In every other respect, Sir, I commend and support the Hon'ble Prime Minister's motion and his courage.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Mr. Speaker, Sir, I may satisfy certain critics but not Mr. Mookerjee. He started by saying that it was his idea that Government should undertake to control some transport system of its own 3 years back. According to him Government was foolish not to accept his advice and very magnanimously he gave credit to Government that they have come out with a scheme at the present moment. Having said all this, Sir, he has now warned the Ministry that Government should not undertake this venture, for in his opinion the vehicles that are repairable may not serve the purpose. He is of opinion that better have nothing than anything and therefore he has opposed my motion.

**Mr. BAIDYANATH MOOKERJEE:** That is not opposition, Sir. I meant that Government should start this business with new vehicles.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I am glad for this correction, but this is a correction of my words, not ideas, for I have made note from his speech that he definitely said that Government should not invest the tax-payers' money in an adventure which will really prove a failure. I am, however, glad that he is at one with Mr. Whittaker that he is appreciating the scheme, but he is urging upon the Government of Assam to press for more new lorries. Sir, I will be giving out no secret when I say that I personally discussed this matter with a high Government of India officer who had visited Assam, before whom I pressed the claim for aid not only about transport but also in various matters. I can assure my hon. friends that we will press our case and press it to its logical conclusion. Our demand is for 250 lorries which were promised by a very high official of the Government of India. There is one little difficulty that stands in my way and that is that these lorries that have been shipped from America to India are under the Lease and Lend Act, and unless one can prove that these lorries will help the Military efforts and defeat the enemy, we cannot get any vehicles out of these consignments and we have got to make up a case that by servicing all these lorries in the province of Assam we will be helping in the war measures, and then alone we can get some



extra lorries beyond that have been definitely promised for this province. I do not think, Sir, that Government of Assam will lag behind in pushing forward this scheme and to make out a strong case that transport facilities in the province will be adding to the great war efforts of the province and that it may facilitate even troop movements. I hope, Sir, with this assurance my hon. friends will give their assent to the scheme which we are drawing up.

My friend Mr. Mookerjee with his eagle eyes have noticed the mistakes in the figures. I cannot but congratulate him for his industry. As a matter of fact I was worried when I could not reconcile the figures. Last night these figures were corrected for me by our Controller of Transport but these corrections, Sir, do not make much difference in the ultimate total in working of the scheme. But my hon. friend will rest assured that every figure will be scrutinised thoroughly not only by the Department but also by the auditing staff of the Government of India, I mean the Comptroller's office.

Next, my friend had urged with some plausibility that because the present Controller has been lent to us by the Assam Oil Company and getting his salary from them, and he being their own officer, we cannot get the same enthusiasm for the work from such an officer. I think, Sir, the point is really otherwise. This officer belongs to the Assam Oil Company and if we can rehabilitate the motor transport service in the province and as we expect it will be petrol driven, at least most of them, the Assam Oil Company has got a definite interest in this matter and therefore their officer will try his level best to put everything on a proper basis. Every vehicle repaired and put on service would last long in a running capacity and therefore consuming oil produced by the Company.

**Mr. E. H. S. LEWIS:** On a point of information, Sir, I cannot support the views just now expressed by the Hon'ble Prime Minister as I come from the Assam Oil Company. The position is that, the disposal of oil products is now arranged for by the Government of India and it does not matter to the Assam Oil Company how many of these vehicles are running in this province. In any case, Sir, I understand that a large number of them will run on producer gas. We are not producers of charcoal.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** The explanation Mr. Lewis has now given is that the entire produce of the Assam Oil Company are guaranteed for purchase by the Central Government. If so, Sir, *i. e.*, if the entire produce of the Assam Oil Company is taken away out of the province, in that case I will be the first person to scrap the whole scheme. We want to get as much petrol available from the Assam Oil Company. We have not got sufficient experience of producer gas. We need to procure charcoal. We have to arrange for this for the paucity of petrol. Only thirty of these new vehicles will be installed with producer gas plant but we are calculating on a basis of 200 vehicles and just now my hon. friends have seen that it is on the basis of consumption of one gallon of petrol for 8 miles of running that the whole system has been worked out and so if my friend Mr. Lewis says that every drop of their oil will get out of the province for the benefit of the Central Government, then I will at once withdraw this motion.

When I mentioned about the interest of the Assam Oil Company, I never thought of imputing any mercenary motives to the Company, but I was meeting the argument of Mr. Mookerjee, who stated that the Province could not expect whole-hearted service from the officer, who is paid by an outside body and not by Government. All credit is due to the Assam Oil Company for lending service of Mr. Adamson for a period to enable the Assam Government to initiate the scheme of a Pool for motor transport.

**Mr. E. H. S. LEWIS:** Some further explanation is necessary, Sir, as the Hon'ble Premier has evidently misunderstood me. There is no question of all the production of the Assam Oil Company going out of this province and I

never indicated that. The position is that any petrol that is not consumed in this province can find a market outside this province, and therefore it will not affect the Assam Oil Company whether this scheme runs or not, because if the petrol is not consumed in these vehicles in this province then it will be consumed outside the province. But if these vehicles are to run in the province, they will get the petrol from the province.

**Mr. A. WHITTAKER:** On a point of personal explanation, Sir. I must make a statement. It is a matter of concern and a matter of advantage to every industrial enterprise in this province to unfreeze motor transport and to that extent the Assam Oil Company and the tea industry as well as public utility companies are all equally interested in this venture to get transport going again.....

**Srijut ROHINI KUMAR CHAUDHURI:** On a point of information, Sir. I think Government is aware that even the Government of India has agreed that some mail motor service should be stopped for want of petrol. So unless the supply of petrol is assured the whole scheme must fall through.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I am greatly relieved to hear the last explanation of my hon. friend Mr. Lewis. When I said, Sir, that the officer who has been selected as Controller of Motor Transport and whose services have been lent by the Assam Oil Company, which company, be it said to their credit, has been pleased to continue to pay the salary of this officer for a period although his services will be at the disposal of the Government of Assam I did not want to impute any mercenary motive to the Assam Oil Company but what I want to impress upon the House and specially upon Mr. Mookerjee who had raised the point that the officer, whether he is paid by the Assam Government or by the Assam Oil Company, will work with every keenness and enthusiasm and with all the experience that he possesses. Sir, instead of imputing any such mercenary motive I commend the action of the Assam Oil Company in lending this officer of great experience for organising this scheme or trying to put it on its legs or for trying to find out the suitable mechanics for running the workshop which shall have to be assembled from different parts of India.

Sir, the question is whether we should start a Pool of 50 new lorries that we expect to get or we should start to augment the field by repair of those that are reparable and by trying to get further new lorries from the Government of India. Unless we can make a start, we won't get any help from the Central Government. Therefore my suggestion to the hon. members of this House is to give their blessings to the scheme and allow us by their acceptance of the motion to give a start to this transport venture which the Government, in the words of Mr. Whittaker, so courageously lodged.

**The Hon'ble the SPEAKER:** I am putting the question before the House. "That this Assembly approves the expenditure of funds from the revenues of the Province—

- (a) On the control of motor transport for the purpose of conserving the vehicles available for moving the supplies vital to the public and securing the maximum efficiency of road transport for the public service; and
- (b) on the purchase of motor transport vehicles, recovery of derelict vehicles and the servicing and repair of all motor transport vehicles at the disposal of Government, in the form of a Pool operated under the control of Government".

