



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

The Assembly met in the Assembly Chamber, Shillong, at 2 P. M. on Friday, the 9th March, 1945.

PRESENT

The Hon'ble Mr. Basanta Kumar Das, Speaker, in the Chair, the ten Hon'ble Ministers and fifty-eight hon. Members.

**QUESTIONS AND ANSWERS**

**STARRED QUESTIONS**

(To which oral answers were given).

**Assam Educational Conference held at Silchar**

Mr. BAIDYANATH MOOKERJEE asked :

\*58. (a) Will Government be pleased to state whether they have received the copies of resolutions passed in the meeting of the Assam Educational Conference held at Silchar during January last ?

(b) If so, what steps Government have taken or propose to take and when, on the said resolutions ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

58. (a)—Yes, separately as forwarded to Government on the 14th, 17th, 19th and 21st February, 1945.

(b)—The resolutions are under the consideration of Government.

Mr. BAIDYANATH MOOKERJEE : May we expect that early decision will be made by Government in this matter ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : Yes, as early as possible.

Maulavi ABDUR RAHMAN : Do Government consider that the demands made in the resolutions of the Conference are very reasonable ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN : I have not seen them as yet, Sir.

**Re Congress and Communist Political Prisoners**

†Babu KARUNA SINDHU ROY asked :

\*59 Will Government be pleased to state—

(a) The number of Congress political prisoners released after the 23rd November, 1944 till the 28th February, 1945 ?

(b) The number of Congress and Communist political prisoners whose cases have been reviewed by Government till now ?

(c) The reasons for not releasing those prisoners who are still under detention ?

(d) The names of Congress and Communist political prisoners who are still detained in jails ?

(e) The names of Congress and Communist political prisoners who are still interned in their respective villages, towns and Thanas ?

(f) The names of such prisoners who are still required to appear before their respective Police Stations ?

(g) The names of such persons who are still externed from the Province or from one district to the other in the Province or from one area to the other within the same district ?

(h) The names of such prisoners against whom warrants are still hanging ?

(i) The names of Congress and Communist political under-trials against whom cases have been pending and of those who are still in Hajat ?

†The Questions were put by Babu RABINDRA NATH ADITYA on authorisation.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

59. (a)—If the hon. Member refers to security prisoners, 68 have been released from detention in this period.

(b)—The case of each security prisoner is reviewed at intervals of six months as required by the Restriction and Detention Ordinance, 1944.

(c)—Government regret they are not prepared to disclose the specific reasons in particular cases. They are satisfied after thorough consideration that those under detention cannot in present circumstances be set at liberty without danger of prejudice to law and order.

(d)—Government regret they are not prepared to disclose names in matters of this kind. On the 15th February, 1945, 95 were still detained.

(e)—Up to 15th February, 1945, 131 persons in all have been restricted to residence within certain areas.

(f)—There are 53 out of the 131 under restrictive orders who are required to report at the Police Station.

(g)—Up to 15th February, 1945, 70 persons have been either externed from the Province or from certain districts or areas therein.

(h)—Three persons are evading service of orders passed for their detention.

(i)—As already stated Government would not be prepared to discuss individual cases. They would be prepared to give figures but the information is not readily available.

Mr. BAIDYANATH MOOKERJEE : May I know, Sir, on the basis of whose report Government came to the conclusion that if the restriction is removed and the political prisoners are released then there will be danger to the society regarding law and order ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : On the reports of the Deputy Commissioners and the Deputy Inspector-General of Police.

Maulavi ABDUL AZIZ : What is the difficulty of Government in disclosing the names of the political prisoners ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I am not prepared to discuss the merits and demerits of individual cases, and therefore, there is no necessity of publishing the names.

Maulavi ABDUL AZIZ : I mean the difficulty as to giving out the names of the prisoners ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I have got nothing to add to what I have already said.

Srijut SARVESWAR BARUA : The Hon'ble Premier has said that the reason for not releasing is the likelihood of there being danger to the public security, and law and order, but may I know from him if there has been such danger in the cases in which they have already released political prisoners ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Yes, Sir, unfortunately.

Srijut SARVESWAR BARUA : May I know in which cases, Sir ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I am not prepared to disclose my information at this stage.

Srijut ROHINI KUMAR CHAUDHURI : May I know if reports are called for at the end of every six months ? I understood yesterday from the Hon'ble Premier that he reviews cases either every six months or even every month and may I know at what intervals the police reports are received ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Under the Restriction and Detention Ordinance, Government are to review the cases at intervals of six months, but I generally review cases at intervals of six weeks.

Srijut MAHI CHANDRA BORA : May we have an idea of the procedure adopted by Government in the matter of reviewing cases of the political prisoners ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I call for the papers generally at intervals of six weeks. I call for the present reports and behaviour of these people inside the jails and on examination of their cases along with their previous records, if I find that under the present circumstances some of them can be set at liberty, I release them.

Srijut GAURI KANTA TALUKDAR : May I know, Sir, who reports as regards the behaviour of the political prisoners inside the jails ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : The Superintendents of Jails.

Srijut ROHINI KUMAR CHAUDHURI : Are the prisoners given any opportunity of answering to the charges made in the reports from time to time ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : No, Sir.

Srijut GAURI KANTA TALUKDAR : May I know what is the nature of behaviour that Government expect from the prisoners inside the jails ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : That is a matter of detail which I am not prepared to discuss here.

Srijut MAHI CHANDRA BORA : Are the Superintendents of Jails authorised to examine the prisoners in jails ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : In what respect, Sir ?

Srijut MAHI CHANDRA BORA : As regards their behaviour.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : No, Sir. We only call for impression of the Superintendents in respect of behaviour of the prisoners in jails.

Srijut GAURI KANTA TALUKDAR : Are there any instructions given to the Superintendents of Jails as to how they should gather their impression in respect of the political prisoners' behaviour inside the jails ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : No special instructions are given.

#### Re Comrade Probhodananda Kar

†Babu KARUNA SINDHU ROY asked :

\*60. Will Government be pleased to state—

- (a) Whether Comrade Probhodananda Kar has been interned in Sylhet town for more than the last three years ?
- (b) Why he has been interned ?
- (c) Whether Government are aware that he is an anti-Fascist ?
- (d) Whether any case of his subversive activities has been detected against him during the last three years ?
- (e) If not, why ban on his movement has not yet been withdrawn ?
- (f) Whether Government propose to release him after a thorough and impartial enquiry ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

60.(a)—Yes.

(b)—In the interests of public order.

(c)—Government have no information save that he professed adherence to the Communist Party.

(d)—Information shows that his subversive activities continue.

(e)—Does not arise.

(f)—As he is not detained, the Question does not arise.

Mr. BAIDYANATH MOOKERJEE : As regards (d), Sir, may I know what are his subversive activities that he is still continuing ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : In this case his activities were against discipline, but in various places his activities were against Government servants as well as labour force.

Mr. BAIDYANATH MOOKERJEE : But, Sir, he is an internee in the Sylhet town area, whereas the reply shows that his subversive activities are still continuing even when the restrictions have not been withdrawn. I could not exactly follow the answer of the Hon'ble Premier.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The answer is that his activities were against discipline which he is continuing in spite of his internment in a town.

Mr. BAIDYANATH MOOKERJEE: In spite of that, Sir, Government have kept him outside the jail? Is that so?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Because he is interned in his native place.

Babu RABINDRA NATH ADITYA: The answer to the Question is that this gentleman professed to be a Communist and Government have no information about his activities. Unless one's activities are followed by practice, do Government believe that they should take certain attitude against him as being a Communist?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: A real Communist never intervenes in others' activities.

### *Re Comrade Digendra Das Gupta*

†Babu KARUNA SINDHU ROY asked:

\*61. (a) Is it a fact that Comrade Digendra Das Gupta, the founder organiser of Trade Union Movement in Assam, has been under restrictions for more than the last 4 years?

(b) Whether there are any reports against him during the last 4 years justifying the imposition of restrictions on him?

(c) If not, why the ban on him has not yet been withdrawn?

(d) Do Government propose to release him after a thorough impartial enquiry?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

61. (a)—Yes.

(b)—He contravened the Government order restricting his movements in November, 1942, rendering himself liable for prosecution, and since then has been evading arrest.

(c)—Does not arise.

(d)—Government will consider the matter when he surrenders.

### *Re Chanchal Chandra Sarma, a Communist*

†Babu KARUNA SINDHU ROY asked:

\*62. Will Government be pleased to state—

(a) Whether Chanchal Chandra Sarma, a Communist, is still detained in jail?

(b) Why he has been recently transferred from Sylhet Jail?

(c) The name of jail in which he has been lodged now?

(d) Whether Government propose to release him?

(e) If not, why not?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

62. (a) to (e)—Orders have been recently issued for his release, Government have no information as to transfer from Sylhet Jail.

### *Re Security Prisoners*

Mr. BAIDYANATH MOOKERJEE asked:

\*63. Will Government be pleased to state—

(a) The names of security prisoners in the Province as it stood on 31st January 1945, showing their usual places of residence before detention and places where they have been detained now, including those who are not in jail now but are under some restriction?

(b) The rate of personal and family allowance given to each of them per mensem?

†The Questions were put by Babu RABINDRA NATH ADITYA on authorisation.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

63. (a)—Government cannot disclose the particulars including names of individual security prisoners or of those released from detention and restricted. The numbers of security prisoners who belong to the various districts and were in detention on 15th February 1945 and the numbers of such prisoners who were released from detention and restricted are as follows:—

Number of security prisoners in detention on 15th February 1945			Number of security prisoners released from detention and restricted up to 15th February 1945		
Sylhet	14	...	...	...	5
Nowgong	36	...	...	...	8
Sibsagar	33	...	...	...	26
Lakhimpur	4	...	...	...	8
Darrang	2	...	...	...	3
Kamrup	6	...	...	...	13
Cachar	...	...	...	...	1
	<u>95</u>				<u>64</u>

(b)—Government do not consider it desirable to discuss details in respect of individual persons. As regards family allowances, out of 95 security prisoners in detention 39 are in receipt of family allowances ranging from Rs.10 to Rs.70 per mensem. Three of those restricted are receiving maintenance allowances ranging from Rs. 15 to Rs. 25 per mensem.

