





The Assembly met in the Assembly Chamber, Shillong at 11 a.m., on Monday, the 22nd March, 1948.

PRESENT

The Hon'ble Mr. Lakshesvar Borooah, Speaker, in the Chair, the 8 Hon'ble Ministers and 45 Members.

**The Hon'ble the SPEAKER:** Is there any hon. Member who has not taken the new oath? (As there was none, no Member turned up).

## QUESTIONS AND ANSWERS

### STARRED QUESTIONS

(To which oral answers were given).

#### Settlement of lands with outsiders

**Srijut SARAT CHANDRA SINHA** asked :

\*21. Will Government be pleased to state whether they propose to declare Assam "Closed" to fresh immigrants?

\*22. (a) Are Government aware—

- (i) that Zamindars, Jotdars and intermediaries between the Zamindars and the cultivators and tenants are settling land to outsiders and fresh immigrants in contravention of Government policy; and
  - (ii) that the onrush of such immigrants is daily increasing?
- (b) If so, will Government be pleased to state—
- (i) Whether they propose to take over the management of Zamindari estates in Goalpara at once to stop such state of affairs without further delay;
  - (ii) whether they propose to take such special steps as are necessary to stop such settlement and onrush of immigrants immediately; and
  - (iii) whether they propose to declare all such settlement in the Zamindari areas void *ab initio*?

**The Hon'ble Srijut BISHNURAM MEDHI** replied :

21.—Government have declared their policy in this respect. The indigenous inhabitants of the Province are being closely protected in the matter of land settlement.

22. (a) (i)—Reports have been received to this effect.  
(ii)—The information is not available.  
(b) (i), (ii) & (iii)—Government have appointed a Special Officer to make careful enquiries into this matter and necessary action will be taken on receipt of his report. Abolition of Zamindaries is under the consideration of Government.



## UNSTARRED QUESTIONS

(To which answers were laid on the table)

**Irregularity of Postal Services in Garo Hills**

Mr. MANIRAM MARAK asked :

106. (a) Are Government aware of the insufficiency and irregularity of the Postal Services in the Garo Hills ?

(b) Do Government propose to take necessary action for directly linking the Postal Communications of Garo Hills with the rest of Assam ?

The Hon'ble Srijut RAMNATH DAS replied :

106. (a)—Yes. Mails for almost all the offices in the Garo Hills used to pass through Mymensingh. As Mymensingh has gone to Pakistan, some irregularity in the postal services has been noticed since partition.

(b)—Yes. All offices (except Bagmara) have already been linked with the rest of Assam *via* Dhubri. As for Bagmara, it will eventually be linked up with Tura.

**Government Pleaders and Public Prosecutors in the Province**

Maulavi ABDUL HAI asked :

107. (a) Will Government be pleased to state the names of Government Pleaders and Public Prosecutors in the Province together with their age and community to which each of them belongs to ?

(b) Is it a fact that the Government Pleaders and Public Prosecutors are to retire at the age of 60 years ?

(c) Is it a fact that some of the Public Prosecutors and Government Pleaders have exceeded the age limit of 60 years ?

(d) If so, do Government propose to take early steps for their retirement and appoint some qualified members of the Bar from the unrepresented and under-represented minority communities including the Muslims ?

108. (a) Is it a fact that the retaining monthly fees and daily fees allowed to the Government Pleaders and Public Prosecutors in Assam are lower than that of Bengal ?

(b) If so, do Government propose to raise the said fees to the Bengal level ?



The Hon'ble Srijut RUPNATH BRAHMA replied :

107. (a)—The names of the Government Pleaders (who are also *ex-officio* Public Prosecutors) together with their age and community are given below :—

Names	Years	Months	Community
1. Rai Bahadur Sadananda Dowerah, Lakhimpur	62	...	Hindu
2. Rai Saheb Deveswar Sarma, Jorhat	...	54	10
3. Rai Bahadur Anukul Ch. Das Gupta, Dhubri	64	10	..
4. Srijut Chandra Nath Sarma, Tezpur	...	57	...
5. Srijut Nagendra Nath Syam, Cachar	...	54	...
6. Srijut Bidyadhar Barua, Nowgong	...	62	...
7. Srijut Ramesh Ch. Das Gupta, Shillong	...	60	7
8. Srijut Kaliram Barman, Gauhati	...	57	4

(b)—The hon. Member's attention is invited to the reply to Question 169(a) put by Maulavi Abdur Rahman in the Budget Session of 1945.

(c)—Hon. Member can deduce this from the answer to (a).

(d)—This question will be taken up when the period of extension of the Government Pleaders will terminate.

108. (a)—Government understand that the daily fees in Assam are practically the same as in Bengal and that retaining fees are somewhat lower except in the case of Government Pleaders at Gauhati and Shillong. The question of remuneration depends upon the conditions in each Province and the financial capacity of the Government revenues.

(b)—There is no proposal at present to increase the fees.

### Announcement of the result of Election to the Public Accounts Committee

The Hon'ble the SPEAKER: I am now to announce the result of Election to the Public Accounts Committee held on the 18th March 1948. The following hon. Members are hereby declared duly elected to the said Committee :—

1. Maulavi Md. Nazmal Haque,
2. Mr. J. S. Hardman,
3. Srijut Purandar Sarma,
4. Srijut Gauri Kanta Talukdar,
5. Babu Kamini Kumar Sen,
6. Srijut Siddhi Narth Sarma,
7. Srijut Bhadra Kanta Gogoi.

### DEMANDS FOR GRANTS

#### GRANT No.35

(“85-A.—Capital outlay on Provincial Schemes of State-trading)

The Hon'ble the SPEAKER: Now, Demands for Grants—Grant No.35—  
The Hon'ble Srijut Omeo Kumar Das.



**The Hon'ble Srijut OMEO KUMAR DAS:** On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs.100 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1949 for the administration of the head '85-A.—Capital Outlay on Provincial Schemes of State-trading'.

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

"That a sum not exceeding Rs.100, be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1949 for the administration of the head '85-A.— Capital Outlay on Provincial Schemes of State-trading'."

There is practically only one Cut Motion standing in the names of Messrs. Hardman and Morley.

**Mr. J. S. HARDMAN:** Mr. Speaker, Sir, I beg to move that the total provision of Rs.100 under Grant No.35, Major head—85-A.—Capital Outlay on Provincial Schemes of State-trading, at page 197 of the Budget, be reduced by Re.1, i.e., the amount of whole grant of Rs.100 do stand reduced by Re.1.

The object of my Motion is to urge a reduction in the food cess.

Mr. Speaker, Sir, we are handicapped in pressing this Cut Motion by reason of the fact that we have not got an up-to-date balance sheet of the grain storage operations. The latest available figures are contained in the Appropriation Accounts for 1945-46 which discloses the state of affairs as on the 31st March 1946. This appears at page 197 of the Appropriation Accounts. If we take the figures given in the Budget for the actuals of 1946, the revised estimates in 1947-48 and the Budget estimates of 1948-49, we can get some idea of the state of this trading operation. I have, Sir, examined these figures with some care. The balance sheet at the end of 1946 indicates that there is altogether a sum outstanding of little over 50 lakhs. The capital outlay was at the time 20,26 lakhs from which is to be deducted the sale proceeds amounting to 17,85 lakhs, stocks valued at 1,06 lakhs, goods in transit 10 lakhs. We have to take also the difference between debts and credit amounting to 1,11 lakhs which gives the total difference of 53 lakhs. Now we have no knowledge of the present stocks or other assets, but if they are of the magnitude they were in 1946, Government have more than recouped their capital expenditure on food operation. We are bound to recognise that there is a risk of loss in this trading enterprise, but Government are not carrying very large stocks at present and we see no reason to believe that there will be any sudden decrease in price. Therefore, we can visualise that at the end of the present financial year there will be a surplus in this account. If this is correct, we have the position that Government are getting back by way of food cess more than is needed to balance their trading operation. In other countries it has been the practice to subsidise the food for the poor and the Central Government are also giving food subsidies. Here in Assam we are apparently imposing a tax on food which in one view should not continue any more. Now that Government have made their financial position secure in their food operations there should be a reduction. The present rate of tax is 15 annas on rice which I understand is about Rs.15 per maund. Consequently, it amounts to a tax of between 6 and 7 per cent. We would ask Government very earnestly to consider some immediate reduction in this rate of duty.