The question was adopted.

**Governor's Messages re The Assam Money Lenders' (Amendment) Bill, 1937 and the Goalpara Tenancy (Amendment) Bill, 1939**

**The Hon'ble the SPEAKER:** Coming to item No.4, I am now placing before the House two messages from His Excellency the Governor relating to the Goalpara Tenancy (Amendment) Bill and the Assam Money Lenders' (Amendment) Bill.

"In modification of paragraph 6 of my message dated 10th of November 1942 to both Chambers of the Assam Legislature in connection with the Assam Money Lenders' (Amendment) Bill I hereby appoint the Hon'ble Khan Bahadur Sayidur Rahman to be in-charge of the said Bill in the Assam Legislative Assembly for the purpose of the said message.

GOVERNMENT HOUSE,  
Shillong,  
19th November 1942.

A. G. CLOW,  
Governor of Assam."

The next message is to this effect:—"In modification of paragraph III of my message of 10th November relating to the Goalpara Tenancy (Amendment) Bill, I recommend that in the proposed sub-section (7) to section 20, for the figure '24', the figures '76' be substituted.

GOVERNMENT HOUSE,  
Shillong,  
The 23rd November 1942.

A. G. CLOW,  
Governor of Assam."

The hon. members will please note that in the list of amendments under clause 3, the figure '24' should be altered to figure '76' according to the terms of the message that I have just now read out before the House. I am now putting to the House the amendments recommended by His Excellency the Governor to the Goalpara Tenancy (Amendment) Bill, 1939. Every hon. member has been supplied with a printed copy of these amendments and I am not going to read these amendments again. I read out these amendments when I placed the message before the House the other day.

**The Goalpara Tenancy (Amendment) Bill, 1939**

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Mr. Speaker, Sir, I beg to move that the recommendation of His Excellency the Governor and the amendments proposed by him to be introduced in the Goalpara Tenancy (Amendment) Bill, 1939 and put before the House from the Chair be considered in detail.

Sir, in moving this motion, I think it is necessary and pertinent on my part to give a brief history of the legislation that is before the House. The hon. members will all remember that the question of ameliorating the condition of the tenants in the permanently-settled portions of Sylhet and Goalpara has been engaging the attention of the Government since 1937 and after investigating into the position, Government brought out two Bills to amend the existing tenancy laws in these two districts which were introduced in 1938 but before the Bills could be considered, the Ministry went out of office. On the assumption of office by the Congress Ministry, these Bills were not proceeded with but they introduced two revised Bills conceding some more privileges to the tenants; these Bills were referred to the Select Committee and after the resignation of that Ministry, the subsequent Ministry decided to proceed with the Bill as it emerged from the Select Committee and the Bill was passed by the Assembly on 22nd November 1940 with certain amendments. Then that Bill was sent to the Upper House; the Council considered that Bill with the amendments and passed the Bill with certain other amendments on 15th January 1941. Then the Bill came again to this House and this House accepted the Bill with the amendments made by the Council finally on 27th March 1941. Now when the Bill

went to His Excellency the Governor for his assent, it was scrutinised by him and he was advised that there were some drafting errors and defects in the Bill without the removal of which, he could not give his assent. His Excellency the Governor thought of sending the message during the last Winter Session of the Assembly but unfortunately the Ministry again resigned at that time; so the matter stood over for a year and it is now after two years of the passing of the Bill that this Bill has again come up before the House with the message from His Excellency the Governor proposing certain amendments to be incorporated in the Bill. I beg to state before the House that these amendments do not affect the merits of the Bill but they are all of a verbal nature and have been made only to remove certain ambiguity and certain redundancy in certain clauses. For instance, Sir, when this Bill was discussed in the Assembly in 1941, my hon. friend My. Mookerjee pointed out certain defects in the Bill and he asked the House whether it would be proper to pass the Bill with these defects. Now one of these defects has been sought to be remedied by the amendments proposed in the message. I refer to clause 5 of the Bill. By clause 5 of the Bill a new section 21A has been inserted whereby a person entitled to an occupancy holding is given the option to give notice of transfers made before the Bill becomes an Act. This right will however be created by the present Bill and should therefore operate only in respect of transfer made after and not before the right has accrued. Similar provision in the Sylhet Tenancy (Amendment) Bill (Clause 8) was omitted by the Council in order to remove retrospective effect but similar amendment was not made by them in respect of the Goalpara Tenancy (Amendment) Bill. So it is proposed to delete the clause for the sake of consistency and removal of retrospective effect.

Amendment Nos. 10 and 16. By clause 16 of the Bill, section 43 of the Parent Act has been deleted and by clause 15, a new section 42A has been added giving the incidence of tenancy of an under-raiyat who has acquired a limited right of occupancy under the provisions of the new section 41A added by clause 13. In sections 79(5) and 98(1) (b)(iv) of the Parent Act, however, reference to section 43 has not been expunged by amendment, the former dealing with the freedom from ejection of an under-raiyat referred to in section 43, and the latter to the description of an under-raiyat in the record of rights. It is therefore necessary to substitute "Section 42A" for "Section 43" in sections 79 and 98(1) (b)(iv) of the Parent Act.

Similarly, Sir, clause 31 adds a new section 95A allowing suspension of enhancement of rent for 10 years. Sub-section 2(a) as amended by the Legislature deals with decrees or orders passed after the amending Bill becomes law, declaring them inoperative from their date till the expiry of ten years referred to in sub-section (1). But as this sub-section suspends all the provisions of the chapters referred to relating to enhancement of rent for that period, no such decree or order can be passed. It is therefore necessary to delete sub-section 2(a) as being unnecessary. Hence there is necessity for amendment.

Then again, Sir, by clause 20 of the Bill, section 57 of the Parent Act has been deleted, which allowed damages in a rent suit in certain cases. Section 147 refers to appeals in suits where such damages have been awarded and requires amendment to the extent of deletion of these words. Section 152 defines "arrear" and "arrear of rent" as including such damages and requires similar amendment. So the proposed amendments have become necessary.

In another case, by clause 37 of the Bill, Chapter XII of the Parent Act has been repealed.

This consisted of section 170 which provided for recovery of arrears of rent under certificate procedure in certain cases. In section 177, however, the proviso which lays down conditions under which the provisions of the repealed chapter shall apply, has not been deleted by amendment, and as it is no longer operative, it is necessary to delete this. Hence the necessity for the proposed amendment.

So, Sir, I need not give any more details of the amendments at this stage. I think it will be sufficient to let the House know that these amendments do not affect the main provisions of the Bill. Only with a view to carry out the intention of the Legislature these verbal defects have been rectified and proposals are being made to amend them accordingly.

**The Hon'ble the SPEAKER:** Motion moved:

"That the recommendation of His Excellency the Governor and the amendments proposed by him to be introduced in the Goalpara Tenancy (Amendment) Bill, 1939, and put before the House from the Chair, be considered in detail".

Hon. members will be quite at liberty to discuss the principles underlying the amendments proposed.