All security prisoners who cannot provide from their own resources are entitled to expenditure up to Rs. 7-8-0 per mensem on their personal requirements by the Superintendent of the Jail. One person has been sanctioned a higher personal allowance of Rs. 20 per mensem by special order.

#### Externed Congress workers of Dibrugarh

†Srijut LAKSHESVAR BOROOAH asked :

\*64. (a) Will Government be pleased to state when the following Congress workers of Dibrugarh were externed—

- (1) Dr. Binoy Bhusan Chakravarty ;
- (2) Srijut Dalbir Singh ;
- (3) Sardar Waraim Singh ; and
- (4) Srijut Nilmany Barthakur, B.A. ?

(b) Are Government aware that Pandit Parbati Bhusan Vidyaratna, the father of aforesaid Dr. Binoy Bhusan Chakravarty is now laid up with protracted illness and that his condition is precarious ?

(c) Will Government be pleased to state whether they have received any application from the ailing and aged father of aforesaid Dr. Binoy Bhusan Chakravarty to allow his son to be by his side ?

(d) If so, do Government propose to allow Dr. Chakravarty to be at Dibrugarh to attend his ailing old father ?

(e) Are Government aware that the mother of aforesaid Srijut Nilmany Barthakur has been ailing for sometime ?

(f) Will Government be pleased to state whether they received any request from the parents of aforesaid Srijut Nilmany Barthakur to allow their son to be at Dibrugarh to look after them ?

(g) If so, do Government propose to permit Srijut Barthakur to stay at Dibrugarh ?

(h) Will Government be pleased to state whether they have received applications from Srijut Dalbir Singh and Sardar Waraim Singh to permit them to stay at Dibrugarh owing to (i) their ill-health and (ii) to earn their living ?

(i) If so, do Government propose to permit both of them to return to Dibrugarh ?

†The Questions were put by Srijut SARVESWAR BARUA on authorisation.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

64. (a)—Dr. Binoy Bhusan Chakravarty was externed by order, dated 27th February 1941 and the remaining three persons named by order, dated 18th February 1941.

(b)—No. Government were informed by Pandit Parbati Bhusan Vidyaratna that he was suffering from chronic cough.

(c)—Yes, in June and August 1944.

(d)—The order on Dr. Binoy Bhusan Chakravarty was suspended for 15 days to allow him to go to Dibrugarh to see his father, in August 1944.

(e)—According to the representations of Srijut Nilmany Barthakur.

(f)—No.

(g)—Does not arise. He was allowed 15 days suspension of restrictions to go to Dibrugarh in July 1944.

(h)—Applications were received from Srijut Dalbir Singh only.

(i)—Not at present.

### Re Distribution of foodstuffs

†Srijut LAKSHESVAR BOROOAH asked :

\*65. (a) Is it a fact that the Hon'ble Premier, in reply to the last Budget criticism in the Assembly, assured the House that he would issue circulars to the Deputy Commissioners and Subdivisional Officers to get the advice and co-operation of their respective Food Committees in the matter of proper and equitable distribution of foodstuffs ?

(b) Will the Hon'ble the Premier be pleased to state whether such a circular was issued to the Deputy Commissioner, Lakhimpur ?

(c) If so, does the Hon'ble Premier propose to ascertain and state whether the Deputy Commissioner, Lakhimpur, consulted the Food Committee of the Dibrugarh Subdivision in the matter ?

(d) If so, how many times since April, 1944 till now such consultation has been made ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

65. (a)—Yes.

(b)—A circular letter was issued to all Deputy Commissioners and Subdivisional Officers of the Plains Districts including the Deputy Commissioner, Garo Hills and Khasi and Jaintia Hills.

(c)—Meetings of Food Committees were held regularly from time to time.

(d)—Eight times.

### Re Scarcity of paper

Srijut KAMESWAR DAS asked :

\*66. (a) Are Government aware that there has been acute scarcity of paper of all kinds in the Barpeta Subdivision ?

(b) Are Government aware that 8 lbs foolscap paper is not selling at less than Re. 1-8 per quire there at present ?

(c) Do Government propose to take necessary steps urgently in the matter to ease the situation ?

(d) If so, how and when ?

(e) Do Government propose to increase the quantity of supply of paper and appoint a number of approved dealers in the same all over the Subdivision of Barpeta ?

(f) If so, when ?

†The Questions were put by Srijut SARVESWAR BARUA on authorisation.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

66. (a)—Yes.

(b)—Government have no definite information.

(c) to (f)—Government have been trying for a very long time to secure a regular supply of paper and distribute it. Till recently it was left to trade but now Government of India have taken over control and allocated a quota of 112½ tons to Assam per month. This Government have no power to increase the quota, but a scheme for equitable distribution of the quota received is almost ready. The mills will appoint distributors who will sell the paper through retailers selected by the local officers.

Srijut KAMESWAR DAS : As regards Question No. 66(e), Sir, may I know if there is any local agent in the Subdivision ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : The Titagarh Mills have got their own agents who act as distributors—one is at Sylhet, one is at Shillong and one is at Gauhati.

### Government waste lands in Barpeta Subdivision

Srijut KAMESWAR DAS asked :

\*67. Will Government be pleased to state—

(a) The total area of Government waste land fit for cultivation in the Barpeta Subdivision as it stood at the end of the year 1944 ?

(b) The total area of Government waste land in the said Subdivision not fit for cultivation at the aforesaid time ?

(c) The total area of aforesaid kinds of lands settled in the Subdivision of Barpeta up to the end of 1944, with (i) immigrants and (ii) non-immigrants ?

(d) What is the total area of lands other than waste lands in the said Subdivision and what are these lands ?

(e) The total area of lands settled with the immigrants up to date in the Barpeta Subdivision ?

(f) What is the total area for which Touzi Bahira Pattas have been issued to immigrants in the professional grazing and other types or reserves in the Barpeta Subdivision and its lines and closed villages, up to date ?

(g) The total number of encroachers up till now in the professional grazing reserves of the Barpeta Subdivision, who have been there from before the 1st January, 1938 ?

(h) What is the total number of such encroachers since after 1st January 1938 ?

(i) Whether any census of landless people has been made in the Barpeta Subdivision ?

(j) If so, what is the present number of landless immigrants and original settlers in the said Subdivision ?

The Hon'ble Maulavi MUNAWWAR ALI replied :

67. (a) & (b)—The information is not available. There are many non-cadastral areas in the Subdivision which have not been surveyed.

(c) & (e)—No records are kept of the area settled with immigrants ?

(d)—Lands other than waste are settled lands, forest and grazing reserves and land covered by roads, railways, streams, etc. Separate figures of areas are not available.

(f)—The information is not available.

(g) & (h)—The information is not available until a complete survey of all encroachers has been made and all claims as to date of encroachment have been tested.

(i)—No.

(j)—Does not arise.



### Distribution of rationed foodstuffs

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY asked :

\*68. Will Government be pleased to state the quantity of salt, sugar, Gur, Dal, Atta, Moida and other rationed foodstuffs which each family is entitled to get per month in urban and rural areas and the arrangements made by Government to make these articles available in the rural areas ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

68.—In rationed urban areas, the quantity of foodstuffs allowed is on *per capita* basis as follows—

Per week per adult—

Group I	{	1. Rice — 3 srs.	} For rice eater
		2. Atta — 1 sr.	
		3. Dal — $\frac{1}{2}$ sr.	
Group II	{	1. Atta — 3 srs.	} For Atta eater
		2. Rice — 1 sr.	
		3. Dal — $\frac{1}{2}$ sr.	
Group II	{	Salt — 2 chhatak	
		Sugar — $\frac{1}{4}$ sr.	

One interchangeable unit in Group II above can be converted to obtain an additional chhatak of salt. Flour is allowed against interchangeable unit in Group I provided stocks are available.

Gur is not rationed and supply is made according to stocks available at the discretion of Controller of Rationing.

Rationed commodities mentioned above are distributed to consumers on a system of cards with fixed quotas obtainable every week from registered retailers who are pegged to selected wholesalers.

In rural areas, foodstuffs imported on Government account are distributed according to stock available, through a system of registered retailers and wholesalers as out-lined in the Controlled Commodities Distribution Order. A large number of Co-operative Societies are also functioning as distributors, along with the individual retailers, in rural areas with a view to equitable distribution for all.

*Quantum* of rations in rural areas is entirely dependent on stocks available in every District or Subdivision.

In spite of difficult transport situation, every attempt is being made for equitable distribution of foodstuffs, specially salt at the rate of  $\frac{1}{2}$  seer per individual per month.

### Wholesale distribution of consumer goods in Barpeta Subdivision

Srijut KAMESWAR DAS asked :

\*69. Will Government be pleased to state—

- Whether it is a fact that Nalbari in the Subdivision of Gauhati has been selected as the wholesale distributing centre for iron, brass and fancy consumer goods for the Barpeta subdivision ?
- Whether Government are aware that communication of the Barpeta Subdivision with Nalbari is bad and troublesome especially in these abnormal days ?
- Whether Government are aware that Barpeta town is an important trade centre in the District of Kamrup and has easy communication facilities with Kholabandha ghat, Barpeta Road Railway Station and Goalpara ?
- Whether Government are aware that it is also more easily accessible to the different parts of the Subdivision than Nalbari ?
- Whether Government propose to shift the centre of wholesale distribution of consumer goods for Barpeta Subdivision to either Barpeta town or any other suitable place in the Subdivision itself ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

69. (a)—Yes, but a new centre has recently been opened at Barpeta for Barpeta subdivision.

(b), (c) and (d)—Communication between Nalbari and Barpeta is not so bad as depicted, but Government admit the statements made in Questions (c) and (d).

(e)—Does not arise.

Srijut KAMESWAR DAS: May I know, Sir, since when orders were passed for opening any new centre at Barpeta ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Speaking from memory, orders were passed in the last week of February.

#### Distribution of salt in Goalpara Subdivision

Maulavi MUHAMMAD AMJAD ALI asked :

\*70. Will Government be pleased to state—

(a) Whether each of the Collecting Members of Goalpara Subdivision was served with a notice in the month of November, 1944 to submit a list showing under his Union (i) the name of the retailer, (ii) his zone, (iii) the number of khanas (house-holds) in his zone with population, (iv) the total quantity of salt actually given to him (v) the quantity supplied to each individual in his zone, and (vi) balance of salt after distribution ?