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

"That the total provision of Rs.100 under Grant No.35, Major head—85-A.— Capital Outlay on Provincial Schemes of State-trading, at page 197 of the Budget, be reduced by Re.1, i. e., the amount of whole grant of Rs.100 do stand reduced by Re.1".



**Mr. HARENDRA NATH SARMA:** Mr. Speaker, Sir, I oppose the Motion moved by my hon. Friend, Mr. Hardman. If I have understood him correctly he is not opposed to the principle of levying a cess on food, but he is opposed to the rate of the cess at which it is proposed to be levied. But, Sir, what I feel is—and I suppose Mr. Hardman will also agree with me, that it is always difficult to forejudge whether a rate of 10 per cent. or  $6\frac{1}{4}$  per cent. of cess to be levied would be sufficient for the next year to come. So it is better to be always on the high side rather than on the low side. The Department of Procurement is purely a trading or a commercial concern. It is not a Department of administration at all I should say. As such the policy of the Government in this particular subject should be viewed from that angle of view. I think this fact is quite known to my hon. Friend, Mr. Hardman, who represents European Commerce.

With these words, Sir, I support the original Motion of levying a cess and I oppose the Cut Motion moved by Mr. Hardman.

**The Hon'ble Srijut OMEO KUMAR DAS:** Mr. Speaker, Sir, I am not surprised to find Mr. Hardman coming with such a Motion. Representative as he is of the European Commercial Community, he certainly realises why it was considered necessary to introduce this cess. I believe that it is his anxiety to reduce what may be called an indirect burden on the consumers consequent on this administrative charge, that he has come forward with this Motion.

Sir, since 1942, the Government of Assam have been compelled to take up supply of certain commodities. In commercial transactions, it is necessary to levy cess over the cost price to meet incidental charges, freight, handling, commission and administrative expenditure. It is necessary to guard against loss in transit, shortage and shrinkage in godowns. So it was considered necessary to fix the surcharge at 10 per cent. of the invoiced value which was subsequently reduced to  $6\frac{1}{4}$  per cent.

Coming to procurement side, you know, Sir, that the system has undergone a complete change. Government has taken upon itself the sole responsibility of procuring rice and paddy from the cultivators through middlemen. An administrative charge of  $6\frac{1}{4}$  per cent. is added to the cost price when preparing the bills to cover the charges and expenditure on the administration of the Department and other overhead charges. Besides maintenance of the staff for procurement, a control staff with requisite equipment, *e. g.*, motor launches, etc., has to be maintained to ensure prevention of smuggling. This expenditure has also to be met from administrative charges.

I think Mr. Hardman will agree with me when I say that it is not desirable to burden the general revenues of the Province with such expenditures. Overhead charges incurred by Government could not be met from the amount realised from cess. The trading loss could not be covered by the total amount of cess realised. The Subdivisional agents are allowed rebate and transport charges according to the distance from railhead or steamerghat.

Sir, I would like to mention in this connection the policy laid down by the Government of India in respect of state-trading in food-stuffs and this policy has been that there should be no profit and no loss. Our Government also are following carefully the same principle. It is needless for me to say that I quite realise the anxiety of the hon. Mover of this Motion that the administrative charge goes towards increasing the price of the food-stuffs to that extent and thus there is an indirect burden on the people. But I have to bring to the notice of the House that this Province with its slender financial



resources cannot afford to take the risk of a large inroad into the general finances of the Province. If we go into the figures it will be evident that till 1946-47 we were incurring very big losses. The position has improved considerably since then. I trust that the hon. Mover will realise that the accounts of the operations of the Supply Syndicate to which the present Government was only a legatee, have not yet been fully adjusted and almost in each case, there is a huge loss to write off. Let me cite two instances only: the operations of the Eastern Bengal and Assam Commercial Syndicate are estimated to result in a loss of over 40 lakhs and the Surma Valley Foodgrains Syndicate nearly 19 lakhs. There were also the Mercantile Syndicate and the Trading Syndicate, the Civil Supply Agency, the import of Ghee from Nepal and numerous other transactions, resulting in serious loss.

On the top of all this, we have been informed by the Government of India the other day that the subsidy on food which was so long borne by the Government of India in full, will have to be shared in ratio of 2 to 1 between the Centre and the Provinces. The entire wheat supply of the Province which is from imports by the Government of India come under this category and it cannot be estimated yet what amount the share of this Province's subsidy would be. I have to bring to the notice of this House that by a very careful handling of the finances of the Supply Department, this Government have been able to check the rapid progress downhill which was evident from the result of the transactions upto 1946-47.

All that the Government hopes to do is to complete the financial transactions of the gigantic schemes of state-trading with a clean slate so that there be no further inroad into the slender resources of the Province.

Much though I am in sympathy with the hon. Mover, I cannot agree to reduce the administrative charge on food. I hope the hon. Mover will realise the risk the Government will have to run as a consequence of such a step, and I trust the hon. Mover will withdraw his Motion.

**Mr. J. S. HARDMAN:** The purpose of my Motion, Sir, was to bring to the notice of the Government the importance of avoiding throwing an undue burden on the poor people. But on the assurance given by the Hon'ble Food Minister I beg leave of the House to withdraw my Motion.

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

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

**The Hon'ble the SPEAKER:** Then I put the original Motion.

The question is:

"That a sum not exceeding Rs. 100 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1949 for the administration of the head '85-A.—Capital Outlay on Provincial Schemes of State-trading'."

The question was adopted.

**The Hon'ble the SPEAKER:** I think, we have got sufficient time to-day to take up non-official business.

Now I will take up Grant No.31—the Hon'ble Srijut Bishnuram Medhi to move.



## GRANT No.31

## (63—Extraordinary Charges.)

**The Hon'ble Srijut BISHNURAM MEDHI:** Mr. Speaker, Sir, on the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs.4,48,800 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1949 for the administration of the head "63.—Extraordinary Charges".

In this connection, Sir, I beg to point out that the Cut Motion tabled relates to the distribution of cloth and yarn, and as such the reply will be given by my Hon'ble Friend, Srijut Omeo Kumar Das.

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

"That a sum not exceeding Rs.4,48,800 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1949 for the administration of the head '63.—Extraordinary Charges'."

There is only one Cut Motion under this Demand.

**Maulavi MD. NAZMAL HAQUE:** Mr. Speaker, Sir, I beg to move that the provision of Rs.3,99,272 under Grant No.31, Major head—63.—Extraordinary charges—Minor head—A.—Charges in India, Sub-head—(V)—Expenditure connected with control and distribution of cloth and yarn (total), at page 192 of the Budget, be refused, *i.e.*, the amount of the whole grant of Rs.4,48,800 do stand reduced by Rs. 3,99,272.

The reason for my moving the Cut Motion is to raise discussion for saving the expenditure.