*(After a pause)*

I take it that there is not going to be any debate on this motion. So, I am putting the question before the House.

The question is:

"That the recommendation of His Excellency the Governor and the amendments proposed by him to be introduced in the Goalpara Tenancy (Amendment) Bill, 1939, and put before the House from the Chair be considered in detail".

The question was adopted.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Is it necessary to move each amendment separately? May I move all the amendments together?

**The Hon'ble the SPEAKER:** No.

**Mr. BAIDYANATH MOOKERJEE:** As regards the first clause, I have some objection.

**The Hon'ble the SPEAKER:** Let us then take up clause 3 first.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** I beg to move, Sir, that in clause 3, after sub-section (6) of new section 20, the following new sub-sections shall be added:—

"(7) In this section 'transferee' includes the successors in interest of the transferee; and 'transfer' includes bequest but does not include (i) succession by inheritance, (ii) division of tenancies in accordance with section 76, (iii) leases executed in accordance with the provisions of this Act, (iv) complete usufructuary mortgages, (v) simple mortgages or mortgages by conditional sale until a final decree for sale or foreclosure is made.

(8) In sub-section (4), 'purchaser' includes the successors in interest of the purchaser and 'mortgagee' includes the successors in interest of the mortgagee".

Sir, this amendment has become necessary as it has been thought indispensable to delete clause 5. It is intended to add a provision of clause 10 at the end of section 20 as amended by clause 3.

**Mr. BAIDYANATH MOOKERJEE:** I rise on a point of order, Sir. I think notice was not given in time. So, Sir, this clause may be left over to be discussed another time, because we shall get sufficient time to discuss it later. Here we are going to replace 76 in place of 24.

**The Hon'ble the SPEAKER:** No question of notice comes in, in regard to this matter. It is only correcting a mistake of figures. The hon. member got notice of this correction just when we were going to take up item No. 4 of the agenda of business. The Rules do not provide that for such a correction, notice is to be given.

**Mr. BAIDYANATH MOOKERJEE:** This is quite a new thing, Sir. We do not know what section 76 is. At least the Hon'ble Minister should explain. Otherwise it is impossible to understand and to take part.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Sir, this is an unfortunate mistake which has persisted from the beginning. The

acts of the matter are, Sir, that when this Bill was first introduced in the Assembly, there was a clause No. 24 which read thus: "For section 76 of the said Act the following section" shall be substituted....." Now, Sir, in clause 10 there is a mistake.

**The Hon'ble the SPEAKER:** The simple question is that the amendment relates to division of tenancies in accordance with the provisions of section 76 of the Act. This is to be explained. And the explanation is that there is no question of division of tenancies in section 24 of the Act and therefore the figure 24 is a mistaken figure.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** I was going to show how the mistake crept in.

**Mr. BAIDYANATH MOOKERJEE:** This mistake was pointed out by me at the time of the passing of the Bill.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** It is unfortunate that the mistake could not be detected before and even now the mistake persists. It was only day before yesterday, that I discovered this mistake and pointed it out to the Secretary, Revenue.

**The Hon'ble the SPEAKER:** Amendment moved: "That in clause 3, after sub-section (6) of new section 20, the following new sub-sections shall be added:—

(7) In this section 'transferee' includes the successors in interest of the transferee; and 'transfer' includes bequest but does not include (i) succession by inheritance, (ii) division of tenancies in accordance with section 76, (iii) leases executed in accordance with the provisions of this Act, (iv) complete usufructuary mortgages, (v) simple mortgages or mortgages by conditional sale until a final decree for sale or foreclosure is made.

(8) In sub-section (4), 'purchaser' includes the successors in interest of the purchaser and 'mortgagee' includes the successors in interest of the mortgagee".

I take it that no hon. member is going to speak on this amendment.

(After a pause)

**The Hon'ble the SPEAKER:** The question is:

"That in clause 3, after sub-section (6) of new section 20, the following new sub-sections shall be added:—

(7) In this section 'transferee' includes the successors in interest of the transferee; and 'transfer' includes bequest but does not include (i) succession by inheritance, (ii) division of tenancies in accordance with section 76, (iii) leases executed in accordance with the provisions of this Act, (iv) complete usufructuary mortgages, (v) simple mortgages or mortgages by conditional sale until a final decree for sale or foreclosure is made.

(8) In sub-section (4), 'purchaser' includes the successors in interest of the purchaser and 'mortgagee' includes the successors in interest of the mortgagee".

The question was adopted.

Now the question is that clause 3 as amended stands part of the Bill.

The question was adopted.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** I beg to move that clause 5 of the Bill be deleted with consequential renumbering of subsequent clauses.

As I have said before, this has become necessary in order to remove the retrospective effect.

**The Hon'ble the SPEAKER:** Amendment moved: "That clause 5 of the Bill be deleted with consequential renumbering of subsequent clauses".

**Mr. BAIDYANATH MOOKERJEE:** Sir, I rise to support this motion because I find that after all my cry was not in vain. At least there are some places where the real position has been fully understood and the real grievance has been removed.

**The Hon'ble the SPEAKER:** The question is: "That clause 5 of the Bill be deleted, with consequential re-numbering of subsequent clauses."

This question was adopted.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Sir, I beg to move that in clause 8 [sub-section (2) of new section 25] for the words "this Act" occurring for the second time (see 4th line of that sub-section), the words "The Goalpara Tenancy (Amendment) Act, 194," shall be substituted.

That in clause 8 [in sub-sections (1), (2), (3), (4) and (5) of the new section 25] for the words "the Goalpara Tenancy Act, 1929," the words "this Act" be substituted.

That in clause 8, for the proviso to sub-section (6) of the new section 25, the following be substituted, namely:—

"Provided that, if in the case of such a mortgage subsisting on the date on which the Goalpara Tenancy (Amendment) Act, 194, comes into force, the said period has, on the date of the commencement of the said Act, already expired, the mortgagor shall, immediately on the commencement of the said Act, become entitled to possession of the mortgaged holding; but he shall not be entitled to, nor shall the mortgagee be liable for, any compensation in respect of the mortgagee's possession from the date of the expiry of the said period to the date of the commencement of the said Act."

A confusion has arisen between the words "this Act" and "The Goalpara Tenancy (Amendment) Act, 194." Sir, this is a minor drafting error that is sought to be rectified by this amendment.

**The Hon'ble the SPEAKER:** The amendments moved:

"That in clause 8 [sub-section (2) of new section 25] for the words "this Act" occurring for the second time (see 4th line of that sub-section), the words "The Goalpara Tenancy (Amendment) Act, 194," shall be substituted.

That in clause 8 [in sub-sections (1), (2), (3), (4) and (5) of the new section 25] for the words "the Goalpara Tenancy Act, 1929," the words "this Act," be substituted.

That in clause 8, for the proviso to sub-section (6) of the new section 25, the following be substituted, namely:—

"Provided that, if in the case of such a mortgage subsisting on the date on which the Goalpara Tenancy (Amendment) Act, 194, comes into force, the said period has, on the date of the commencement of the said Act, already expired, the mortgagor shall, immediately on the commencement of the said Act, become entitled to possession of the mortgaged holding; but he shall not be entitled to, nor shall the mortgagee be liable for, any compensation in respect of the mortgagee's possession from the date of the expiry of the said period to the date of the commencement of the said Act."