(b) Whether quantity of salt given to each individual is 8 (eight) chhataks per month ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

70. (a)—Yes.

(b)—Yes, from 1st January 1945, but the issue is liable to variation according to stock position.

#### Re Controlled Commodities

Mr. BAIDYANATH MOOKERJEE asked :

\*71. Will Government be pleased to state the names of various commodities they have controlled up till now and their respective prices in each District showing the date of control in each case ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

71.—A statement is laid on the table.

#### STATEMENT SHOWING VARIOUS CONTROLLED COMMODITIES AND THEIR RESPECTIVE PRICES

Controlled Commodities	Existing prices			Date of enforcement of Control order	
	From Government to Wholesaler	From Wholesaler to Retailer	From Retailer to Consumer		
Salt	Rs. a. 8 0 per md.	Rs a. 9 0 per md.	Rs. a. p. 0 4 0 a seer.	} 1st January 1944.	
Sugar	19 7 "	20 4 "	0 8 6 "		
Flour, Atta and Soojee.	14 0 "	15 0 "	0 6 6 "		
Wheat	11 12 "	12 12 "	0 6 6 "		
Arhar Dal	15 0 "	16 4 "	0 5 6 "		
Masur { Khari	25 4 "	26 4 "	0 7 0 "		
	Chanti	23 12 "	24 12 "		0 11 0 "
	Ordinary	21 12 "	22 12 "		0 10 6 "
Kalai Dal	16 4 "	16 12 "	0 9 6 "		} 3rd April 1944.
Khesari	14 0 "	15 0 "	0 7 0 "		
Mator	19 0 "	20 0 "	0 6 6 "		
Gur	12 8 "	13 12 "	0 8 6 "		
Mung Dal	23 4 "	24 0 "	0 6 6 "	} 1st January 1944.	
Gram Dal	14 4 "	15 4 "	0 10 0 "		
			0 6 6 "	} 1st June 1944.	
				} 16th September 1944.	

Controlled commodities	Wholesale rate per standard maund without tin.		Retail	Date of enforcement of control order
	Rs.	Rs. a		
Imported Ghee ...	205	5 3 per seer		20th January 1945.
Imported Mustard oil ...	62	1 10 "		18th December 1944.

In the Hill Districts, District Officers can add up to Rs. 2 per maund to the above prices to cover the extra cost of transport, otherwise prices are uniform throughout the whole Province.

As regards prices of rice and paddy, a copy of Notification No. SD (A).293/43/238, dated the 5th December 1944, is placed on the Library table.

Mr. BAIDYANATH MOOKERJEE: Are Government aware that the controlled commodities are not regularly available?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Yes, Sir, sometimes through transport difficulties, sufficient stock of controlled commodities are not available in the Province.

†Babu RABINDRA NATH ADITYA: Are Government aware that the price of these *dals* is much cheaper when they are sold by private traders than when they are sold in Government accounts?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: There have been cases that the private traders have been able to sell at a lower price than the Government price, but there are cases where private traders have approached Deputy Commissioners that they bought at a higher rate and they could not sell at the controlled rate. I mentioned a case in Gauhati where *dal* was ordered to be sold after the inspection of the invoice by the Deputy Commissioner at Rs.34 per maund as against Rs.23-8 the controlled price.

†Babu RABINDRA NATH ADITYA: Wherever the Government price is higher will Government consider that, since the private traders are selling at a lower rate?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Yes, sometimes the stocks are reduced and they are sold at a lower rate.

Mr. BAIDYANATH MOOKERJEE: May I know, Sir, from the Government whether all these commodities are purchased from the controlled market or from the blackmarket?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: So far as controlled commodities are concerned, they are purchased from the respective Governments of the Provinces who have got surplus and so far as *dal* is concerned, last year we got our supply from the Bihar Government.

†Babu RABINDRA NATH ADITYA: Is it not a fact that due to heavy accumulation of stock much of the *dals* have become unfit for use?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: This statement we have heard only yesterday in this House that certain quantities of *dal* have become unfit for human consumption in the Surma Valley.

†Babu RABINDRA NATH ADITYA: Is it due to accumulation of stock for months together?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: No, Sir.

†Mr. KEDARMAL BRAHMIN: At what rate *masur dal* is purchased?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The price varies from time to time.

†Srijut GOPINATH BARDOLOI: Is it a fact that Government have to keep their stock at least three months before they are allowed to be distributed?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: It is not generally so, but in rationed areas, we have to stock for at least two months' consumption.

†Srijut GOPINATH BARDOLOI: Is it because of the bad purchase of *dal* the stock remains for such a period?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: No, Sir, the difficulty as regards *Arahar* and *khesari* is that my Friends from the Surma Valley do not want to eat them whereas Government imported *khesari*, *arahar*, *masur* and *mugh*.

\*Mr. KEDARMAL BRAHMIN: Can Government deny that Messrs. Shaw Wallace charge the price of *khesari* at Rs. 9-12-0 per maund?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: No, Sir.

†Mr. KEDARMAL BRAHMIN: I have myself seen the Chalan about the price charged by Messrs. Shaw Wallace, which is Rs. 9-12-0.

†Maulavi MABARAK ALI: Is it a fact that *khesari dal* is available at Rs. 11 and at times Rs. 14 per maund?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I am not aware of that. If it is available at Rs. 11 people would not be so foolish as to buy it at a higher rate from Government licensed retailers.

Mr. BAIDYANATH MOOKERJEE: So far as imported ghee and mustard oil are concerned, will Government be pleased to state whether they have got controlled shops for these commodities in any of the Subdivisions of the Province?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: No Sir, the imported stock is not sufficient. Just at the present moment, we have imported 300 tons of ghee for the whole Province from the United Provinces. We have also given contract to another party to bring 150 tons of ghee from Nepal.

Mr. BAIDYANATH MOOKERJEE: May I know where are those controlled shops where that imported ghee is available?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The consignment of 300 tons of ghee has recently arrived. It is available in Shillong as well as in Sylhet.

†Khan Bahadur Maulavi KERAMAT ALI: May I take it that controlled shops for mustard oil have not been started in the Assam Valley districts because no mustard oil is available?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I mentioned many times that imported mustard oil is only for the Surma Valley districts and not for the Assam Valley.

†Khan Bahadur Maulavi KERAMAT ALI: May I know whether the Hon'ble Premier knows that in the Assam Valley districts no mustard oil is being milled even in the mills, because of the scarcity of mustard seed?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: It was in December, 1944 and in January, 1945 but from February, the mills have started pressing oil.

### Srijukta Jayanti Kuar, wife of Sardar Sadhusingh

‡Srijut LAKSHESVAR BOROOAH asked:

\*72. (a) Is it a fact that Srijukta Jayanti Kuar, wife of Sardar Sadhusingh, applied to the Superintendent of Police, Dibrugarh, to grant her permission to go to Digboi to see her land and house there sometime in July, 1944?

(b) Will Government be pleased to state whether she was granted the necessary permission?

(c) If so, when?

(d) If not, when her prayer was refused?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:  
72. (a)—A lady giving the name of Massamat Jayanti Kolita of Dibrugarh applied for permission.

(b) and (c)—Permission was not granted, as the lands were being looked after by Sardar Sadhusingh's step mother.

(d)—The application was rejected on the 20th October, the delay having occurred in locating the lands under reference as it was only established after correspondence who the applicant was.

† Speech not corrected.

‡The Questions were put by Srijut SARVESWAR BARUA on authorisation.

**Hon'ble Finance Minister's visit to Barpeta**

Srijut KAMESWAR DAS asked :

\*73. (a) Is it a fact that the Hon'ble Finance Minister paid a sudden visit to Barpeta on the 11th February 1945, without any previous programme to the effect soon after the departure of the Hon'ble Revenue Minister on the 9th February 1945 ?

(b) Will Government be pleased to state whether the purpose of that visit of the Hon'ble Finance Minister to Barpeta was official or non-official ?

(c) If official, what was it for ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI replied :

73. (a)—Yes. The tour programme was not gazetted.

(b)—Official.

(c)—Inspection.

† Srijut KAMESWAR DAS : May I know whether the Hon'ble Finance Minister visited the interior places ?

† The Hon'ble Maulavi ABDUL MATIN CHAUDHURI : I visited the Koimari Grazing Reserve.

† Maulavi ABDUR RAHMAN : Am I correct in hearing the Hon'ble Minister saying that he visited the Koimari Grazing Reserve just after the incident ?

† The Hon'ble Maulavi ABDUL MATIN CHAUDHURI : I visited the Reserve about a week after the incident.

† Maulavi ABDUR RAHMAN : Did the Hon'ble Minister enquire about the incident ?

† The Hon'ble the SPEAKER : I don't think this Question arises.

† Srijut MAHI CHANDRA BORA : May we know what did he inspect ?

† The Hon'ble Maulavi ABDUL MATIN CHAUDHURI : I inspected the Reserve.

† Srijut BELIRAM DAS : Is it the function of the Finance Minister ?

† The Hon'ble Maulavi ABDUL MATIN CHAUDHURI : The function is oint.

**QUESTIONS AND ANSWERS**

(To which answers were laid on the table)

**UNSTARRED QUESTIONS****Political Prisoners**

Srijut SIDDHI NATH SARMA asked :

37. Will Government be pleased to state—

(a) Why they are still continuing to detain Congressmen as security prisoners without any charge being brought against them in the court of law ?

(b) Whether they propose to revise their present practice of detention of persons without trial ?

38. Will Government be pleased to state—

(a) The number of political prisoners in the jails of Assam on 1st February 1945 under the heads: (i) Security Prisoners and (ii) Prisoners convicted of specific offences (figures to be shown district by district under each category) ?