Sir, at present the cloth has been decontrolled, only yarn remaining controlled. The decontrol of cloth necessarily needs curtailing the number of officers and establishment. Consequently a large amount under this head could be saved. I would therefore request the Government to save considerable amount from this head and divert the amount towards giving primary education to the people of the Province. With these few words, Sir, I beg to move my Motion for the acceptance of the House.

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

"That the provision of Rs.3,99,272 under Grant No.31, Major Head—63.—Extraordinary Charges, Minor head—A—Charges in India, Sub-head (V)—Expenditure connected with control and distribution of cloth and yarn (total), at page 192 of the Budget, be refused, *i.e.*, the amount of the whole grant of Rs.4,48,800 do stand reduced by Rs.3,99,272."

**Mr. P. M. SARWAN:** I do not wish to speak much in connection with this Cut Motion, but you will understand why I venture to speak a word or two. The reason is that Government has a large sum of money which we feel is not in keeping with their scheme.

**The Hon'ble the SPEAKER:** The hon. Member will please confine himself only to the points raised in the Cut Motion.

**Mr. P. M. SARWAN:** I will be as brief as possible, Sir. As the hon. Mover has stated, there is a large sum of money under this head which the Government is not going to spend and which could be utilised for some other purposes. I therefore support this Motion because I also consider that this is a large amount, too large indeed which the Government will not need for the control of yarn only. Yarn is only wanted for spinning and weaving,



but what we find is that the Congress Party as soon as they come to power they are demanding large sums of money to be spent out of the money brought in by the mass people. So I would like to draw the attention of the Government to the fact that this large sum of money which Government is not going to spend over the Department which so far as we knew, did not give satisfaction to the public in so far as distribution of cloth and yarn is concerned. Fortunately, as the hon. Mover has stated, cloth has now been decontrolled and this also I hope will be of great help to the people. Since cloth has been decontrolled, we hope that the money that would be saved therefrom will not be wasted in making another mess in the distribution of yarn. So I request that the Government will reconsider the question as to how to use this large sum of money thus saved. With these words, Sir, I support the Motion of my hon. Friend.

**The Hon'ble Srijut OMEO KUMAR DAS:** Mr. Speaker, Sir, I quite realise why my hon. Friend has moved his Motion. But I may tell the hon. House that this Budget was prepared at a time when decontrol was not in sight and while the Budget was being sent for printing, this decontrol order from the Central Government came in and that is why this amount has been budgeted. But with relaxation of control there will certainly be reduction in the staff. And we have already taken up this question of examining what would be the number of officers required for administering this Department because there will still be yarn left to be dealt with. In fact, we have already given notices to some textile officers that their services would no longer be required beyond 30th April. Consequently there will certainly be saving. But the hon. Mover should not have any anxiety that this saving will be mis-spent. As regards whether this amount will be allocated for primary education, I cannot at the moment give him any assurance. This question will be examined afterwards. With these words, Sir, I would ask the hon. Mover to withdraw his Motion.

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

**Maulavi MD. NAZMAL HAQUE:** On the assurance given by the Hon'ble Minister that a considerable amount will be saved from this head, I beg leave of the House to withdraw my Motion.

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

The Motion was, by leave of the House, withdrawn.  
Now I put the original Motion.

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

“That a sum not exceeding Rs. 4,48,800 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1949 for the administration of the head 63.—Extraordinary Charges”.

The question was adopted.

#### GRANT NO 11.

(27.—Administration of Justice)

**The Hon'ble the SPEAKER:** Now, the next Grant—Grant No. 11.



**The Hon'ble Srijut RUPNATH BRAHMA:** On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs. 6,45,500 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1949 for the administration of the head "27.—Administration of Justice".

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

"That a sum not exceeding Rs. 6,45,500 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1949 for the administration of the head '27.—Administration of Justice'."

There are three Cut Motions. I think if two Cut Motions are moved the purpose will be served. Cut Motions No. 2 and No. 3 are same and Cut Motion No. 1 alleges particular grievance.

Now, Maulavi Makabbir Ali Mozumdar will move his Cut Motion.

**Maulavi MAKABBIR ALI MOZUMDAR:** Mr. Speaker, Sir, I beg to move that the provision of Rs.1,73,238 under Grant No.11, Major head—27.—Administration of Justice, Minor head—D.—District and Sessions Judges (total), at page 80 of the Budget, be reduced by Re.1, *i.e.*, the amount of the whole grant of Rs.6,45,500 do stand reduced by Re.1.

The object of my moving the Motion is to raise a discussion on the imperative need of a permanent District and Sessions Judge for Cachar District with headquarters at Silchar.

Sir, the District of Cachar is at present one of the biggest districts in the Province, with a population of 10 lakhs. It is included within the Sessions Division of the Assam Valley with headquarters at Gauhati. It has put the litigant public of Cachar district to enormous expenditure and untold miseries. Gauhati is about 300 miles away from Cachar connected by a railway line which remains closed occasionally during rains owing to land slip. Sir, the trial of Sessions cases by a Circuit Judge will not be an easy and expedient solution. The volume of Sessions cases coming before the Courts also justify the creation of such a Court for Cachar with headquarters at Silchar without delay. It is the pressing need of the people and a modest demand was made on this behalf, but without any result. We are getting our High Court very soon and in order to justify its existence we should have some feeder Courts in the Province. Sir, there is a Court building at Silchar for the Judge with a separate Ejlās allotted for the Judge and accommodation is also available for the staff in the Deputy Commissioner's Court building. So there is no question of apprehension for new expenditure for building.

Sir, I assure you that the number of cases will justify the creation of this Court. If Government have got any doubt then the neighbouring Hill Districts may be attached to it.

Sir, in the Pre-Partition days the Subordinate Judge at Sylhet used to try cases at Silchar on circuit, but since the establishment of a Subordinate Judgeship at Silchar, the number of cases after the Partition has justified the creation of the post as I am aware he is over-worked. So if a District and Sessions Court be established at Silchar, I am confident that the number of cases will increase and will justify its existence. Therefore, on behalf of the people of Cachar I request Government for the establishment of a District and Sessions Court at Silchar without further delay.

**The Hon'ble the SPEAKER:** Cut motion Moved:

"That the provision of Rs. 1,73,238 under Grant No. 11, Major Head—27.—Administration of Justice, Minor head—D.— District and Sessions Judges (total), at page 80 of the Budget, be reduced by Re. 1, *i.e.*, the amount of the whole grant of Rs. 6,45,500 do stand reduced by Re. 1.



**Srijut DANDESWAR HAZARIKA:** Mr. Speaker; Sir, I rise to speak a few words against the Cut Motion moved by my hon. Friend, Maulavi Makabbir Ali Mozumdar.

Sir, before demanding for a District and Sessions Judge for the district of Cachar, he should have been ready with facts and figures to convince the hon. House that the people of Cachar are really in need of a District and Sessions Judge. They had one District and Sessions Judge when Sylhet was within Assam but as Sylhet has been separated now, of course, I am not acquainted with the figures, still in my humble opinion, there seems to be no need for a District and Sessions Judge in Cachar and its creation will not be justified considering the fact that the number of cases which will be instituted in this Court will not be many in future.

Now, in this connection, Sir, I beg to point out that Government has already placed an Assistant Sessions Judge at Silchar and the need of a District Judge is really necessary only for trying cases like those under section 302 of the Indian Penal Code and other cases can easily be taken up and disposed of by the Assistant Sessions Judge. It is, I think, needless to spend a huge amount of money for the purpose of a district by creating the post of a District and Sessions Judge at Silchar when it can be managed smoothly if it is amalgamated with some other district where there is a Sessions and District Judge. If the figures of cases really justify then Government may consider it afterwards to put an Additional Sessions and District Judge at Silchar. At least I am not convinced from the statement which was made by the hon. Member that a District and Sessions Judge at present is necessary for the district of Cachar. In the circumstances, I hope, he will consider to withdraw his Motion.