I am putting this as a question before the House.

The question was put and adopted.

Now the question is that clause 8 as amended stands part of the Bill.

The question was adopted.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Sir, I beg to move that clause 10, shall be deleted with consequential re-numbering of subsequent clauses.

This is also, because clause 5 has been deleted.

**The Hon'ble the SPEAKER:** The amendment moved: "That clause 10, shall be deleted with consequential re-numbering of subsequent clauses."

Then I am putting this as a question to the House.

The question was put and adopted.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Sir, I beg to move that in clause 12, for the word "may" the word, "shall" be substituted.

This is the addition of certain word to the proviso. It cannot be made optional, so the word "may" is sought to be replaced by the word "shall".

**The Hon'ble the SPEAKER:** The amendment moved: "That in clause 12, for the word 'may' the word, 'shall' be substituted".

I am putting this as a question.

The question was put and adopted.

Now the question is: "That clause 12, as amended stands part of the Bill".

The question was adopted.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Sir, I beg to move that in clause 13, in the new section 41A, the words "of the said Act" shall be omitted.

That in clause 13, for the words "a person" the words "every person" shall be substituted.

This is also to remove the confusion.

**The Hon'ble the SPEAKER:** The amendments moved:

"That in clause 13, in the new section 41A, the words "of the said Act" shall be omitted.

That in clause 13, for the words "a person" the words "every person" shall be substituted."

I am putting this as a question before the House.

The question was put and adopted.

Now the question is: "That clause 13 as amended stands part of the Bill."

The question was adopted.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Sir, I beg to move that a new clause 26A, be added to the Bill as follows:—

"26A. In sub-section (5) of section 79 of the said Act for the figure '43' the figure and letter '42A' shall be substituted."

I have already explained the reasons why this amendment is necessary.

**The Hon'ble the SPEAKER:** The amendment moved: "That a new clause 26A be added to the Bill as follows:—

"26A. In sub-section (5) of section 79 of the said Act for the figure '43' the figure and letter '42A' shall be substituted."

I am putting this as a question to the House.

The question was put and adopted.

Now the question is: "That clause 26A stands part of the Bill."

The question was adopted.



**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Sir, I beg to move that in clause 30, in the new clause (b) to sub-section (2) of section 84, the words "of the said Act" shall be omitted.

This is also to remove a confusion.

**The Hon'ble the SPEAKER:** The amendment moved: "That in clause 30, in the new clause (b) to sub-section (2) of section 84, the words "of the said Act" shall be omitted."

I am putting this as a question to the House.

The question was put and adopted.

Now the question is: "That clause 30, as amended, stands part of the Bill."

The question was adopted.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Sir, I beg to move "That in clause 31, the words "sub-headings and" shall be deleted.

That in clause 31, for sub-section (1) of the new section 95A, the following be substituted, namely:—

"95A. (1) All the provisions of Chapters III, IV, V and VI of this Act relating to enhancement of rent are hereby suspended for a period of ten years from the date of the commencement of the Goalpara Tenancy (Amendment) Act, 194 "

That in clause 31, clause (a) of sub-section (2) of the new section 95A, be deleted, and clause (b) be renumbered as sub-section (2).

That in clause 31, in clause (b) of sub-section (1) of the new section 95B, for the words "the said Act", the words "this Act" be substituted "

**The Hon'ble the SPEAKER:** The amendments moved:

"That in clause 31, the words "sub-headings and" shall be deleted.

That in clause 31, for sub-section (1) of the new section 95A, the following be substituted, namely:—

"95A. (1) All the provisions of Chapters III, IV, V and VI of this Act relating to enhancement of rent are hereby suspended for a period of ten years from the date of the commencement of the Goalpara Tenancy (Amendment) Act, 194 "

That in clause 31, clause (a) of sub-section (2) of the new section 95A, be deleted, and clause (b) be renumbered as sub-section (2).

That in clause 31, in clause (b) of sub-section (1) of the new section 95B for the words "the said Act," the words "this Act" be substituted."

I am putting this as a question to the House.

The question was put and adopted.

Now the question is: "That clause 31, as amended, stands part of the Bill."

The question was adopted.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** I beg to move, Sir, that a new clause 31A, be added to the Bill, as follows:—

"31A. In sub-clause (iv) of clause (b) of sub-section (1) of section 98 of the said Act, for the figure '43' the figure and letter '42A' shall be substituted",

I have already given the reasons for this amendment.

**The Hon'ble the SPEAKER :** Amendment moved :

"That a new clause 31A be added to the Bill, as follows :—

"31A. In sub-clause (iv) of clause (b) of sub-section (1) of section 98 of the said Act, for the figure '43' the figure and letter '42A' shall be substituted".

I am putting this as a question before the House.

The question was put and adopted.

Now the question is : "That clause 31A, stands part of the Bill."

The question was adopted.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** I beg to move, Sir, that after clause 34, a new clause 34A be added to the Bill as follows :—

"34A. In section 147 of the said Act, the words and figure 'or damages under section 57' shall be deleted"

**The Hon'ble the SPEAKER :** Amendment moved :

"That after clause 34, a new clause 34A be added to the Bill, as follows :—

"34A. In section 147 of the said Act, the words and figure 'or damages under section 57' shall be deleted."

I am putting this as a question before the House.

The question was put and adopted.

Now the question is : "That clause 34A stands part of the Bill."

The question was adopted.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** I beg to move, Sir, that after clause 35, a new clause 35A be added to the Bill, as follows :—

"35A. In sub-section (c) of section 152 of the said Act, the words and figure 'or damages awarded in lieu of interest under section 57' shall be deleted".

**The Hon'ble the SPEAKER :** Amendment moved :

"That after clause 35, a new clause 35A be added to the Bill, as follows :—

"35A. In sub-section (c) of section 152 of the said Act, the words and figure 'or damages awarded in lieu of interest under section 57' shall be deleted".

I am putting this as a question before the House.

The question was put and adopted.

Now the question is : "That clause 35A stands part of the Bill."

The question was adopted.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** I beg to move, Sir, that after clause 38, a new clause 38A be added to the Bill, as follows :—

"38A. In section 177 of the said Act, for the colon after the words 'and the like' a fullstop shall be substituted, and the proviso shall be deleted".

I have already given reasons for this.

**The Hon'ble the SPEAKER :** Amendment moved :

"That after clause 38, a new clause 38A be added to the Bill, as follows :—

"38A. In section 177 of the said Act, for the colon after the words 'and the like' a fullstop shall be substituted, and the proviso shall be deleted".

I am putting this as a question before the House.

The question was put and adopted.

Now the question is : "That clause 38A stands part of the Bill."

The question was adopted.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** Sir, I beg to move that the Goalpara Tenancy (Amendment) Bill, 1939, as now amended, be passed.

**The Hon'ble the SPEAKER :** Motion moved :

"That the Goalpara Tenancy (Amendment) Bill, 1939, as now amended, be passed."

**Mr. BAIDYANATH MOOKERJEE :** Mr. Speaker, Sir, I am sorry to find that there is no representative of the Goalpara district present in the House to rejoice over the passing of this Bill.