- (b) How many of these security prisoners are at present getting allowance ?
- (c) What are the names of those security prisoners who have not yet been granted any allowance and how long each of them has been in jail ?
- (d) How many of them have since applied for allowance ?
- (e) What are the reasons for refusal in each case individually ?
- (f) Whether it is a fact that the report of the thana officer concerned or some Criminal Investigation Department Officer is accepted as final truth, regarding the status, income, etc. of such prisoners ?
- (g) Whether they propose to pay allowances to the family of all persons detained of suspicion, without any specific charge being made in a court of law ?
- (h) The number of dependents of each such prisoner (with names) and also the amount granted to each of the families in case of security prisoners who have been granted family allowance ?
- (i) Whether they took into consideration the existing high prices of foodstuff and other necessaries of life in fixing the rate of family allowances already granted to the dependents of such prisoners ?
- (j) Whether Government are aware that at present the prices of all necessary articles have gone up five times the pre-war market ?
- (k) If so, whether Government propose to revise the scale of allowance of these prisoners ?
- (l) Why an application from a detenu is necessary to grant allowance to his family members who remain outside ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

37. (a)—They are detained under the Restriction and Detention Ordinance, 1944, which does not involve a charge, and which details the grounds on which such an order is appropriate.

(b)—The matter is constantly under review.

38. (a)—Deputy Commissioners have been asked to report the number convicted and in jail for specific offences. The number of security prisoners in detention on 15th February 1945 is shown in the table annexed.

Sylhet	...	...	...	...	...	...	14
Sibsagar	...	...	...	...	...	...	33
Kamrup	...	...	...	...	...	...	6
Darrang	...	...	...	...	...	...	2
Nowgong	...	...	...	...	...	...	36
Lakhimpur	...	...	...	...	...	...	4
							95

(b)—Thirty-nine are in receipt of family allowances, and in all cases where the prisoner has no means of procuring his personal needs a sum of Rs.7-8-0 per month may be expended for meeting those needs by the Superintendent of the jail.

(c) & (d)—Government regret, they are not prepared to disclose names. Out of 95 security prisoners in detention on 15th February 1945, 63 applied for family allowances. Thirty-nine were given family allowances and the applications of 24 prisoners were refused. The majority of those refused have been in detention since 1942 and 1943.

(e)—When a family allowance is refused, it is either because the prisoner has no family or because it is known that the family is not in need of such assistance.

(f)—Certainly not.

(g)—No family allowances are granted according to ascertained need.

(h)—The matter is covered by the reply to Question No. 38 (c) and (d).

(i)—Yes.

(j)—Prices though in some cases have gone high, in some cases, particularly staple foodstuffs, have fallen considerably below the 1943 levels.

(k)—No. Government sanction an allowance after taking all the circumstances into consideration and have already revised the family allowances given to many in relation to current prices.

(l)—For the reason already given that Government are not prepared to sanction family allowances where they are not needed.

Mauvalvi MABARAK ALI: May we know from the Hon'ble Premier at whose instance and upon what materials the order for detention is passed?

The Hon'ble the Speaker: All these were sufficiently discussed.

### Persons under detention for political activities

Srijut MAHI CHANDRA BORA asked:

39. Will Government be pleased to state—

(a) The number of persons still under detention for political activities in different jails of the Province, district by district?

(b) The number of persons at present under orders of internment or externment, district by district?

(c) The number of persons who have been convicted and are still undergoing imprisonment for political activities, district by district?

(d) The number of security prisoners released, if any, after review up till now?

(e) The number of political prisoners (security and ordinary) released till now on medical grounds?

(f) By whom the cases of the security prisoners are being reviewed?

40. Will Government be pleased to state—

(a) The names of prisoners of the Province at present detained under the Defence of India Rules, to whom family allowances have been paid?

(b) The amounts granted to each of them with the dates of their detention and sanction of such allowances?

(c) The names of such prisoners to whom no family allowances have yet been granted?

(d) The dates of their detention and the reasons for refusal of family allowance in each case?

(e) How many applications for family allowances have been submitted by the security prisoners, Srijuts Jagatchandra Bora, Umakanta Phukan, Satindranath Sarma, Puspakanta Saikia, Haranath Bora, Narendranath Bora, Sisuram Barua of Nowgong, up till December 1944 since their detention?

(f) Whether it is a fact that the abovementioned security prisoners since their detention submitted on various dates several such petitions to which no replies have yet been given by Government?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

39. (a) & (b)—The numbers upto 15th February 1945 are shown in the annexed statement.

District	Detained	Interned	Externed
Sylhet	14	26	2
Sibsagar	33	29	8
Cachar	...	6	6
Kamrup	6	25	3
Darrang	2	8	3
Goalpara	...	1	...
K. and J. Hills	...	...	4
Tirap F. Tract	...	1	...
Nowgong	36	23	1
Lakhimpur.	4	11	44
	95	130	71

(c)—The information has been called for from the Deputy Commissioners, but has not been received so far

(d)—One hundred and eight in the period from 1st January 1944 to 15th February 1945.

(e)—Eighteen security prisoners. Deputy Commissioners have been asked to report the number of political convicts.

(f)—Government.

40. (a)—(d)—Government do not consider it desirable to disclose the names of security prisoners or to discuss details in respect of individual prisoners. Out of 95 in detention on 15th February 1945, 63 applied for family allowances. Thirty-nine were given family allowances ranging from Rs.10 to Rs.70 per mensem and the applications of 24 security prisoners were rejected because they either had no family or because it was reported by Deputy Commissioners after full enquiry that the family was not in need of an allowance.

(e) & (f)—One each in the case of security prisoners, Srijuts Sisuram Barua, Narendranath Bora, Satindranath Sarma and Puspakantā Saikia only. Their requests for family allowances were rejected and the Deputy Commissioner was requested to inform them accordingly.

### Procurement of rice and paddy in the Surma Valley

Maulavi ABDUR RAHMAN asked :

41. Will Government be pleased to state—

(a) The plan they have adopted now to procure paddy and rice in the Surma Valley ?

(b) Whether it is a fact that the present system of procurement of rice and paddy in the Surma Valley is in contract system ?

(c) What is the present controlled rate of paddy and rice in the Surma Valley ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

41. (a)—Government have appointed the necessary staff and made preliminary arrangements for direct purchases of rice and paddy throughout the Surma Valley.

(b)—Yes. For the time being as the staff are busily engaged in taking over stock from the Syndicates,

(c)—Wholesale

Rice Rs. 13-8	...	...	...	Retail sale
Paddy Rs. 7-6	...	...	...	Rs. 14-12.
				Rs. 8-2.

Maulavi ABDUR RAHMAN: May we know whether Government have made any *interim* arrangement for purchase of paddy in other areas where rice purchase has not been introduced ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The Question is not sufficiently intelligible to me because the original Question was "whether it is a fact that the present system of procurement of rice and paddy in the Surma Valley is in contract system?". I said "Yes. For the time being".

Maulavi ABDUR RAHMAN: My Question was whether during the period the staff is engaged in taking over stock, any *interim* arrangement has been made to purchase paddy in some other areas where rice purchase is not in operation ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Outside Surma Valley ?

Maulavi ABDUR RAHMAN: No, within Surma Valley. May I know wherefrom the Government staff is taking rice in contract system ? I want the names of those particular places.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: These are too numerous to answer. Government called for tenders and they were accepted at various different places.



Maulavi ABDUR RAHMAN: Only at Sylhet, Fenchuganj, Shaistaganj, Sunamganj and Karimganj. Is it not a fact that only in these places rice is purchased for Military purposes by the contractors?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I have not got all these details. I require notice.

Babu RABINDRA NATH ADITYA: What is the rate for the tender?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: It is about Rs.11.

Babu RABINDRA NATH ADITYA: Are Government aware that these contractors purchase at a much lower rate from the producers?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I am not aware of the prices at which they have purchased, but the contractors have tendered on an average of Rs.11.

Khan Bahadur Maulavi KERAMAT ALI: Has any report been called for from the local officers as to the present rate of prices of paddy and rice in the Surma Valley?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: We get report every week.

Babu RABINDRA NATH ADITYA: How long will it take for Government to take delivery of the stock from the Syndicates?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I am told that the system of storage which was adopted by the Syndicates is not very scientific. As soon as a godown is being taken delivery of, the storage adopted by Government officers requires more godown space and it is for want of godown space that taking over stock from the Syndicates is being delayed.

Babu RABINDRA NATH ADITYA: May I take it that it will take at least one full year to take over the stock having regard to the rate at which stock is being taken over from the Syndicates?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: In the way the staff is progressing, it is apprehended that it will take six months' time, but I have ordered speeding up and to supply all the current demands from the stock that are being taken over from the Syndicates' godown.

Babu RABINDRA NATH ADITYA: Are we to take it that for the next six months there will be no direct purchase by Government?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: No, Sir, purchase operations direct from the cultivators will start very soon.

Maulavi ABDUR RAHMAN: With regard to reply to Question No.41 (c), I find that the whole-sale controlled price for rice is Rs.13-8-0 per maund. May I take it that Government cannot offer the cultivators less than Rs.13-8-0?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: It is not so. My hon. Friend has dealt as contractor last year and he ought to know that this is the maximum price. The actual price may be less than that, but it cannot be more.

Maulavi ABDUR RAHMAN: Is it not a fact that the tenders which have been accepted in the places I mentioned, the price has been given at Rs.12-6-0 by the Government themselves?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I am not aware of that, but my recollection is that the average price is about Rs.11-8-0 in the tenders.

Maulavi MABARAK ALI: Is it a fact that the Central Government have fixed the price at Rs.12-8-0 per maund very recently?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: No, Sir, not for Assam.

Maulavi ABDUL AZIZ: Who fixes the price of rice and paddy for Assam?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The Provincial Government.

Maulavi ABDUR RAHMAN: Is not the market-rate a creation of the purchasers, and Government being the sole purchaser, does not the market-rate lie with them?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: It is not correct to say that Government are the sole purchaser; inter-provincial trade has not been stopped; only export outside the Province is banned.

Mr. BAIDYANATH MOOKERJEE: So long as Government cannot make arrangements for direct purchase, will they fix a bottom price for the *interim* period?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I mentioned the principle at length during my reply to the general discussion of the Budget, and I shall follow that principle.

Mr. BAIDYANATH MOOKERJEE: For this period only, not for all time to come.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Yes, for this period also.

#### Bortola Middle Vernacular School

Srijut BELIRAM DAS asked:

42. (a) Will the Hon'ble Minister for Education be pleased to state whether he has recently received a representation from the public of Bortola in Kamrup district for giving grant-in-aid to the Bortola Middle Vernacular School?

(b) Is it a fact that this school is situated in a backward place?

(c) Do Government propose to give grant-in-aid to this school from the next financial year?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied:

42. (a)—Yes.

(b)—Yes.