**The Hon'ble Srijut RUPNATH BRAHMA:** Mr. Speaker, Sir, I am really very glad that the hon. Member by moving this Cut Motion has given me an opportunity to explain the present position. The hon. Members of this House specially the hon. Members coming from different Bars know that before the separation of Sylhet there were two districts, *viz.*, Assam Valley Districts and the Surma Valley Districts with two District and Sessions Judges. But now after the separation of Sylhet we have one District and Sessions Judge, an Additional District and Sessions Judge with three Sub-Judges. After the transfer of Sylhet we have reviewed the whole position and we are considering as to how to reconstitute the Judgeship for the whole of Assam. At the beginning we were thinking of having three Districts and Sessions Judges with headquarters at Gauhati, Jorhat and Silchar. That was our contemplation. Then I asked the Judge of the Assam Valley to give us his views on this and give us figures to show whether our proposal will be justified and I have received a report from the Judge embodying his views and the figures. He is definitely of opinion that there is no need for three Judges with three Districts and the figures also will not at all justify to have that.

So far as Cachar is concerned, the hon. Members have already known from the speech which has been made by my hon. Friend, Mr. Hazarika, that we have already given one Sub-Judge who has been posted at Silchar and who has been invested with the powers of an Assistant Sessions Judge. Now as the whole matter of reconstitution of the Judgeship in Assam is under consideration, I think it will be premature now to come to any definite decision in the matter. So in view of this and in view of the definite opinion expressed by the Judge of the Assam Valley we shall not be justified in appointing a District and Sessions Judge at Silchar. Of course in view of the representations and the demands that we have been getting from the public of Cachar I am still thinking whether we can give them one Additional District and Sessions Judge at Silchar. That is



still under examination and I hope the hon. Member will wait till that time when we shall be in a position to come to a definite decision after further examination of the whole matter. I hope with this assurance the hon. Member will see his way to withdraw the Motion.

**Maulavi MAKABBIR ALI MOZUMDAR:** Sir, I am glad that the Hon'ble Minister has given me some hope. When he has given some assurance that he will look into the matter, I beg leave of the House to withdraw my Motion.

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

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

**Maulavi MD. MAKSHED ALI:** Mr. Speaker, Sir, I beg to move that the total provision of Rs.6,45,500 under Grant No.11, Major head—27.—Administration of Justice, at page 76 of the Budget, be reduced by Re.1, *i.e.*, the amount of the whole grant of Rs.6,45,500 do stand reduced by Re.1.

Sir, we had not heard of taking bribes by the Magistrates and Munsifs so long, but with the coming of the war some members of the Magistracy and Judiciary are now taking bribes. Not only this, we also see the feeling of racialism and communalism in some members of the Magistracy and Judiciary. But I hope, Sir, that this sort of corrupt practices in the members of Judiciary and Magistracy should be eradicated by the Government.

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

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

“That the total provision of Rs.6,45,500 under Grant No.11, Major head—27.—Administration of Justice, at page 76 of the Budget, be reduced by Re.1, *i.e.*, the amount of the whole grant of Rs.6,45,500 do stand reduced by Re.1”.

**The Hon'ble Srijut RUPNATH BRAHMA:** Mr. Speaker, Sir, it is a matter of great regret that there has been such accusation against the responsible officers who are entrusted with the sacred duty of administering justice in the law courts. So far we have heard allegations against officers of other Departments, but we had not heard against the judicial officers. My hon. Friend, the Mover of the Cut Motion, has not given any specific instances of such corruption against any Magistrate or Judicial Officers. His complaint is of general nature.

Sir, it is needless for me to say anything more on this subject of corruption of Government Officers. Much has been said and there was enough discussion on the floor of this House about that. Everyone is anxious to stop such corruptions in all Departments and Government is also no less anxious in that. But in doing this we would always seek the co-operation and help of the public and specially the hon. Members of the House. If they come across such cases of corruption and if they at least let us know by sending some note in confidential way, certainly we shall be prepared to take drastic action against such officers.

I hope, after hearing me, the hon. Mover will see his way to withdraw his Cut Motion.

**Maulavi MD. MAKSHED ALI:** Sir, it is not possible for me to give particular instances regarding some corrupt practices indulged in by these members of the Judiciary and Magistracy. However, on getting the assurance from the Hon'ble Minister I beg leave of the House to withdraw my Cut Motion.



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

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

**The Hon'ble the SPEAKER:** I put the original Demand.

The question is:

"That a sum not exceeding Rs. 6,45,500 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1949 for the administration of the head '27.—Administration of Justice'".

The question was adopted.

#### GRANT NO. 24

("47.—Miscellaneous Departments")

**The Hon'ble Srijut RAMNATH DAS:** On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs. 2,46,500 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1949, for the administration of the head "47.—Miscellaneous Departments".

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

"That a sum not exceeding Rs. 2,46,500 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1949, for the administration of the head 47.—Miscellaneous Departments".

(After a pause)

**The Hon'ble the SPEAKER:** There is no Cut Motion under this Demand, therefore I put the question.

The question is:

"That a sum not exceeding Rs. 2,46,500 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March, 1949 for the administration of the head '47.—Miscellaneous Departments'".

The question was adopted.

#### RESOLUTIONS

##### Establishments of Military Training College in the Province

**The Hon'ble the SPEAKER:** The first Resolution stands in the name of Mr. Morley. He is absent. The second Resolution stands in the name of Srijut Dandeswar Hazarika.

**Srijut DANDESWAR HAZARIKA:** I beg to move that this Assembly is of opinion that the Government of Assam do take early steps for the establishment of a Military Training College in the Province.

It is needless to point out before the hon. Members of this House the necessity of a Military Training College in this Province. As soon as I tabled this Resolution, I received several letters from various parts of the Province requesting me



to move the Government to take early steps for the establishment of such a College in the Province and besides that, some of my friends have asked me to insist upon Government and to impress upon them that not only a Military Training College is necessary in this Province, but also that an Arms and Ammunition factory should be established in the Province as early as possible.

Sir, Assam was independent till 1826 and probably it was the last Province that came under the British control, and as it is situated in the North-East part of the Dominion, the strategic importance of the Province is very great. It is needless to dilate the strategic importance of the Province before this hon. House, which the hon. Members have appreciated more than myself. Many Provinces in India, Sir, have taken steps for the establishment of a Military Training College so that young men of their Province may be trained for the protection of the country.

**The Hon'ble Srijut BISHNURAM MEDHI:** May I know from the hon. Member which of the Provinces have started a Military Training College?

**Srijut DANDESWAR HAZARIKA:** Central Provinces have started one.

**Srijut BELIRAM DAS:** The Resolution relates to defence which is a Central subject. We should not discuss it here.

**Srijut DANDESWAR HAZARIKA:** Sir I would draw the attention of the Government for the consideration of the establishment of a Military Training School in the Province as early as possible.

**The Hon'ble Srijut BISHNURAM MEDHI:** The Resolution is for the establishment of a College and not a School.

**Srijut DANDESWAR HAZARIKA:** That should be School.

I would request the hon. Members of the House for the consideration of my Resolution.