**The Hon'ble the SPEAKER :** They feel that their interests are quite safe in the hands of the hon. members.

**Mr. BAIDYANATH MOOKERJEE :** Sir, last time I had to do the unpleasant task of opposing some revolutionary clauses ; the Bill was however passed by this Honourable House in spite of my opposition, and it was also passed by the other House. But to-day, I find, Sir, that some of our grievances (by 'our' I mean those who opposed the Bill) have been redressed to some extent. Sir, while opposing some clauses I informed this Honourable House that I was at one with those hon. members who really wanted the benefit of the agriculturists, and I repeat it to-day. The only thing that I wanted to impress was that it should not be one sided. I am glad that the Bill has come to this House again with some amendments, Sir, I do not think that it will be of any use by opposing the Bill at this stage in this depleted House.

**The Hon'ble the SPEAKER :** The question is :

"That the Goalpara Tenancy (Amendment) Bill, 1939, as now amended, be passed."

The question was adopted.

#### **The Sylhet Tenancy (Amendment) Bill, 1939**

**The Hon'ble the SPEAKER :** I am now putting before the House the amendments proposed by His Excellency the Governor to the Sylhet Tenancy (Amendment) Bill, 1939. The amendments were read out by me to the House the other day when His Excellency's message was placed. The hon. members have been supplied with printed copies of these amendments, and therefore, I will not take the time of the House by reading out those amendments over again.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** Mr. Speaker, Sir, I beg to move that the recommendation of His Excellency the Governor and the amendments proposed by him to be introduced in the Sylhet Tenancy (Amendment) Bill, 1939, and put before the House from the Chair be considered in detail.

Sir, I need not repeat the history of this legislation, as it is the same with the Goalpara one and the amendment proposed here also are mostly of a verbal nature.

**The Hon'ble the SPEAKER :** Motion moved :

"That the recommendation of His Excellency the Governor and the amendments proposed by him to be introduced in the Sylhet Tenancy (Amendment) Bill, 1939, and put before the House from the Chair be considered in detail."

(After a pause)

I am putting this as a question before the House.

The question was put and adopted.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** Sir, I beg to move that for sub-clause (a) of clause 6, the following be substituted, namely :—

"(a) In section 30 of the said Act for the words 'the landlord's transfer fee', 'landlord's transfer fee,' or 'transfer fee', wherever they occur, the words, 'the landlord's registration fee' shall be substituted".

By this a mendment only a verbal mistake is sought to be corrected.

**The Hon'ble the SPEAKER :** Amendment moved :

"That for sub-clause (a) of clause 6, the following be substituted, namely :—

"(a) In section 30 of the said Act for the words 'the landlord's transfer fee', 'landlord's transfer fee', or 'transfer fee', wherever they occur, the words, 'the landlord's registration fee' shall be substituted".

I am putting this as a question before the House.

The question was put and adopted.

The question now is :

That clause 6, as amended, stands part of the Bill.

The question was adopted.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** I beg to move, Sir.

(a) That clause 7 be renumbered as sub-clause (a) of that clause and that, in the clause as so renumbered :—

(i) for the words "ending with the word greater" at the end of clause (e), the words "ending with the word 'holding' at the end of the first proviso" be substituted.

(ii) for the words "the clause" in the proviso to section 31 of the parent Act, the words "this section" be substituted.

(b) That to the clause as so renumbered the following sub-clause be added, namely :—

"(b) In the second proviso to section 31 of the said Act for the words 'the landlord's transfer fee' the words 'the landlord's registration fee', shall be substituted and the existing clause shall be renumbered as sub-clause (a)".

Now, in this amendment, Sir, the original clause has been divided into two parts, clauses (a) and (b).

**The Hon'ble the SPEAKER :** Amendments moved :

"(a) That clause 7 be renumbered as sub-clause (a) of that clause and that in the clause as so renumbered :—

(i) for the words "ending with the word greater" at the end of clause (e), the words "ending with the word 'holding' at the end of the first proviso" be substituted,

(ii) for the words "the clause" in the proviso to section 31 of the parent Act, the words "this section" be substituted.

(b) That to the clause as so renumbered the following sub-clause be added, namely :—

"(b) In the second proviso to section 31 of the said Act for the words 'the landlord's transfer fee' the words 'the landlord's registration fee', shall be substituted and the existing clause shall be renumbered as sub-clause (a)".

I am putting this as a question before the House.

The question was put and adopted.

Now the question is :

That clause 7, as amended, stands part of the Bill.

The question was adopted.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** I beg to move, Sir.

That for sub-clause (a) of clause 9, the following be substituted, namely :—

"(a) For the words 'the landlord's transfer fee' or 'landlord's transfer fee', wherever they occur, the words 'the landlord's registration fee' shall be substituted".

That in sub-clause (c) of clause 9 for the words and figures "(i) In sub-section (2) the words" the words and figures "In sub-section (2) :—(i) The words" be substituted.

**The Hon'ble the SPEAKER :** Amendments moved :

"That for sub-clause (a) of clause 9, the following be substituted, namely :—

"(a) For the words 'the landlord's transfer fee' or 'landlord's transfer fee', wherever they occur, the words 'the landlord's registration fee' shall be substituted".

That in sub-clause (c) of clause 9 for the words and figures "(i) In sub-section (2) the words" the words and figures "In sub-section (2) :—(i) The words" be substituted."

I am putting this as a question.

The question was put and adopted.

The question now is:

That clause 9, as amended, stands part of the Bill.

The question was adopted.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** I beg to move, Sir, that a new clause 10 be added to the Bill (in place of the deleted clause 10) as follows:—

“10. In section 33 of the said Act, for the words ‘the landlord’s transfer fee’, wherever they occur, the words ‘the landlord’s registration fee’ shall be substituted”.

**The Hon'ble the SPEAKER:** Amendment moved:

“That a new clause 10 be added to the Bill (in place of the deleted clause 10) as follows:—

“10. In section 33 of the said Act, for the words ‘the landlord’s transfer fee’, wherever they occur, the words ‘the landlord’s registration fee’ shall be substituted”.

I am putting this as a question.

The question was put and adopted.

The question now is:

That clause 10 stands part of the Bill.

The question was adopted.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** I beg to move, Sir.

That in clause 11, in sub-section (2) of the new section 34, at the second place where the words occur, for the words “this Act”, the words “the Sylhet Tenancy (Amendment) Act, 194 ” be substituted.

That in clause 11, in sub-sections (1), (2), (3), (4) and (5) of the new section 34 for the words “the Sylhet Tenancy Act, 1936” the words “this Act” be substituted.

That in clause 11, for the proviso to sub-section (6) of the new section 34, the following be substituted, namely:—

“Provided that, if in the case of such a mortgage subsisting on the date on which the Sylhet Tenancy (Amendment) Act, 194 comes into force, the said period has, on the date of the commencement of the said Act, already expired, the mortgagor shall, immediately on the commencement of the said Act, become entitled to possession of the mortgaged holding, but he shall not be entitled to, nor shall the mortgagee be liable for, any compensation in respect of the mortgagee’s possession from the date of the expiry of the said period to the date of the commencement of the said Act”.

Sir, this is to remove an ambiguity that this amendment has been brought.