(c)—The question of grant-in-aid will be taken up during the next financial year.

#### Immigrant Muslims in Government Service

Maulavi MATIOR RAHMAN MIA asked:

43. Will Government be pleased to state the names and home addresses of those immigrant Muslims who are at present in Government service with date of appointment, designation, salary and the Department they are serving?

44. (a) Is it a fact that the Muslim Community in the Assam Valley consists of 75 to 80 per cent. immigrant Muslims?

(b) Will Government be pleased to state whether the immigrant Muslims have been shown in the total number of the Muslims in the Assam Valley?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

43.—The term "immigrant" has not been defined by the hon. Member, and it would in any case take a long time to collect the information desired. Government are not therefore in a position to supply it.

44. (a)—The census of 1941 made no distinction between immigrants and other Muslims, and Government cannot therefore hazard an opinion on the point.

#### Grant of allowance to the family of Srijut Lakheswar Barua, a security prisoner

Srijut SIDDHI NATH SARMA asked:

45. (a) Will Government be pleased to state the amount of allowance granted to the family of Srijut Lakheswar Barua, a security prisoner now detained in Jorhat Jail?

(b) Are Government aware that his family consists of nine children including school going children and his wife?

(c) Are Government aware that he is the only earning member of his family?

(d) What is the amount of allowance granted by Government in the case of this security prisoner for the maintenance of his family members?

(e) Do Government propose to increase his family allowance?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

45. (a)—Rupees 30 per mensem.  
 (b)—Yes.  
 (c)—Yes.  
 (d)—The matter is covered by the reply to Question (a) above.  
 (e)—If a need for an enhanced allowance is made out Government will reconsider the matter.

**Grant of allowance to the family of Srijut Kamaleswar Mahanta, a security prisoner**

Srijut SIDDHI NATH SARMA asked :

46. (a) Will Government be pleased to state the amount of allowance granted to the family of Srijut Kamaleswar Mahanta, a security prisoner now lodged in Jorhat Jail ?

(b) Are Government aware that his family consists of four sons, wife and old mother, who are entirely dependent on him and that there is no other earning member in the family ?

(c) What is the amount of allowance granted by Government in the case of this security prisoner for the maintenance of his family members ?

(d) Do Government propose to increase his family allowance ?

47. Has the attention of Government been drawn to lists of security prisoners detained in Jorhat and Nowgong Jails who applied for family allowance without any result, published in the weekly *Assamiya* of December 23, 1944 and of January 6, 1945 respectively giving the names of the security prisoners, the dates of their arrest and the number of applications submitted by each of them ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

46. (a)—Rupees 25 per mensem.

(b)—Yes.

(c)—Rupees 25 per mensem.

(d)—If a case is made out, Government will be prepared to reconsider.

The security prisoner has private sources of income for his family.

47.—Government have seen numerous statements in the press, particularly the organ named. They have been dealing with each case on its merits, taking all the facts into account.

**Detention of security prisoners, Srijuts Labanya Kumar Chaudhury and Nabakumar Bhattacharyya**

Srijut SIDDHI NATH SARMA asked :

48. (a) Is it a fact that Srijuts Labanya Kumar Chaudhury and Nabakumar Bhattacharyya of Sylhet have been detained in Jorhat Jail as security prisoners since August 1944 and September 1944 respectively ?

(b) Do Government propose to transfer them to Sylhet at an early date ?

(c) Is it a fact that the recent policy of Government has been to detain security prisoners in their own valley ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

48. (a) & (b)—Srijut Labanya Kumar Chaudhury was released on the 21st February. Order has been passed for the transfer of Naba Kumar Bhattacharji to Sylhet Jail.

(c)—Government endeavour to keep security prisoners in jails where the facilities granted for interview can be easily enjoyed, subject to other factors including the conduct of the prisoner and the requirements of security.

**Grant of allowance to the family of Srijut Hem Nath Phukan, a security prisoner**

Srijut SIDDHI NATH SARMA asked :

49. (a) Will Government be pleased to state the amount of allowance granted to the family of Srijut Hem Nath Phukan, a security prisoner now lodged in Jorhat Jail ?

(b) Are Government aware that his family consisting of nine members, including school going children, are dependent on him and that there is no other earning member in his family ?

(c) What is the amount of allowance granted by Government in the case of this security prisoner for the maintenance of his family members ?

(d) Do Government propose to increase his family allowance ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

49. (a)—Rupees 35 per mensem.

(b)—Yes, but Government are informed that the family consists of seven members.

(c)—A family allowance of Rs. 23 per mensem has been sanctioned for prisoner's first wife with four children, and Rs. 12 per mensem for his second wife with one child.

(d)—If a request for an enhanced allowance is made Government will consider the matter.

**The Assam Finance Bill, 1945**

The Hon'ble the SPEAKER : Order, order. I shall now take up the consideration of the Assam Finance Bill, 1945, clause by clause. There are some Amendments to clause 2 standing in the name of Maulavi Abdul Bari Chaudhury.

Maulavi ABDUL BARI CHAUDHURY : Sir, as Amendment No.2 is the only substantial Amendment, I may be allowed to move that first. If this is accepted by the House, then only the other amendments will arise.

The Hon'ble the SPEAKER : Very well.

Maulavi ABDUL BARI CHAUDHURY : Sir, I beg to move : "That in proviso (i), for the figure '3,000' occurring in the second line, the figure '5,000' be substituted." By this Amendment I want to raise the maximum taxable income from Rs.3,000 to Rs.5,000 under the Agricultural Incometax Act. I realise, Sir, that I owe an explanation to the House why I wish to reduce the provincial revenues at a time when the question of fresh taxation is engaging the minds of the hon. Members. My intention in moving this Amendment is to give relief to the small cultivators as well as to the minor Tea concerns.

The Assam Agricultural Income-tax Act was passed in the year 1939 when the price index of rice and paddy was much below the present price level. During the last few years, there has been a sharp rise in the prices of agricultural produces, and this has brought a far larger number of cultivators under the clutches of this Act. This is a thing which was not originally contemplated when this Act was passed. As for example, in 1939 when paddy was selling at Rs 3 per md., a cultivator with a stock of 1,000 mds. of paddy was exempted from paying the tax ; but in the year 1944 even if we say that paddy was selling at Rs.5 per md., a cultivator with a stock of 1,000 mds. of paddy was assessed to an income-tax of Rs.375. The same is the case with potatoes. But unfortunately this buoyancy in the price of agricultural produces has not improved the economic condition of the agriculturists. They are worse off than ever. But various control orders have closed the normal trade channels of the country, and the economic life of the cultivators have been totally ruined. Above all, the price of paddy and rice is not at a par with other necessities of life. Government have failed to ensure a reasonable price for the essential commodities. They have failed to put any volume of consumer goods within the reach of the real consumers, who, as a result, have to depend on the black-market for their every-day requirements. In the current year we have seen how many poor agriculturists have been compelled to pay income-tax. These simple persons, mostly illiterate, seldom maintain any accounts. While penalised, though they were hardly able to make both ends meet. My Amendment, if accepted, will give some relief to these small cultivators.

The Hon'ble Finance Minister has stated in his Budget speech that at the present moment, the Tea Industry is not so well-off as it was in 1942. This will also mean some relief to the small tea estates as well. With this intention I have brought forward this Amendment, and I hope the Hon'ble Finance Minister will not hesitate to accept it.

The Hon'ble the SPEAKER : Amendment moved :

“That in proviso (i), for the figure ‘3,000’ occurring in the second line, the figure ‘5,000’ be substituted.”

Babu RABINDRA NATH ADITYA : Mr. Speaker, Sir, the Finance Bill is passed annually only for this reason that the Finance Minister may regulate the taxation policy having regard to the financial condition of the Province, every year. But, Sir, the rate of taxation has not been changed since 1939 when the Agricultural Income-tax Act was passed despite the opposition of the Members now adorning the Treasury Benches. (For the last two years, it is well-known to most of the Members of this House that the rupee has been devaluated to 25 per cent. of its pre-war value. This is why the income of Rs. 3,000 which was regarded as quite sufficient for taxation in 1939 is not at all sufficient in the year 1945 when the prices of commodities, the cost of production and everything else have gone up so high. This is why we cannot but support the Amendment moved by my Friend, Maulavi Abdul Bari Chaudhury, and particularly when this is an unwanted income of this Government as the Hon'ble Members now adorning the Treasury Benches did not like that this Agricultural Income-Tax Act should be passed at all. (I hope they won't mind, Sir, giving this small facility to our agriculturists, and small Tea Industries and landlords. It has been rightly observed by my Friend, Maulavi Abdul Bari Chaudhury, that the village agriculturists have no account books and as such they cannot satisfy the Agricultural Income-Tax Officer and so most of them are being assessed under section 20, sub section (4) of the Assam Agricultural Income-Tax Act. The Agricultural Income-Tax Officer exercises his own discretion in taxing those people in the absence of a satisfactory account. I have seen one case. In the assessment year 1944-45, the Agricultural Income-Tax Officer assessed the value of paddy at the rate of Rs. 10 per maund and on that valuation the agriculturists were assessed, whereas the maximum price of paddy fixed by Government was Rs. 8 per maund at the time. So the illiterate section of the peasantry are particularly hard hit by the taxation limit of Rs. 3,000. This is why we think that all sections of the House will welcome this Amendment sponsored by Maulavi Abdul Bari Chaudhury.

Babu KAMINI KUMAR SEN : (In supporting the Amendment moved by my Friend, Maulavi Abdul Bari Chaudhury, I should like to add a few words. Sir, the minimum assessable limit of Rs. 3,000 affects three classes of people. First, the cultivators, secondly, the Tea concerns, and, lastly, the small landlords. With regard to the cultivators and the Tea concerns, my Friend has already stated the position; the agriculturists who had an income of thousand maunds in 1939 were not to pay any tax whereas now having an income of five hundred maunds will have to be taxed under the present rate. So with regard to small Tea concerns, it is admitted that they are hardly able to pay any tax in these days. Now nothing has been said with regard to small landlords. It is well known to the House that they mostly derive their income from the money rent and it is also known to the hon.) House that in spite of the phenomenal rise in price of other necessaries of life the small landlords had not had any increase in their money rents; due to economic condition, realisation is not at all satisfactory; so the small landlords have been, I think, most hard hit by the present economic crisis. Then, over and above that, only 15 per cent. is allowed as deduction on account of collection charges. In 1939, 15 per cent. was inadequate at least with regard to small landlords as regards collection charges. As regards litigation charges, that is also not considered. No allowance is given for the litigation expenses but now a-days collection charges have been doubled. Pay of their officers, Peons and Pattadars has been doubled, but there has practically been no increase in their income. Everyone has been hard hit. So if the minimum assessable amount is raised from Rs. 3,000 to Rs. 5,000, Government will not lose much in revenue; it will be some few thousands. In consideration of this fact these three classes of people will get some relief and I think the Hon'ble the Finance Minister will see his way to accept this Amendment.