**The Hon'ble the SPEAKER:** Is it the intention of the hon. Mover that 'College' should be substituted by 'School'?

**Srijut BELIRAM DAS:** On a point of order, Sir, can the hon. Mover amend his own Resolution?

**Hon'ble Srijut BISHNURAM MEDHI:** The best thing is to withdraw the Resolution and bring another Resolution later on.

**Srijut NILMANI PHOOKAN:** May I suggest one thing, Sir? Military training in Colleges will solve the problem.

**The Hon'ble the SPEAKER:** I think the hon. Mover should ask some other hon. Member to amend it.

**Srijut DANDESWAR HAZARIKA:** I want simply an assurance from Government for consideration only.

**Maulavi MD. ABUL KASHEM:** The amendment is: Government should take early steps for making provision for Military Training in the Colleges of the Province.



**The Hon'ble the SPEAKER :** There is some time limit ; there is some time limit for tabling Amendments. If the House agree I may allow it.

**Babu KAMINI KUMAR SEN :** The hon. Member moved for a Military Training College, afterwards he came down and he said that he would be satisfied with a Military Training School, and now he is satisfied with an assurance for consideration.

**The Hon'ble Srijut B'SHNURAM MEDHI :** The Amendment is out of order, because imparting military training in Colleges is quite different from starting a Military College. It is inconsistent with the Resolution itself. It is one thing to give military training in Colleges, but it is absolutely a different matter as stated in the Resolution for starting a Military College.

**Maulavi MD. ABUL KASHEM :** My Friend, the Mover of the Resolution, wanted that there should be military training. I do not think it is inconsistent with the Resolution originally moved.

**The Hon'ble the SPEAKER :** The hon. Member should realise the attitude of hon. Members of the House.

**Srijut DANDESWAR HAZARIKA :** My intention was not the establishment of a College ; it should be a School. I understand that there is some difficulty in the Resolution itself. So I beg leave of the House to withdraw the Resolution. I shall give notice of an amended Resolution later on.

**The Hon'ble the SPEAKER :** Has the hon. Member the leave of the House to withdraw his Resolution ?  
The Resolution was, by leave of the House, withdrawn.

#### Abolition of impressed Labour in Jaintia Hills

**The Hon'ble the SPEAKER :** Resolution No. 3—Mr. Binode Kumar J. Sarwan. I find he is absent. No. 4—Mr. Larsingh Khyriem.

**Mr. LARSINGH KHYRIEM :** Sir, I am not prepared to-day. May I be allowed to move it to-morrow ?

**The Hon'ble the SPEAKER :** No, that cannot be done. No. 5—Mr. J. S. Hardman.

**Mr. J. S. HARDMAN :** Mr. Speaker, Sir, I beg to move the following Resolution.....

**Mr. LARSINGH KHYRIEM :** As you do not allow me to move my Resolution to-morrow, I shall move it now.

**The Hon'ble the SPEAKER :** All right.

**Mr. LARSINGH KHYRIEM :** Mr. Speaker, Sir, I beg to move that this Assembly is of opinion that the system of impressed labour in Jaintia Hills be abolished forthwith in view of the fact that the Jaintia people are against it.

Sir, I am afraid most the hon. Members as well as the Members of the Cabinet have no idea what impressed labour is, and consequently the Hon'ble House may take my Resolution lightly. My Resolution is a very simple one. The main reason which impels me to bring forward this Resolution is the strong



resentment prevailing in the country. Sir, whenever Government Servants are on transfer or on tour, it is always the rule to supply them with coolies to carry their loads. The Subdivisional Officer on such occasions issues an order to the Dolois who in turn asks his headman to comply with the order. If a Dolois fails to supply then action is taken against him. The Dolois, therefore, have to force people against their will, whenever such demand for coolies is made by the Subdivisional Officer and whoever fails to go is fined, the fine ranging from Rs.10 to Rs. 25 each.

Sir, generally the Subdivisional Officer demands more coolies than what is really needed. Supposing two men are required to carry a load—the Subdivisional Officer demands three or four men. So, when they all come, those who are not needed have to return home. In this case a day is lost but no payment is given. It sometimes happened that coolies had turned up as ordered, but the officer could not go, so they were ordered to come again next day. So that day is also lost for no fault of theirs.

Sir, the load is generally 35 seers or more, and a coolie has to carry his ration in addition to his load, which is heavy for one man to carry all the day long. A coolie is given a wage of Re. 1 only in the first stage (*i.e.*, on the first day) but he is not paid for his return journey, which is the next day and those that have to carry in the second stage is paid annas twelve only and nothing for the return journey.

Then, Sir, there is another kind of impressed labour. In places where there is no inspection bungalow, sheds have to be built for officers whenever they go out on tour. Such sheds could be built by 20 or 30 men only. But the Dolois instead of employing as stated, asks every household of his *eleka* to send one male adult to build such sheds. For such kind of work people have to give free labour. My people are always against this practice, but as they are afraid of the Dolois and the executive officers they have to do the work unwillingly. In short, this is the real state of things. My people are tired of this forced labour and have been demanding its abolition by resolutions and representations. Sir, the cherished hope of Independence has no meaning if this forced labour is not abolished. I think I am right in saying that the present problem is one which the All-India leaders are anxious to solve.

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

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

“That this Assembly is of opinion that the system of impressed labour in Jaintia Hills be abolished forthwith in view of the fact that the Jaintia people are against it”.

**Mrs. BONILY KHONGMEN** : Mr. Speaker, Sir, I rise to support the Resolution moved by my hon. Friend, Mr. Larsingh Khyriem, regarding, abolition forced labour and its consequences. It is really painful to think that human beings should be treated like beasts of burden. The Jaintia people, as the hon. Mover has already said, have been agitating against this system of forced labour for a long time, but they could not do anything as long as they were under foreign rule. But the people now expect better treatment from their own National Government. I therefore request Government to abolish this system of impressed labour not only in the Jaintia Hills, but also in any other part of the country if and where it is practised.



**\*Srijut KHORSING TFRANG:** মাননীয় সভাপতি মহোদয়, Mr. Larsingh Khyriem এ বি Resolution আনিছে এই সম্বন্ধে মই দুআখাৰমান কৰ খজিছোঁ। এখেতক support কৰি কৈছো যে আমাৰ অঞ্চলত মি বিলাক Officer toll দিয়ে তেওঁলোকে আমাৰ গাৰ্ভালীয়া মিকিব মানুহক মানান ধৰণেৰে অভ্যাচাৰ কৰে। Subdivisional Officer, Deputy Commissioner Officer শিলাকে কৰ “তোমালোকে আমাৰ কাৰণে বাস্তা তৈয়াৰী কৰিব লাগিব, দলং তৈয়াৰি কৰিব লাগিব, ঘন সাজি দিব লাগিব ইত্যাদি” সেই হিচাপে আমাৰ পুতোক গাৰ্ভালীয়া মানুহে তেওঁলোকৰ বাস্তা চাফা কৰিব লগীয়া হয়। বাস্তা চাফা কৰা ভাল কাম সচা কিন্তু সি এই ঘন নজনা Officer বিলাকক খতিব কৰা এইটো সহ্য কৰিব নোৱাৰি। তাৰ উপৰি ইয়াৰ কাৰণে আমাৰ মানুহক কেতিয়াও উপযুক্ত পইচাও নিদিয়। এতিয়া স্বাধীনতা পোৱাৰ পিছত এই Officer বিলাক আমাৰ বাইজৰ, তেস্তে আনি এতিয়া আৰু এই দুখ সহ্য কিয় কৰিম ?