**The Hon'ble the SPEAKER:** Amendments moved:

“That in clause 11, in sub-section (2) of the new section 34, at the second place where the words occur, for the words “this Act”, the words “the Sylhet Tenancy (Amendment) Act, 194 ” be substituted.

That in clause 11, in sub-sections (1), (2), (3), (4) and (5) of the new section 34 for the words “the Sylhet Tenancy Act, 1936” the words “this Act” be substituted.

That in clause 11, for the proviso to sub-section (6) of the new section 34, the following be substituted, namely:—

“Provided that, if in the case of such a mortgage subsisting on the date on which the Sylhet Tenancy (Amendment) Act, 194 comes into force, the said period has, on the date of the commencement of the said Act, already expired, the mortgagor shall, immediately on the commencement of the said Act, become entitled to possession of the mortgaged holding, but he shall not be entitled to, nor shall the

mortgagee be liable for, any compensation in respect of the mortgagee's possession from the date of the expiry of the said period to the date of the commencement of the said Act".

I am putting this as a question.

The question was put and adopted.

The question now is :

That clause 11, as amended, stands part of the Bill.

The question was adopted.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** I beg to move, Sir, that for clause 12, the following be substituted, namely:—

"12. In section 35 of the said Act for the words 'the landlord's transfer fee' or 'landlord's transfer fee', wherever they occur, the words 'the landlord's registration fee' shall be substituted".

**The Hon'ble the SPEAKER :** Amendment moved :

"That for clause 12, the following be substituted, namely:—

"12. In section 35 of the said Act for the words 'the landlord's transfer fee' or 'landlord's transfer fee', wherever they occur, the words 'the landlord's registration fee' shall be substituted".

I am putting this as a question.

The question was put and adopted.

The question now is :

That clause 12, as amended, stands part of the Bill.

The question was adopted.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** I beg to move Sir, that in clause 13, the word "For" be deleted, and the words "In section 36 of the said Act for" be inserted before the words "the words and figures". This also is a verbal amendment, Sir.

**The Hon'ble the SPEAKER :** Amendment moved :

"That in clause 13, the word "For" be deleted, and the words "In section 36 of the said Act for" be inserted before the words "the words and figures".

I am putting this as a question.

The question was put and adopted.

The question now is :

That clause 13, as amended, stands part of the Bill.

The question was adopted.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN :** I beg to move, Sir, that a new clause 14 be added to the Bill (in place of the deleted clause 14) as follows:—

"14. In section 37 of the said Act, for the words 'the landlord's transfer fee', the words 'the landlord's registration fee' shall be substituted".

**Mr. F. W. BLENNERHASSETT :** On a point of order, Sir. Have we a quorum at the moment ?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA :** Yes, Sir, there is a quorum.

**The Hon'ble the SPEAKER :** As I pointed out the other day, it is not necessary to find out whether there is a quorum in the House as often as an hon. member may request the Chair to do so.

Amendment moved :

"That a new clause 14 be added to the Bill (in place of the deleted clause 14) as follows:—

"14. In section 37 of the said Act, for the words 'the landlord's transfer fee', the words 'the landlord's registration fee' shall be substituted".

I am putting this as a question.

The question was put and adopted.

The question now is :

That clause 14 stands part of the Bill.

The question was adopted.

**The hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** I beg to move, Sir.—

That in clause 25, the words “sub-headings and” be deleted.

That in clause 25, for sub-section (1) of the new section 116A, the following shall be substituted, namely:—

“All the provisions of Chapters III, IV and V of this Act relating to enhancement of rent are hereby suspended for a period of ten years from the date of commencement of the Sylhet Tenancy (Amendment) Act, 194 ”.

That in clause 25, clause (a) of sub-section (2) of the new section 116A be deleted, and clause (b) be renumbered as sub-section (2).

That in clause 25, in the proviso to sub-section (1) of the new section 116B for the words “this Act”, the words “the Sylhet Tenancy (Amendment) Act, 194 ” be substituted.

That in clause 25, in sub-section (4) of the new section 116B the words “of the said Act” be omitted where they occur for the first time, and that for the said words, where they occur for the second time, the words “of this Act” be substituted.

**The Hon'ble the SPEAKER:** Amendments moved :

That in clause 25, the words “sub-headings and” be deleted.

That in clause 25, for sub-section (1) of the new section 116A, the following shall be substituted, namely:—

“All the provisions of Chapters III, IV and V of this Act relating to enhancement of rent are hereby suspended for a period of ten years from the date of commencement of the Sylhet Tenancy (Amendment) Act, 194 ”.

That in clause 25, clause (a) of sub-section (2) of the new section 116A be deleted, and clause (b) be renumbered as sub-section (2).

That in clause 25, in the proviso to sub-section (1) of the new section 116B for the words “this Act”, the words “the Sylhet Tenancy (Amendment) Act, 194 ” be substituted.

That in clause 25, in sub-section (4) of the new section 116B the words “of the said Act” be omitted where they occur for the first time, and that for the said words, where they occur for the second time, the words “of this Act” be substituted.

I am putting this as a question.

The question was put and adopted.

The question now is :

That clause 25 as amended stands part of the Bill.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** I beg to move, Sir, that the Sylhet Tenancy (Amendment) Bill, 1939, as now amended, be passed.

**The Hon'ble the SPEAKER:** The question is :

That the Sylhet Tenancy (Amendment) Bill, 1939, as now amended, be passed.

The question was adopted.

### The Assam Money-Lenders' (Amendment) Bill, 1937

**The Hon'ble the SPEAKER:** I now put before the House the amendments recommended to the Assam Money Lenders' (Amendment) Bill, 1937, by His Excellency the Governor. Copies of the amendments have been supplied to the hon. members.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Sir, I beg to move, that the recommendation of His Excellency the Governor and the amendments proposed by him to be introduced in the Assam Money-Lenders' (Amendment) Bill, 1937 and put before the House from the Chair be considered in detail.

Sir, the Assam Money-Lenders' (Amendment) Bill, 1937, was introduced on the 28th August 1937 by my friend Maulavi Abdul Aziz. Then the Bill was taken into consideration on the 9th December 1937. The motion as regards amendment to section 9 was carried after a good deal of discussion in this House. The Bill was passed on 15th February 1938. It was then laid before the Upper House. The Upper House made some amendments and the Bill was considered by this House on 18th March 1940. This House disagreed with the amendments made by the Upper House and sent back the Bill to the Upper House again. The Bill as originally passed by the Assembly was adopted there on 14th January 1941. The Bill was then placed before His Excellency for his assent. The Bill was examined by His Excellency who sent a message to this House. The Ministry then resigned and so the matter has been delayed. Now, His Excellency after an examination of the Bill, had discovered certain defects which he seeks to remedy by this message. The message itself is self explanatory. It relates to question of form. His Excellency proposes certain amendments to clause 5 with a view to remove legal objection and obscurity and carry out the intentions of the Legislature in full. His Excellency does not question or interfere with the provisions of the Bill itself. The amendments proposed are 4 in number. Three concern explanation (ii) of the Bill as passed by this House and the other concerns sub-section (3) of new section 9. Explanation (i) is unobjectionable. It should remain as it is with the omission of (i). Explanation (ii) is to become a substantive clause because it has been held on the authority of certain High Court rulings that explanation can explain only but cannot extend the provisions of an Act. Then explanation (ii) is also obscure. In order to make the intention of the Legislature clearer, His Excellency has suggested that it should be recast and that on the lines of section 17 of the Orissa Act. Then explanation (ii) also suffers from ambiguity due to the use of the words 'this Act'. There being three objections to explanation (ii), e.g., illegality, obscurity and ambiguity it is sought to be removed by the amendments proposed. Then sub-section (3) of the new section 9 is also obscure, the term 'parties' is vague and "subsequent instrument" is also vague. So, it is sought to be clarified by the amendments proposed, keeping in view the intention of the Legislature. Sub-sections will be renumbered if the amendments are accepted.