Mr. BAIDYANATH MOOKERJEE: (Mr. Speaker Sir, for the last five years, I tried my level best by moving Amendments to persuade Government to raise this amount and to give some special concession to the small Tea Concerns. Sir, I always got some hope but ultimately I find, in the next year, that nothing has been done although hopes and promises were held out by Government. Sir, being disgusted, this is the first time that I did not move any Amendment and I find that my Friend Maulavi Abdul Bari Chaudhury has moved this Amendment and it has already received the support of the Congress Group and our Group as well.) Sir, as it has been rightly said by Mr. Kamini Kumar Sen, it affects three classes of people, so I am not going to repeat those arguments that have already been advanced. As regards collection charges, I think, I should discuss this point a little more clearly than has been done by Mr. Sen. It may be said by Government, as in the past, that those who will make an income will pay income-tax. This is very easy to say. But those who do not make an income are not going to pay; but one should see whether a man, having an income of Rs.3,000 or a little over that, is in a position to pay the tax. Sir, as it is the duty of this Government to realise the tax, it is also the duty of Government to look to the economic condition of the people from whom they will realise the tax. Fifteen per cent. collection charge was not at all sufficient even in 1939. At that time also Amendments were moved to increase the amount to 20 per cent. but we were given to understand that after working for a year or two Government will increase the percentage; but Sir, six years have passed and nothing has been done in this direction by Government. I think, if I say that the collection charges of the landlords have been trebled no body will seriously challenge me. Sir, how ridiculous is 15 per cent., at the present time, which was most insufficient even in normal times, can better be imagined than described. I think, Sir, it would have been better if the minimum taxable amount had been increased as has been stated in the Amendment. But, Sir, though I thought in that light from my past experience I do not think that it will be so. But this time, I have been encouraged because it has been moved by one of the supporters of Government. I think, the Hon'ble Finance Minister will accept this Amendment and will do justice to the small Tea Concerns and poor cultivators and to the small landlords. With these words I support the Amendment.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: Mr. Speaker, Sir, I cannot accept this Amendment. Mr. Abdul Bari Chaudhury has urged for the acceptance of his Amendment on the ground that a large number of assesseees will come under the operation of this Act, because of the increase in their income owing to rise in the prices of commodities. If, Sir, the increased income has brought a greater number of persons under the operation of this Act, it is quite natural and legitimate that they should pay, as tax, a share of the increased income that they have derived.

Mr. Sen has said that there are three classes of persons who are affected by it. Firstly, the small cultivators. He argued that formerly to get an income of Rs. 3,000 the cultivator had to sell 1,000 maunds of paddy and now he has to sell 500 maunds of paddy to have that income. But, Sir, by selling 500 mds. now, he gets much more than what he used to get by selling 1,000 mds. before. (A voice:—What about his expenditure?)

As regards the Tea Concerns, if the profit is less, they will pay less—if it falls below Rs. 3,000, of course, they will not be required to pay any tax.

As regards small landlords, I do not agree with Mr. Sen that the realisation of rent has not been satisfactory and the tenants are not in a better position to pay their rent and the realisation of small landlords has suffered.

Besides, Mr. Aditya has urged that the House should accept this Amendment. I can remind him that when the Bill was originally passed, Maulavi Abdul Bari Chaudhury moved exactly the same Amendment and it was the Congress Party who definitely voted against it and threw out the Amendment. (Voice:—Times have changed.)

Maulavi ABDUL BARI CHAUDHURI: On a point of information, Sir, is it not a fact that the Hon'ble Maulavi Abdul Matin Chaudhury voted with me?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: Sir, if in 1939 there was no justification for an Amendment like this, I think, there is still less justification this year for this Amendment for raising the limit.

Sir, recently, Bengal has passed the Agricultural Income-tax Act and they have fixed the limit to Rs. 3,500. They have not gone up to Rs. 5,000.

The hon. Members always ask for increase in expenditure by Government for compulsory Primary Education, for a University and things like that and we are at the same time asked not to extend our revenues but to contract them. I do not think that the House will be reasonable to ask us to forego the revenue, which does not hit anybody hard.

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

“That in proviso (i), for the figure “3,000” occurring in the second line, the figure “5,000” be substituted.”

The Assembly divided.

Ayes—26

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|----------------------------------|------------------------------------|
| 1. Babu Akshay Kumar Das.        | 14. Srijut Mahadev Sarma.          |
| 2. Mr. Baidyanath Mookerjee.     | 15. Srijut Mahi Chandra Bora.      |
| 3. Srijut Beliram Das.           | 16. Srijut Rohini Kumar Chaudhuri. |
| 4. Srijut Bepin Chandra Medhi.   | 17. Srijut Nirendra Nath Dev.      |
| 5. Srijut Ghanashyam Das.        | 18. Srijut Paramananda Das.        |
| 6. Srijut Gaurikanta Talukdar.   | 19. Srijut Purandar Sarma.         |
| 7. Srijut Gopinath Bardoloi.     | 20. Babu Rabindra Nath Aditya.     |
| 8. Srijut Haladhar Bhuyan.       | 21. Srijut Ram Nath Das.           |
| 9. Srijut Jogendra Chandra Nath. | 22. Srijut Sarveswar Barua.        |
| 10. Srijut Kameswar Das.         | 23. Babu Shibendra Chandra Biswas. |
| 11. Babu Kamini Kumar Sen.       | 24. Srijut Siddhi Nath Sarma.      |
| 12. Mr. Kedarmal Brahmin.        | 25. Maulavi Abdul Bari Chaudhury.  |
| 13. Babu Lalit Mohon Kar.        | 26. Babu Sanat Kumar Ahir.         |

Noes—35

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|---|---|
| 1. The Hon'ble Maulavi Saiyid Sir Muhammad Saadulla.          | 16. Maulavi Syed Abdur Rouf.                            |
| 2. The Hon'ble Mr. Naba Kumar Dutta.                          | 17. Khan Sahib Maulavi Dewan Muhammad Ahabab Chaudhury. |
| 3. The Hon'ble Maulavi Munawwar Ali.                          | 18. Khan Bahadur Maulavi Keramat Ali.                   |
| 4. The Hon'ble Srijut Hirendra Chandra Chakravarty.           | 19. Maulavi Muhammad Maqbul Hussain Chaudhury.          |
| 5. The Hon'ble Khan Sahib Maulavi Mudabbir Hussain Chaudhuri. | 20. Maulavi Mabararak Ali.                              |
| 6. The Hon'ble Dr. Mahendra Nath Saikia.                      | 21. Khan Bahadur Maulavi Mufizur Rahman.                |
| 7. The Hon'ble Maulavi Abdul Matin Chaudhuri.                 | 22. Mr. F. W. Blennerhassett.                           |
| 8. The Hon'ble Khan Bahadur Maulavi Sayidur Rahman.           | 23. Mr. E. H. S. Lewis.                                 |
| 9. The Hon'ble Miss Mavis Dunn.                               | 24. Mr. D. B. H. Moore.                                 |
| 10. The Hon'ble Srijut Rupnath Brahma.                        | 25. Mr. C. W. Morley.                                   |
| 11. Babu Bipin Behari Das.                                    | 26. Mr. R. A. Palmer.                                   |
| 12. Rai Sahib Doulat Chandra Gohain.                          | 27. Dr. C. G. Terrell.                                  |
| 13. Srijut Surendranath Buragohain.                           | 28. Mr. W. D. Rutherford.                               |
| 14. Maulavi Abdul Aziz.                                       | 29. Mr. A. Whittaker.                                   |
| 15. Maulavi Abdur Rahman.                                     | 30. Srijut Bhairab Chandra Das.                         |
|   | 31. Srijut Bideshi Pan Tanti.                           |
|   | 32. Mr. Binode Kumar J. Sarwan.                         |
|   | 33. Rev. L. Gatphoh.                                    |
|   | 34. Mr. C. Goldsmith.                                   |
|   | 35. Mr. Jobang D. Marak.                                |

The question was lost.  
The Hon'ble the SPEAKER : The other two Amendments\* are consequent on this and as such they cannot be moved.

\* Maulavi ABDUL BARI CHAUDHURY to move: That in proviso (i), before the word “No” occurring in the first line, the following be added and for the capitl “N” in the said word “No”, a small “n” be substituted :—

“Notwithstanding anything contained in the Assam Agricultural Income-tax Act, 1939.”  
\*Maulavi ABDUL BARI CHAUDHURY to move: That in proviso (ii), for the figure “3,000” occurring in the third line, the figure “5,000” be substituted.

The question is :

“That clause (2) with all its parts stands part of the Bill.”

The question was adopted.

The Hon'ble the SPEAKER : The question is :

“That clause (1) stands part of the Bill.”

The question was adopted.

The Hon'ble the SPEAKER : The question is :

“That the Title and Preamble of the Bill stand part of the Bill.”

The question was adopted.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI : Mr. Speaker, Sir, I beg to move that the Assam Finance Bill, 1945, be passed.

The Hon'ble the SPEAKER : Motion moved :

“That the Assam Finance Bill, 1945, be passed.”

Mr. BAIDYANATH MOOKERJEE : Mr. Speaker, Sir, I shall be failing in my duty if I do not oppose the Bill again at this stage. Sir, it is well-known to the House that most of the revenue at any rate—a great part of it—will be realised from Tea Concerns. I dealt very briefly in my budget speech about the callousness of Government shown to this Industry. Sir, the small Concerns have practically been ruined. So far as the export of tea is concerned, Government is the monopoly buyer at present. There are many small Concerns, especially owned by the Indians, which have not got up-to-date factories and naturally tea produced by these Concerns are not up to the standard as is required by Tea Controller for India. Now, Sir, the price of the export right has been practically reduced to nil. So far as the 1943-44 carry forward quota is concerned, the price is one pice per pound and so far as the right for current year is concerned it is three pice.