গতিকে গবৰ্ণমেণ্টে যাতে আমাৰ মিকিব বাইজৰ এই দুখ কষ্ট দূৰ কৰি দিয়ে তাৰ বাবে মই এই Resolution support কৰিব বিছাৰিছোঁ।

**Mr. MANIRAM MARAK:** Mr. Speaker, Sir, I associate myself with what has been stated by the Mover of the Resolution. Sir, the Begar system, i.e., impressed labour for carrying Government officers' luggages in tours had been abolished long before, but some officers are still in practice of forcing the people through village Nokmas to carry their luggages with only a nominal payment at the rate of Re.1 and more often less than that even. Besides the waste of time in waiting for their arrival which is also very often irregular that a day or two have to be spent in waiting for those officers. If for such and other reasons a Nokma fails to supply coolies or the persons themselves refuse to carry the luggages, the fact is reported to the District Magistrate who punishes them without proper enquiry into the causes nor considering the fact that they have the right to refuse the system impressed labour has been abolished in the Garo Hills. Moreover, the willing carriers would be available on payment of Rs.2 per day as is in vogue in the locality and are paid by their co-villagers. There may be some difficulty in getting them only when they are very busy with Jhum clearing and during the harvesting season. However, the very persistence of the practice supported by the District Magistrate is only a milder form of slavery which cannot and should not be tolerated in a free country. I, therefore, earnestly request the popular Government to stop this practice altogether and not to allow it to exist in any form. With these words, I support the Resolution moved by my hon. Friend, Mr. Khyriem.

**Srijut SARAT CHANDRA SINHA:** Mr Speaker, Sir, I rise on a point of order. Sir, will such a discussion be in order as the original Resolution refers only to a certain matter in the Jaintia Hills ?

**Maulavi MUHAMMAD ABUL KASHEM:** Mr. Speaker, Sir, in supporting the Resolution moved by Mr. Larsingh Khyriem I would say that in these days while we have achieved independence it is really unthinkable how this system is continuing in the Jaintia Hills and I think, Government would have no objection to accept this Resolution because, Sir, we know that the Begar system, that is the forced labour, that was in vogue in the Garo Hills has been abolished during the time of the then Deputy Commissioner, Mr. Macdonald and since then officers are touring in different areas and they are to pay a little more than what they used to pay during the existence of Begar system. But they are not finding any



difficulty in moving. There will be no difficulty for them to spare something more as they are getting some percentage increase in their Travelling Allowances over and above that they were drawing previously. So I do not find any reasons why this cannot be abolished. While requesting the House to accept this Resolution, I would also ask the hon. Mover and others who come from such hill areas not to forget that the Government Servants who are going to tour in the areas are not servants of the British, but are the servants of themselves and officers go there to serve the people and their cause. So in case of difficulty they may of their own accord extend the help and co-operation which they will need. With these words, Sir, I support the Resolution of my hon. Friend, Mr. Khyriem.

**Srijut SARAT CHANDRA SINHA:** Sir, will such discussion be allowed?

**The Hon'ble the SPEAKER:** Why not?

**Srijut DHARANIDHAR BASUMATARI:** মোৰ বন্ধু Mr. খাইৰীম ডাঙৰীয়াই যি প্ৰস্তাৱ দাখিলি ধৰিছে তাক আমি support কৰিবই লাগিব কাৰণ আমি আজি স্বাধীন। Government Officer বিলাকে এনেকুৱা অসঙ্গত সুবিধা পাব নোৱাৰে। কিন্তু আজিৰ দিনতো British system ৰ Officer বিলাকে এইটো সুবিধা লোৱা উচিত নহব। মই নিজে কিছুমান কথা জানো। ইয়াৰ আমূল পৰিবৰ্ত্তন হোৱা দৰকাৰ বুলি মই ভাবো।

**The Hon'ble Srijut RUPNATH BRAHMA:** Can he bring this question Sir?

**The Hon'ble the SPEAKER:** No it is not relevant. The question is with regard to Begar system and in that way it should be made relevant.

**Srijut CHANOO KHERIA:** মাননীয় সভাপতি ডাঙৰীয়া, মই এই প্ৰস্তাৱটোৰ সম্বন্ধে দুআঘাৰ মান কবলৈ ওলাইছো। মই শুনি আচৰিত হৈছো যে আজি স্বাধীনতা পোৱাৰ পিচতো এনেকুৱা এটা প্ৰথা চলি আছে। Officer বিলাকে Governmentৰ পৰা ভাতা পাইছে; তেওঁবিলাকে ভাবিব লাগিব যে আমি ৰায়তৰ সেৱক। গতিকেই দুখীয়া মানুহক Officer বিলাকে অত্যাচাৰ কৰিব নালগে। কাজেই আশা কৰো গবৰ্ণমেণ্টে এই প্ৰথা উঠাই দিয়াৰ ব্যৱস্থা কৰিব। এই বুলি তেখেতৰ প্ৰস্তাৱটো মই সমৰ্থন কৰো।

**The Hon'ble Srijut OMEO KUMAR DAS:** Mr. Speaker, Sir, I am in entire sympathy with the Mover of the Resolution. The system of impressed labour in the hill areas was introduced with the establishment of the British rule in our country. It was deemed necessary to remove the difficulties of the touring officers in the matter of transport in the hill areas. But now after the 15th August, 1947 the situation has changed. We are on the threshold of a new Constitution. And the Draft Constitution has already provided for fundamental rights of every citizen. We have already taken this question and are trying to abolish impressed labour not only in the Khasi and Jaintia Hills but also in other hill areas. We are going to introduce a system of porter corps to remove the difficulties of transport in the hill areas. As the Government has already taken up this question to meet the problem by introducing a system of porter corps, I ask the hon. Mover of the Resolution to withdraw his Motion.

**Mr. LARSINGH KHYRIEM:** Sir, in view of the statement made by Hon'ble Minister I do not like to press my Resolution.



**The Hon'ble the SPEAKER :** Has the hon. Mover leave of the House to withdraw his Resolution ?

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

### Cultivation of Paddy lands at present lying abandoned in the vicinity of forests

**Mr. J. S. HARDMAN :** Mr. Speaker, Sir, I beg to move that this Assembly is of opinion that the Government of Assam do take immediate and effective steps to encourage the cultivation of paddy lands at present lying abandoned in the vicinity of forests and also to prevent extensive damage to cultivation in such areas.

Sir, it is, I am confident, known to all the hon. Members of the House what extensive damage is done in such areas. We have, Sir, appreciated the very great efforts which the Hon'ble Supply Minister has been making for the Grow-More-Food Campaign. He has shown great initiative and great enthusiasm in this respect. He has realised that it is not merely a problem of supplying more food for Assam but also of supplying more food for India. We have, Sir, been campaigning for many years to persuade Government to take a real interest in this problem which so vitally affects cultivators living in areas adjoining forests which owing to the physical configuration of Assam affects a large number of cultivators. At a time when India is suffering from very acute shortages of food and when the meagre supply of dollars has to be utilised in procuring food which could to a large extent be grown in Assam, there is an overwhelming case for examining what measures should be adopted to ensure the production of more food in areas which at the present day are lying fallow or producing an entirely insignificant crop. There are lands totalling many thousands of acres which could produce a very high yield of paddy and which to-day are producing nothing. I have myself seen extensive areas, which have gone completely out of cultivation as a result of the menace of damage from elephants. We would request Government to have a rapid survey made of all these areas, so that effective measures can be drawn up. We compute, Sir, that on a most conservative basis the areas affected, cannot be less than ten thousand acres, and may well be in the neighbourhood of half a lakh of acres. The magnitude of the loss to the Province can easily be estimated, and by comparison the sum of 2 lakhs which Government secure from the sale of elephants is an insignificant item. We believe that the loss in food production to the cultivators of Assam is in the neighbourhood of one crore of rupees and to this is added the enormous complication which necessarily must ensue from the need for bringing into these areas food which could be produced there. We have at the moment very great transport difficulties and these are increased by the need for moving grain supply into areas which are not self-supporting. It is not, however, Sir, merely a question of more money for the cultivators of Assam. This is a question of saving lives in other parts of India which are confronted with very acute shortages. It has been very freely admitted by District Officers and by Forest officials that elephant damage is on a scale hitherto unknown. In the pre-war years the damage done was trivial compared with the damage sustained at present. Existing arrangements made by the Forest Department fail to touch a fringe of the problem and we have the spectacle of large hordes of elephants living on the fringes of cultivated areas waiting to descend when the paddy crop is ripe. In these circumstances, it is not surprising that the cultivators should feel reluctant to provide elephants with free meals. Frequently the Forest Officers succeed in making captures of elephants, but the market in elephants is not very brisk, and only too frequently elephants which have been causing damage are