Explanation (ii) will become sub-section (2), sub-section (2) will become sub-section (3) and sub-section (3) will become sub-section (4).

With these words, Sir, I commend the motion for the acceptance of the House.

**The Hon'ble the SPEAKER:** Motion moved: "That the recommendation of His Excellency the Governor and the amendments proposed by him to be introduced in the Assam Money-Lenders' (Amendment) Bill, 1937 and put before the House from the Chair be considered in detail."

I am now putting this as a question.

The question was put and adopted.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Sir, I beg to move, that in clause 5 of the Bill, for that portion of the proposed section 9 commencing with the word "Explanation" and ending with the word "different", the following be substituted, namely:—

"*Explanation.*—The term 'aggregate' means and includes the amount already paid amicably or otherwise.

(2) Notwithstanding anything contained in sub-section (1), a usufructuary mortgage, in cases where the loan did not exceed five hundred rupees in principal, shall, unless discharged previously, be deemed to stand discharged:—

(i) if the mortgage was executed before the commencement of the Assam Money-Lenders' (Amendment) Act, 1941 after the expiration of twelve years from the date of such execution, or



(ii) if the mortgage was executed after the commencement of that Act, after the expiration of nine years from the date of such execution.

(3) In the case of a bond or any other instrument executed for past liabilities the original sum actually advanced shall be considered as the principal of the loan for the purpose of sub-section (1).

(4) The heirs, successors or assigns of a mortgagor shall have the same rights under this section as the original mortgagor would have had, and if by any instrument executed subsequently to the original instrument any property has been substituted for the property mortgaged by the original instrument, the provisions of this section shall apply to the property so substituted as if it were the property mortgaged by the original instrument".

Sir, I have already given reason for the amendment.

**The Hon'ble the SPEAKER:** Amendment moved:

"That in clause 5 of the Bill, for that portion of the proposed section 9 commencing with the word "Explanation" and ending with the word "different", the following be substituted, namely:—

"*Explanation.*—The term 'aggregate' means and includes the amount already paid amicably or otherwise.

(2) Notwithstanding anything contained in sub-section (1), a usufructuary mortgage, in cases where the loan did not exceed five hundred rupees in principal, shall, unless discharged previously, be deemed to stand discharged:—

(i) if the mortgage was executed before the commencement of the Assam Money-Lenders' (Amendment) Act, 194 after the expiration of twelve years from the date of such execution, or

(ii) if the mortgage was executed after the commencement of that Act, after the expiration of nine years from the date of such execution.

(3) In the case of a bond or any other instrument executed for past liabilities the original sum actually advanced shall be considered as the principal of the loan for the purpose of sub-section (1).

(4) The heirs, successors or assigns of a mortgagor shall have the same rights under this section as the original mortgagor would have had, and if by any instrument executed subsequently to the original instrument any property has been substituted for the property mortgaged by the original instrument, the provisions of this section shall apply to the property so substituted as if it were the property mortgaged by the original instrument".

I am putting this as a question before the House.

The question was put and adopted.

The question now is:

That clause 5, as amended, stands part of the Bill.

The question was adopted.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Sir, I beg to move that the Assam Money-Lenders' (Amendment) Bill, 1937 as now amended be passed.

**The Hon'ble the SPEAKER:** Motion moved:

"That the Assam Money-Lenders' (Amendment) Bill, 1937 as now amended be passed".

**Maulavi ABDUR RAHMAN:** Sir, the Bill has been amended by His Excellency the Governor. Really it removes some ambiguity and some defect. I remember, Sir, and I think most of the hon. members of

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this House remember that after the introduction of the Assam Money-Lenders' (Amendment) Bill by Maulavi Abdul Aziz, I brought in an amendment and the House was pleased to accept my amendment and the amendment became part of the Bill, but now I find after carefully going through the amendments which His Excellency suggested here that these are far more extensive than what I had proposed and I am glad that my intention has fully been described here in these amendments. These are more clear and I cannot have any doubt that the hon. members of this House and those who were in favour of the Bill should remain thankful to His Excellency because of his careful consideration of the legal problems of the Bill. With these words, Sir, I support the motion and accept with gratitude the amendments proposed to the Bill by His Excellency.

**Mr. BAIDYANATH MOOKERJEE:** Sir, this is the third and last of a series of one-sided legislation that we are going to pass to-day. As regards the other two Bills, I did not say anything because the relief that was sought by me in those two Bills previously were for the landholders; one of the prayers was that the Government should at least try to provide some such clause by which the landlords could realise their dues in time. Though it was a vital and just point yet it was refused; however, that portion is now over. But as regards this Bill the object of the mover was to give relief to the poor debtors. The relief as sought for has been provided, but, Sir, in this connection I like to sound a note of warning to the Government and to our hon. friends that they know very well that after the introduction of this Bill in this House the money market has become very shy and crimes have increased. So, unless Government come to the rescue of the poor villagers at the time of their need, this Bill, instead of giving any relief to the poor in general will crush them altogether. This Bill has given relief to some or few of the debtors who had some particular difficulties existing at that time. But, Sir, for the future, the creditors may also proceed in such a way that the entire object of this Bill may be frustrated and then soon, the Government will have to come with some other legislation. Sir, I appeal to Government to make some such arrangement by which they can really help the poor agriculturists in time of their need and can remove their real grievances. If we think that by only passing of this Bill our duties are over. I am sorry, for those hon. members who think like this. Sir, in this session, more than once I requested Government to make some such arrangements, so that the poor cultivators may not be exploited either by money-lenders or by businessmen who advance money at the time of their need and take advantage of that advance by taking their agricultural produces at a very low rate. Sir, I hope that I shall get some assurance from the Government that they will come forward with some such scheme by which the poor peasants will be really benefited. They should provide for easy loans.

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:** Mr. Speaker, Sir, I wholeheartedly support the motion and I warmly congratulate His Excellency the Governor for the sympathy he has shown towards the indebted cultivators and for sending the Bill to the House. I can always say that the dawn of a new era will flash on the lives of cultivators if this Bill comes into operation. My hon. friend Mr. Mookerjee has expressed thoughts of the crediting class. I can say that he cannot represent the cultivators.....

**Mr. BAIDYANATH MOOKERJEE:** On a point of personal explanation, Sir I do not know, Sir, whether my faulty expression or some defects in the hon. member's power of understanding has compelled him to pass such remark.

**Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY:** I do not know if Mr. Mookerjee is a Kaviraj to find out my defects in understanding. He does not represent the cultivating class. He represents those whose business it is to exploit the poor people and he cannot say anything on behalf

of the poor cultivators. Anything about cultivators can be said only by those hon. members who represent the tillers of the soil, the backbone of the population of this province. I know, Sir, that a class of creditors were trying their level best to see that the Bill is not passed. But I congratulate my hon. friends that they did not pay any heed to the creditors' efforts. From the message we have seen that His Excellency has recognised fully that the indebted cultivators must have such a Bill to get them free from the clutches of the creditors. To-day that Bill is before the House and I ask the hon. members to pass it without a division.

In connection with the Debt Conciliation Board, I met hundreds of cultivators every day and I can say without any ambiguity that people frequently asked me what was the fate of this Bill. We told the cultivators that the Bill was awaiting the assent of His Excellency the Governor. To-day, really is a day of joy for the indebted cultivators, as they are getting the Bill passed in this House as they desire. I now like that the Upper House will, as well, pass the Bill without any division. With these few words, Sir, I support the motion moved by the Hon'ble Minister-in-charge.

**Maulavi ABDUL AZIZ:** I like to take this opportunity to express my heartfelt gratitude to His Excellency the Governor for taking this sympathetic view and appreciate the principle of the Bill. His Excellency has very correctly assessed the class of people for whom this legislation has been passed. My friend Mr. Mookerjee is not sympathetic in this connection, because he does not represent that class of people and is not their representative. As Maulavi Maqbul Hussain Chaudhury has rightly pointed out, he represents the planting constituency and so he is a misfit in this House and he has not right to speak on this matter.....

**The Hon'ble the SPEAKER:** I think the hon. member is not right to speak like this.

**Maulavi ABDUL AZIZ:** It is a House of representatives. He comes from a particular constituency whose business is not with the agriculturists.....

**Mr. A. WHITTAKER:** On a point of order, Sir. Does this debate relate to the problem of the agriculturists?

**Mr. BAIDYANATH MOOKERJEE:** On a point of information, Sir. My hon. friend Maulavi Abdul Aziz has full right in saying that I am a misfit but not because I do not represent.....

**The Hon'ble the SPEAKER:** The hon. member should not have spoken like that; so he should withdraw the expression that "Mr. Mookerjee is a misfit and that he has no right to speak on this matter."

**Maulavi ABDUL AZIZ:** I beg to withdraw, Sir, if it is unhappy and displeasing.

**The Hon'ble the SPEAKER:** It is unhappy and displeasing.

**Maulavi ABDUL AZIZ:** I like to bring it to the notice of the House that he is not the real representative of the people. The wearer best knows where the shoe pinches. It is the poor people who know under what poverty, difficulty and hardship they are passing their days. Mr. Mookerjee has said that this Bill will make further exploitation of the poor people but I contend this statement of his. There are many other factors for which the poor people will welcome this Bill. I want to express my heartfelt gratitude to His Excellency for this Bill once more. With these few words, I support this motion.

**The Hon'ble the SPEAKER:** The question is:  
"That the Assam Money Lenders' (Amendment) Bill, 1937 as now amended be passed."

The question was adopted.

THE ASSAM LAND AND REVENUE REGULATION (AMENDMENT) BILL, 1941

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** There is no amendment. Therefore, I move that the Assam Land and Revenue Regulation (Amendment) Bill, 1941 be passed.

**The Hon'ble the SPEAKER:** Motion moved:

"That the Assam Land and Revenue Regulation (Amendment) Bill, 1941 be passed."

The question was put and adopted.

THE ASSAM DEBT CONCILIATION (AMENDMENT), BILL, 1942

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** I beg to introduce the Assam Debt Conciliation (Amendment) Bill, 1942.

(After a pause)

Sir, I beg to move that the Assam Debt Conciliation (Amendment) Bill, 1942 be referred to a Select Committee consisting of the following members:—

The Hon'ble Revenue Minister,

Mr. A. Whittaker,

Srijut Rohini Kumar Chaudhuri,

Maulavi Muhammad Maqbul Hussain Chaudhury,

Maulavi Badaruddin Ahmed,

Maulavi Naziruddin Ahmed,

Srijut Rabi Chandra Kachari,

Babu Kamini Kumar Sen.

I will substitute the name of Maulavi Namwar Ali Barbhuiya for Maulav Muhammad Amjad Ali.

I would also like to add two more names, *viz.*,

Maulavi Abdur Rahman and

Babu Kalachand Roy.

Sir, I had no occasion to take the consent of the hon. members mentioned here. So, if any of the hon. members does not like to serve on the Select Committee, I think it is up to him to say so.

Five members will form a quorum and the Select Committee will submit their report by the 28th February 1943.

**Mr. A. WHITTAKER:** I should have been glad to sit on the Select Committee but I like to point out that it is not necessary to have a Select Committee of eleven members to deal with this Bill and so it is better to reduce it to a reasonable number and in that case I would decline to serve on the Committee.

**The Hon'ble the SPEAKER:** The hon. member knows that I am really helpless in this matter.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** This is an important Bill in which the poor *raiyyats* are concerned and so when the representatives of the *raiyyats* showed their anxiety to associate themselves in considering the Bill, I had to increase the number of members to eleven and if Mr. Whittaker now declines to serve on the Committee, he may do so.

**Mr. A. WHITTAKER:** Thank you, Sir.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** Then I suggest the name of Maulavi Abdul Bari Chaudhury in place of Mr. Whittaker.

**Srijut ROHINI KUMAR CHAUDHURI:** Mr. Speaker, Sir, I would decline to serve on the Committee, I am sorry that my name was put without consulting me.

**The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN:** I do not suggest any substitute for him. Then I beg to move again that the Assam Debt

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BILL, 1942

Conciliation (Amendment) Bill, 1942 be referred to a Select Committee consisting of the following members :—

The Hon'ble Revenue Minister,  
Maulavi Abd-ul Bari Chaudhuri,

„ Muhammad Maqbul Hussain Chaudhury,

„ Badaruddin Ahmed,

„ Naziruddin Ahmed.

„ Nam-war Ali Barbhuiya,

„ Abdur Rahman,

Srijut Rabi Chandra Kachari,

Babu Kamini Kumar Sen,

„ Kalachand Roy.

Five members to form a quorum and the Select Committee is to submit their report by the 28th February, 1943.

**Maulavi ABDUR RAHMAN:** Sir, I rise to support this motion. I will make some observations in connection with the amending Bill. The amendment sought in the Bill with regard to section 8 of the existing Act will do immense good to the poor cultivators who are debtors. The existing section 8 of the Act does not provide that if a debt be discharged by the Board the property mortgaged in lieu of the debts cannot be released, but the amending Bill has sought that after the passing of the order of discharge of any debt the property kept in lieu shall be released within 15 days from the passing of the order. This not only will do immense benefit to the poor debtors but also will compel the creditors to come to the Board so that their debt may not be discharged. The amendments suggested with regard to section 13 empowers the collectors to realise the amount by process of certificates. At the outset it seems to be a hardship to some extent but considering the other circumstances of the Act, I think some sort of facilities should be given to the creditors for realisation of their dues.

### Adjournment

The Assembly was then adjourned till 11 a.m. on Thursday, the 26th November, 1942.

Shillong,

A. K. BARUA,

The 27th January 1943. }

Secretary, Legislative Assembly, Assam.