Now, Sir, those gardens, whose tea are not accepted by the Tea Controller, are compelled to sell their tea in the internal market and the middlemen derive profit. It may be said that in the market we cannot get tea below Re.1 per pound. But, Sir, one who cares to see the sales account, as published in the papers, will find that the price of internal tea at present is not above annas 10. That is also including the excise duty which we pay at annas 2 per pound. Now, Sir, the cost per pound is never less than this anywhere. In some cases it is much more than ten annas. But those gardens, whose tea are accepted by the Tea Controller, can make up the loss by selling in the internal market and can keep some margin of profit but not the unfortunate Concerns which have not got well-equipped factories or even any factory at all. They cannot recover the expenditure—in some cases not even 50 per cent. of the expenditure. As regards transport, Sir, those unfortunate Concerns cannot get the necessary facilities in time. Even for arranging wood fuel the local transport is not available and at the time of despatching their tea, railway wagons are not made ready in time and, as a result they have to store their tea, sometimes even for two or three months and it then so happens that the tea becomes out of condition. Then, this is to be sold for chemical purposes. Therefore, Sir, I shall request the Government to move the Central Government so that these unfortunate Concerns can get some good price for their export quota rights. Unless this is done many of the Concerns will be ruined. When Government tax these Concerns in their good time, I think, it should be the moral duty of this Government to assist them at the time of their distress by moving the Central Government, so that all the necessaries of those Concerns, so far as machineries, their parts, and such other things are concerned, are made available and railway wagons are supplied in time, for the despatch of their tea regularly. With these words, Sir, I oppose this Motion.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI : Sir, the Government realises that some of the smaller Tea Concerns are passing through difficult times. If my Friend Mr. Mookerjee sends up a representation to the Government of India through the Government of Assam dealing with the grievances and making suggestions how to



remedy them, this Government is quite prepared to forward that to the Central Government.

The Hon'ble the SPEAKER : The question is:  
"That the Assam Finance Bill, 1945," be passed.

The question was adopted.

### The Assam Local Board Elections (Emergency Provisions) Bill, 1945

The Hon'ble the SPEAKER : Now, the consideration of the Assam Local Board Elections (Emergency Provisions) Bill, 1945, clause by clause will be taken up.

There are some Amendments tabled and the first one stands in the name of Mr. Aditya. He may move his Amendment.

Babu RABINDRA NATH ADITYA : Sir, I beg to move that in sub-clause (1), for the words and figures "15th June, 1945" occurring in the fourth line, the words and figures "31st March, 1946" be substituted and the following be added as a proviso thereto :

"Provided that the Provincial Government shall in the meantime take the approval of both the Houses of Legislature with regard to the proposed re-distribution of seats and revision of constituencies of the Local Boards."

In the course of our debate on this Bill, at its consideration stage, three points emerged out. One was that the time was inopportune for holding an election by the 15th of June. Another was, whether this House had the right to be consulted in the matter of re-distribution of the seats in the constituencies and the third was, whether the seats have been fairly and equitably distributed among the different communities and voters. These were the three points that came out in the discussion. As regards the first point, *viz.*, whether the time—the 15th of June, was inopportune, was discussed and most of the Members were of opinion that as monsoon would set in at that time it would interfere with the work of the Agriculturists and some of the Members said that the time was too short for holding the elections. Whatever it might be, the Government reply was that they were too anxious to implement the wishes of the hon. Members as expressed in earlier Sessions for expediting the Local Board elections, and that they had no special fancy for any particular date. Probably, we may take it that the House will arrive at a decision after due consideration. As regards the question of the right of this House to be consulted in such an important matter the Hon'ble Premier gave his reply. Of course, his understudy, the Minister for Local Self-Government thought it not wise to open his mouth and also he dared not take the risk of further enmity as it is said that the dumb has no enemy. So he left that unpleasant task to the able advocacy of the Hon'ble Premier. While replying on this important matter, the Hon'ble Premier read out from the Local Self-Government Manual certain passage to imply that the Local Government is the competent authority to deal with that matter and the Hon'ble Minister in charge also, in his eagerness to prove his worth, read out the item in the Provincial Legislative List of the 7th Schedule of the Government of India Act, 1935, where he found that the local bodies affairs were within the competence of the Provincial Legislature. But when the Hon'ble Premier was questioned as to what he was driving at by reading it, it was replied that the questioner was to draw his own conclusion from that. Everybody knows that this matter is included in the Provincial Legislative List and now the word "Local Government" has been substituted wherever it occurs by "Provincial Government." "The Provincial Government" means a Government which is responsible to the Legislature. Therefore, as it is a matter of the Provincial Legislative List and the Provincial Government is responsible to the Legislature, there can be no evasion from the responsibility of consulting the wishes of the House if the House so desires. Whether the House desires to be consulted in this matter or leave it to Government to decide it anyway they like, is certainly for the House to decide. But when we see that Government, without consulting this House, want to change the constitution of the Local Boards by means of their law-making power, it really pains us. The Hon'ble Prime Minister used the word "*ex gratia*". If the House is to be consulted, I say, Sir, it is to be consulted as a matter of right and not as a matter of grace or favour. Even in matters of change of rules, the Government

do place those changed rules in connection with other Acts for the acceptance of the House. So, in such a vital matter, when they are going to change the constitution of the Boards and allocate seats, is it not fair and proper that they should consult this House? We do not know as yet, as they have not even issued a press communique, as to how they are going to divide the seats and in which way they are going to divide the constituencies. So, practically, when we are arguing this matter, we are groping in the dark, not knowing the exact position where we stand at the moment. Whether there will be single member constituency or plural member constituency or whether there will be distributive system of voting or cumulative system of voting—these are matters of vital importance which this House has got a right to know. Sir, the Hon'ble Premier argued that in view of the constitutional changes which are in the offing, he sees no necessity at the present moment for revising the Local Board Manual. We have seen that our Local Self-Government Act has seen three constitutional reforms. It has outlived three constitutional changes in the history of this country. First—Morely--Minto, then Montagu—Chelmsford and lastly this new Constitution—the Government of India Act, 1935. Sir, even certain provisions might be introduced in the new Local Self-Government Act so that, if necessary, certain other changes might be made in it after the constitutional changes came into force without disturbing the framework of the Act itself. This question was agitated on the floor of the House. The urgency of changing the Local Self-Government Manual with a view to bring it to a par to the demand of the present day was stressed upon and, although this question was mooted for years together, the Government have not thought it prudent or discreet on their part to sponsor any legislation to revise the Local Self-Government Manual.

Then, Sir, as regards the distribution of seats and constituencies much has been discussed on the floor of this House. The Hon'ble Premier seems to have kept Muslims on one side and all other non-Muslim elements including the planting community have been lumped together on the other side. The Muslim seats have been allotted on population basis but not so for other communities. That is how the whole distribution of seats has been affected. The Tea Industry, if I have examined the matter, a right is entitled to near about the seats which have been allotted to them on the basis of the area held and the rates and taxes paid. On population basis their seats would have been very few.

Now, I come to the representation of labour. If the Tea Industry were to represent their labour population certainly there would have been much more seats allotted to them. They do not claim to represent their labour and no seats have been allotted to them on that score, however inequitable that might have been as has been admitted by Mr. Whittaker himself that in a democratic constitution the employer should not represent the employee. But who are now going to represent the labour force, Sir? The planters are not going to represent them because they are holding the seats on basis of area held and taxes paid. In that view of the thing several lakhs of tea garden population are going to be disenfranchised. Who are the persons who have been selected for the purpose of representing the labour population of the Province? Mr. Whittaker assumed that the planters are going to represent the labour but when it was pointed out that no additional seats have been allotted to them for the representation of their labour, perhaps, he realised the position. So, the claims of the Tea Industry, if I understood it aright, rest not on population basis, but on their area and on the taxes paid. In the Surma Valley, Sir, there are about 2½ lakhs of tribals in the districts of Sylhet and Cachar excluding the North Cachar Hills. Who are going to represent them? So, there is no representation whatsoever for these "tribals" and "others" in the Surma Valley.

With regard to Karimganj Local Board, as I have said, Sir, the recommendations of the Local Board itself were quite otherwise, as also the recommendations of the Sub-divisional and District authorities. But when their recommendations came to Shillong everything was changed in the Cabinet. We don't know on what principle. It was said by the Hon'ble Premier that there are 52,000 labour population in the Karimganj Subdivision and as I already said who represent these 52,000 labour population, it is not yet certain. But even for argument's sake if I leave aside these 52,000 labour population, still we find that the representation of the non-Muslims comes to one member for

every 25,000 people, whereas for the Muslims of the Karimganj Subdivision the representation would be on the basis of one member for every 20,000 people. Sir, is it fair to curtail the number of seats of the non-Muslims who are already in the minority in this Subdivision? If we take the total number of seats in the Province, what do we find? The total number of Muslims in the province is 34.4 lakhs out of 109 lakhs population, whereas on the distribution of seats between the Muslims and non-Muslims, the non-Muslims have been given only 228 seats and the Muslims 178. Of course, I am subject to correction, as I have not got these figures from any authoritative source. If that is so, the seats of the Muslim community have not been determined on the basis of their population; they have been given much more because they form only  $\frac{1}{3}$  of the total population of the Province. As I already said, the planters put their claims not on the basis of population but on the basis of tax and local rates that they pay. I have put the planters out of consideration, because they are not representing territorial interests. They are representing economic interests. Sir, we find that in the distribution of seats, injustice has been done to the non-Muslim elements. I have not left aside the Tribals, Scheduled Castes and Ahoms. Certainly, if a proportionate calculation is made, even in respect of these communities, I admit, they have been made to suffer. So, it seems that Government have re-distributed the seats in a way so that the interests of the Muslim population may not suffer. It has got more than what was due and all special seats have been carved out from the non-Muslim elements. This is how the seats have been re-distributed. Sir, I would make no secret of my feelings when I say that although some of my Friends say that it is a very temporary measure, I can not believe that it will be a temporary measure and when this question involves certain principles and rights of the House I cannot pass over it as a very insignificant matter, and when the principle of representation once accepted would be hard for the coming generation to get away from. Once a Local Board election is held, nobody knows for how many years it will continue. It may be allowed to continue even for a decade on the pretext that a new constitution will soon come when there will be fresh election. That might be an argument that may be advanced in the future for not holding election for another decade. Sir, the Hindu community feel very strongly on this point that they have been very unjustly treated. Particularly, the Hindus of the Surma Valley feel that their interests have been sacrificed in the hands of the Ministry. They feel that they have become orphans in the State and there is nobody to look after their interests in the Cabinet. Sir, I have already said, the whole question involves the right of the House. The Ministry should not be allowed to distribute and revise the constituencies in their private chamber without giving an opportunity to the hon. Members of this House to have any say in this. If you allow this matter to go unnoticed it will really create a very bad precedent for the future and it will perhaps encourage a Fascist tendency in the Government. Therefore, if we want to build democratic tradition, I would ask all sections of the House to see whether the proviso that I have suggested should receive their consideration or not. With these words, I appeal to all sections of the House to accept my Amendment.