released again to continue their depredation. We understand, Sir, that a year ago the Forest Department prepared a scheme for controlling elephants and driving them away from the affected areas. Nothing has emerged from this and at present the Forest Department would be the first to admit that they are not taking the steps which could be taken to meet this problem.

The elephants become so emboldened that all measures to frighten them away are completely ineffective. Neither ammunition nor high velocity rifles are available in sufficient numbers to check the encroachment of these elephants and unless some scheme is prepared, the present scale of damage will not only continue, but will increase. We are not anxious to see elephants slaughtered, but we realise that food production at the present time is of paramount importance. We realise that elephants have a place in Assam's economy, but that place surely is not in the cultivator's field. More intensive measures are required for their extermination and we hope that the Government will give practical and effective consideration to this most urgent problem.

**The Hon'ble the SPEAKER :** The Resolution moved :  
 "This Assembly is of opinion that the Government of Assam do take immediate and effective steps to encourage the cultivation of paddy lands at present lying abandoned in the vicinity of forests and also to prevent extensive damage to cultivation in such areas."

**Srijut BELIRAM DAS :** মাননীয় সভাপতি ডাঙৰীয়া, Mr. Hardman এ তেখেতৰ পুস্ত্যৰত যি কথা কৈছে তাক শুলি বিশ্বাস কৰিব নোৱাৰি। এখেতে পুস্ত্য কথা লুকাবৰ কাৰণে এই পুস্ত্যটো আনিছে। চাহ বাগানৰ অধীনত বহুতো মাটি অটব্য জঙ্গল হৈ পৰি আছে। এনে অৱস্থাত তেখেতে অকল Forest Department ৰ জঙ্গলবোৰৰ কথা কৈছে। চাহ বাগানৰ সেই অটব্য জঙ্গল বিলাক পুয়েই বনুৱা জন্তুৰ আবাস হৈ আছে। সেই কাৰণে মই কব খোঁজো যে তেখেতে এই পুস্ত্যটো আনি জঙ্গলী বিভাগৰ দোষ দেখুৱাইছে অথচ তেওঁলোকৰ চাহ বাগানৰ তলত জঙ্গল হৈ পৰি থকা মাটিৰ কথা কোনোমতে উল্লেখ কৰা নাই। সাধাৰণৰ দাবী হৈছে যে চাহ বাগানৰ তলত থকা জঙ্গল মাটি বিলাক পুজাসাধাৰণৰ খেতিৰ কাৰণে খুলি দিব লাগে। জঙ্গলী বিভাগে আমাক লক্ষ লক্ষ টকা উপাৰ্জন কৰি দিছে। গতিকে আমাৰ অসম Government এ যেন খেতিৰ কাৰণে জঙ্গলী বিভাগত হাত নিদি বাগানৰ জঙ্গল মাটিৰ ওপৰতহে হাত দিয়ে। হাতী ধৰাৰ ব্যৱস্থা বা বনুৱা জন্তু খেদোৱাৰ চেষ্টা গৱৰ্ণমেণ্টে কৰিব লাগিব। সেই কাৰণে মোৰ অনুৰোধ যেন হাতী খেদাৰ ব্যৱস্থা কৰিবলৈ গৈ Mr. Hardman এ কোৱাৰ দৰে কাম কৰা নহয়। সেই কাৰণে মই এই পুস্ত্যটোৰ বিৰোধিতা কৰিছো।

**Maulavi ABDUL HALIM :** মাননীয় সভাপতি মহোদয়, মোৰ বন্ধু hon. Mr. Das এ যি কৈছে মই সেইটো support কৰো : মই ভালকৈ জানো বিশেষকৈ লক্ষীমপুৰ জিলাত ৬০।৭০ বছৰ ধৰি চাহ বাগিছা বিলাকৰ গ্ৰাণ্টৰ বহুত মাটি এনেই পৰি আছে। সেই বিলাকত কেৱল হিংগু জন্তুৰ বাস হৈছে। যি চাহ বাগানৰ মালিক সকলৰ মাটি এনেই পৰি আছে সেই বিলাকেই Government ৰ reserve বিলাক বা তাৰ ওচৰৰ ঠাই বোৰ খেতিৰ কাৰণে খুলি দিয়াৰ পুস্ত্য কৰিছে। এতেকে মই কওঁ যি বিলাক মাটি এনেই পৰি আছে চাহ বাগিছাৰ গ্ৰাণ্ট বিলাকত পুথমতে সেই মাটি খেতিৰ কাৰণে তৎক্ষণাত মুকলি কৰি দিব লাগে। সেই বিলাক গ্ৰাণ্ট মুকলি কৰি দিয়াৰ আগতে forest reserve ৰ ওচৰৰ ঠাই বিলাক খুলি দিয়াৰ কোনো পুস্ত্য উঠিব নোৱাৰে এতেকে মই hon. Member Mr. Hardman ৰ পুস্ত্যৰ ঘোৰ বিৰোধিতা কৰোঁ।



**Maulavi MUHAMMAD ABUL KASHEM :** Mr. Speaker, Sir, I rise to support Mr. Hardman's Resolution. Here I find that my hon. Friends seem to have missed the wordings of the Resolution. If they had gone through the Resolution properly they will find that he wants to encourage cultivation of paddy lands at present lying abandoned in the vicinity of forests and that he did not mean that the forests should be deforested, but that those paddy lands which are lying abandoned and which are not being cultivated should be utilised and to prevent extensive damage to cultivation in those areas due to elephants or other wild animals. I see no reason why this Resolution should be opposed rather we should all support it and if this Resolution of Mr. Hardman is carried, the result would be that all paddy lands lying abandoned in the vicinity of forests will be brought under cultivation and also once we accepted his Resolution there will not be any difficulty for us to bring in another Resolution by which we can ask the tea-garden owners to see that all lands lying in their premises be cultivated and in that case Mr. Hardman will not be in a position to oppose. I, therefore, request the hon. Friends who have opposed this Resolution to reconsider their views and to accept it unanimously to improve cultivation in the country and to help in getting more food for which we are spending huge amount of money from the Government coffers. With these words, Sir, I support the Resolution of my hon. Friend Mr. Hardman.