The Hon'ble the SPEAKER: There are two parts of this Amendment. First part is the same as the Amendment\* tabled by Maulavi Abdur Rahman. Does he move his Amendment? He is absent. I take it that he is not going to move his Amendment. The second part of the Amendment seeks to add a proviso to sub-section (1) of the clause. There is no other Amendment tabled which is identical with that.

The Amendment moved:

"That in sub-clause (1), for the words and figures "15th June, 1945" occurring in the fourth line, the words and figures "31st March, 1946" be substituted and the following be added as a proviso thereto:

"Provided that the Provincial Government shall in the meantime take the approval of both the Houses of Legislature with regard to the proposed re-distribution of seats and revision of constituencies of the Local Boards".

\*Maulavi ABDUR RAHMAN to move:—

That in sub-clause (1), for the words and figures "15th June, 1945" occurring in the fourth line, the words and figures "31st March, 1946" be substituted,

Babu LALIT MOHAN KAR: Mr. Speaker, Sir, in South Sylhet, non-Muhammadans are greater than Muhammadans. But, in the new allocation of seats, the Muhammadans have got 10 seats whereas the non-Muhammadans have got only 9 seats. According to the figures, if 10 seats go to the Muhammadans at least 12 seats must go to the non-Muhammadans.

The distribution, therefore, has no logic behind it and, must have been made by a magician's tricks.

I shall be obliged if our Caste Hindu Minister in-charge of Local Self-Government will take the hon. Members of this House into confidence and disclose his tricks in the matter.

With these few words, Sir, I support the Motion moved by my Friend Mr. Rabindra Nath Aditya.

Mr. JOBANG D. MARAK: Mr. Speaker, Sir, I am in a position, at this stage to speak on the question of allocation of seats. The Hammond Committee when they met at Shillong to consider the formation of constituencies in Assam, were pleased enough to create one constituency for the Christian community. For this very reason, I think, at least one seat should be reserved for the Christian community in the Province.

Mr. C. GOLDSMITH: Mr. Speaker, Sir, I take this opportunity to speak on this Amendment because it deals with distribution of seats in the various Boards. There is provision for special reserved seats for minority communities and ours is a minority community. Local Board activities directly concern the rural people, and therefore, for the mass people it is a life and death question. For these reasons, I should like to make my position clear and try to show to the Hon'ble Minister and the House, where we stand as a minority Christian community. I would like to show that clearly in detail in all its bearing, and I hope the House will give me a patient hearing and the Hon'ble Speaker will grant me sufficient time to elucidate my point of view to convince the Hon'ble Minister and the House.

The position that I explain to-day will be the guidance for the future in relation to my community, so that I shall not have to say much later on. I seldom advance the claims of my community, because our aim is not to grab all that we can, over the claims of others but to contribute something for the general good of the whole Province. But I have found out that we have come to a stage when the claims of the whole Province, if not clearly shown, will go by default. Christians are running the risk of being altogether neglected and ignored. Therefore, I like to examine—what minority means with regard to its relation to the majority, the basis on which a minority is formed—the main minorities are formed, how Indian Christians stand in relation to other minorities the claims of Indian Christians as a minority. the attitude of the present Government with regard to the Christian minority in Assam, how the claims of our community as a minority community have been respected so far and what I actually suggest as regards the Local Board seats and the place Indian Christians can have in them.

#### *Majority and minority*

Minority means smallness in number of a community in a State where the rest is greater in number. Therefore, once a Government recognises the claims of a minority, it is committed to make special consideration on account of its smallness of number. A Government which is pledged to protect minorities, and I believe the present Government is pledged, it must have regard for a community on account of its smallness in number. The very essence is numerical inferiority. For this, the Instrument of Instructions in the Government of India Act is very clear, *viz.*, that the minorities must be protected. Is Government out to protect the minority Christians in Assam? The answer is "No.".....

The Hon'ble the SPEAKER: How does the hon. Member make all these relevant to the Amendment under discussion? Does the hon. Member support the Amendment?

Mr. C. GOLDSMITH: I support as far as the distribution of seats is concerned.

The Hon'ble the SPEAKER: The proviso states that re-distribution of seats and revision of constituencies should have the approval of both the Houses of Legislature. Does the hon. Member accept that position? Otherwise all these become academic.

Mr. C. GOLDSMITH: I want to speak on the position of the minorities.

The Hon'ble the SPEAKER: This becomes relevant if the hon. Member supports this Amendment about allocation of seats and revision of constituencies being put to the vote of the Legislature.

Khan Bahadur Maulavi KERAMAT ALI: There is provision for nomination, and if my hon. Friend can convince the Government about the claim of his community, they may get a chance for representation.

The Hon'ble the SPEAKER: I am concerned for the present, with the Amendment before the House. If the hon. Member supports the Amendment he can speak in this way.

Mr. JOBANG D. MARAK: If he opposes the Amendment, can he speak?

The Hon'ble the SPEAKER: Yes, if he says he is satisfied with the re-distribution of seats.

Mr. C. GOLDSMITH: It concerns the Local Boards, and the re-distribution of seats. Since Christians are in a minority, I make these observations to Government for their consideration, but I oppose the Amendment.

The Hon'ble the SPEAKER: For what purpose are these observations made? Does the hon. Member want to say that what he endeavours to make out has been accepted by the Ministry in allocating seats? The Government view is that they have allotted seats and have made revision of constituencies in exercise of their power under the Rules in that behalf, and they do not like to put all these before the House. Does the hon. Member say that his rights have been protected by the Ministry in the allocation of seats?

Mr. C. GOLDSMITH: According to the provision for nomination they can protect.

The Hon'ble the SPEAKER: The question is whether they have protected the interest of the Indian Christians.

Mr. C. GOLDSMITH: For future guidance I am asking the Ministry to do so.

The Hon'ble the SPEAKER: This is not the general discussion on the Bill. We are now considering a particular Amendment.

Khan Bahadur Maulavi KERAMAT ALI: Is not an hon. Member entitled to place his views before the House?

The Hon'ble the SPEAKER: He can place his views before the House making them relevant to the subject under discussion.

Khan Bahadur Maulavi KERAMAT ALI: There is no doubt that he is relevant. No lawyer can say that he is not relevant.

The Hon'ble the SPEAKER: I don't think so. The hon. Member would be relevant if he says that he is opposing the Amendment because his rights have been protected by the Government.

Mr. C. GOLDSMITH: Sir, there is provision for nomination, and Government can allocate seats for Indian Christians if I can show that they are a deserving minority.

The Hon'ble the SPEAKER: The question as to how Government will allot seats by nomination is not at all relevant to this discussion. Very well, the hon. Member may finish his speech.

Mr. C. GOLDSMITH: This is very interesting and many do not realise the import of it. When we consider about a minority we cannot think of it without thinking about the majority. In India and in Assam who is the majority and who is minority? Hindus are regarded as majority and Muslims minority, although there are other minorities. There was a time in India when there were no Hindus, no Muslims and no Christians. Long ago a virile race came into India, and successive hordes came from Central Asia through north-west India. They settled in Northern India ousting the early inhabitants, the latter receding further and further towards the south and east. The new

settlers, in time, evolved a system of religion which was unique, and for its beauty and depth it had no comparison, *i.e.*, the great Hindu religion. It gradually spread amongst all the new settlers, and then absorbed some of the old settlers as well and they lived on the fringe of the main body. This went on for centuries. Then came conquerors to India through the same gates. They brought their own religion. They conquered other countries in the west and carried everything before them. Their religion was so simple and so universal that they could supplant all the religions in those countries through which they came. This is Muhammadanism. The new-comers in India began to accept their religion. Their religion also spread. People its advocacy of universal brotherhood amongst its co-religionists. A Muslim is a Muslim wherever you see him ; race and colour have no bearing. A Muslim may be a Punjabi, but he is a Muslim first Punjabi afterwards ; he may be a Bengalee, but he is a Muslim first and Bengalee afterwards ; he may be an Assamese, but he is a Muslim first and an Assamese afterwards. If you ask him to become an Indian first and Muslim afterwards you do not understand him at all. This universal aspect in Islam is the glory of that religion. This is the trouble in India to-day that non-Muslims do not understand that point. The most outstanding fact in Indian history.....

The Hon'ble the SPEAKER : The hon. Member should have taken his chance of speaking all this at the last stage of the Bill, when the Bill as a whole would be considered, but not in connection with this Amendment.

Mr. C. GOLDSMITH : Will you give me chance to speak then ?

The Hon'ble the SPEAKER : The hon. Member is perfectly aware of his rights whether he can speak or not at the last stage of the Bill.

Mr. C. GOLDSMITH : Very well, Sir. The most outstanding fact in the Indian history is that these new conquerors carried everything before them, and, in time became the supreme power in India.

Srijut SARVESWAR BARUA : On a point of information, Sir, how many seats the Indian Christians have got in the Local Boards in Assam ?

The Hon'ble the SPEAKER : Is it the desire of the House that we should continue further to-day.

(Voices—No, Sir.)

#### Adjournment

The Assembly was then adjourned till 11 A.M., on Saturday, the 10th March, 1945.

SHILLONG :

The 2nd May 1945.

A. K. BARUA,

Secretary, Legislative Assembly, Assam.