**Srijut NILMANI PHOOKAN :** Mr. Speaker, Sir, I want to speak a word or two on this Resolution. I find in one particular subdivision in Jorhat we have got about 70,000 bighas of fee-simple land without any cultivation and as such to propose deforestation.....(Mr. J. S. Hardman : There is no such proposal in my Resolution). At any rate I would suggest my hon. Friend to be good enough to make an amendment along with his Resolution and that is that he should include in it that all those uncultivated lands within tea-gardens jurisdiction will also be opened up for grow-more-food campaign. In that case I think he will be consistent with the anxiety for supplying food not only to Assam, but also to other starving Provinces. Otherwise it is a camouflage to keep the question of uncultivated fee simple land on the background and only to show to the cultivators—the mass people—that he is befriending them by throwing all these lands for cultivation.

**Mr. P. M. SARWAN :** Mr. Speaker, Sir, as has been stated by the hon. Mr. Hardman, he has brought this Resolution to give protection to the cultivators from wild elephants. At any rate, we must not take for granted that the other man is lacking in sincerity, and when Mr. Hardman has brought this Resolution, the question is that those abandoned forest lands should be given to the *raiya*t from reserves and when it is found necessary, forest land should be deforested and opened out for the protection of food cultivation. I think, this Resolution of Mr. Hardman is quite reasonable and I do think Mr. Hardman can point out certain portions of the reserves which are doing a great deal of harm to the *raiya*t by giving abode to wild animals. I have very often to go to those areas and have seen for myself in what miseries the *raiya*t are living near permanent forest areas where they cannot grow their crop as the elephants and other wild animals come out from the jungle and destroy the crops and eat them up. This Resolution is very reasonable and on that basis Mr. Hardman has not refused such portions of the grant lands that may be classed along with the land which is covered by this Resolution. So, I would support this Resolution of Mr. Hardman.

**The Hon'ble Srijut RUPNATH BRAHMA :** Mr. Speaker, Sir, this beautiful land of ours is naturally so situated that the depredation of the wild elephants is sure to come every year, particularly in the submontane areas.



Hon. Members know that practically on all sides our Province is surrounded by mountain ranges full of forests. From these ranges of hills the elephants will continue to appear in the plains portions because these are the natural abodes of the wild elephants. Mr. Hardman in his speech has said that there have been damages upto the extent of ten thousand Bighas or like that, but I don't find in his speech any mention of the particular place or locality where these damages have been caused. So far as the Government is concerned we are trying our level best to give effective control to the movement of wild animals. I have stated on the floor of this House some time ago in reply to Questions, that we have every year been allowing elephant catching operations throughout the whole Province in different districts. Every year we take report from the Deputy Commissioners and Divisional Forest Officers as to which areas are damaged by elephants. When we get the report and views of the different district officers, we select certain areas and sanction elephant catching operations. We allow two kinds of operations, *viz.*, (1) Kheda and (2) Mela. As I have said, Mr. Hardman has not pointed out any particular area where damages have been caused.

**Mr. J. S. HARDMAN :** On a point of explanation, I can point out innumerable areas.

**The Hon'ble Srijut RUPNATH BRAHMA :** But still he has not been able to point out any particular area.

Sir, from the reports I have received from the Conservator of Forests it appears that there has been some damages in the Cachar District and that there had been some movements of wild elephants during the last two or three years. It might be due to war activities that some wild elephants moved from the Burma side and the Lushai Hills and damaged certain areas in the Southern portion of the Cachar District.

**Mr. J. S. HARDMAN :** There had been damages in North Cachar also.

**The Hon'ble Srijut RUPNATH BRAHMA :** In the year before last and this year also as my information goes we allowed certain operations there both Kheda and Mela. So on the Government side we have been trying our level best to control the movement of the elephants from place to place throughout the whole of the Province. As has been rightly pointed out by my hon. Friend, Srijut Beliram Das and as we all know that throughout the whole Province there are vast areas under fee-simple grants which are full of ever green forests. These evergreen forests certainly invite wild elephants to come and roam about paddy fields. (*Hear, Hear*). So along with the Government responsibility, I want to point out that our Tea Planters are also greatly responsible for all this. If our Tea Planters make it a point to clear the jungles in their fee-simple grant lands there will be certainly less depredation. So I request hon. Mr. Hardman to see that these forests are cleared sooner or later. So far as the lands under these fee-simple grants are concerned, I may tell my hon. Friend, Mr. Hardman, that they can do a lot to drive away these wild elephants in consultation with the Officers of the Forest Department. If he wants I can ask my Conservator of Forests to discuss with him, even in the course of this session, if he can find some suitable time, on the measures to be taken for driving away these wild elephants from the affected areas.

With these words, I hope he will withdraw his Resolution and if he does not, I shall have no other alternative but to oppose the same.



**Mr. J. S. HARDMAN** : I shall be very pleased to have the opportunity to discuss the matter with the Conservator of Forests and settle the matter. In view of this, I beg leave of the House to withdraw the Resolution which stands in my name.

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

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

*Re: Subsidy of fifty lakhs of rupees out of the Extra Tea Duties*

**Srijut NILMANI PHOOKAN** : Mr. Speaker, Sir, I beg to move that this Assembly is of opinion that the Government of Assam do move the Dominion Government of India to make a subsidy of fifty lakhs of rupees out of the Extra Tea Duties levied these years for capital expenditure of the Gauhati University, Assam.

Sir, in moving this Resolution I am not demanding much of the Government of India. It is a well-known fact that when the Capital of India was removed from Calcutta to Delhi, the Calcutta University which was originally meant for Bengal, Bihar, Orissa and Assam, has been considered from that date as a sort of Provincial University and the injustice thereby done to Assam has been declared, often and anon, on the platform as also on the floor of this House from 1921. Since then we had to pay to the Calcutta University even for individual scholars who received technical education in different departments. We had to pay something for each scholar for educating our youths in the Engineering College, Medical College and Veterinary College. Even after paying we did not find sufficient room for our boys, because that was given a secondary consideration. We had no claim in the Calcutta University as I said. The result to-day is that even for Veterinary Doctors we have had to discuss a matter for nearly an hour. There is dearth of another man to put in place of the superannuated Veterinary Officer. Similarly we don't find any doctor to-day to take the responsibility of the Medical College at Dibrugarh. We have not got sufficient Agricultural Officers to man our Agriculture Department. Similar is the case in the Public Works Department. All these things have been going on for more than three decades. But we had no hand over them because the alien Government, the Government which had only one view as to how to rule the country, never cared to distinguish between one Province and another Province and safeguard the interest of a particular place. But to-day after attaining freedom and independence if we are to drag this miserable life still, then it will be certainly no independence, at least, of the people. The country which could boast of its own University as the old Nalanda and the old Pragjyotisha Universities where scholars from different parts of India came to learn, in such a place we are taking only a site to establish the University and with a temporary shed we shall have to begin our University life. It is a shame not only to us, but it is a greater shame to those who held the destiny of these people so long, the people who ruled over us and the people in whose country there can be Universities—like Cambridge and Oxford, where the scholars from all over the world go to study. These people could not establish a small University here even up to the moment they departed from this place ! It is a shame for the civilised Government, it is a shame to us that we could tolerate all these inequitable things so long. But to-day we know what to do. We want only 50 lakhs of



rupees from the Government of India. They should not think that we are going at their doors with a begging bowl. We are demanding this because the best portion of our wealth has been taken by the Central Government. This has been done, I should say, merely by force. If that be not by force it is under some pretext of constitutional practice. We cannot under the pretext of constitutional practice part with all our resources not only for our belly but for our brain also. The Government of India should find money for our intellectual food as well. The Grow-More-Food Campaign will not solve the national life of a people. It will starve the national life unless we contribute sufficiently for our culture. The University which will be the repository of our intellectual food should be the first concern of any civilised Government now. As the Central Government has already been replaced by a National Government, this National Government ought to think in terms of the whole Nation. Assam is a part of the Indian Union, it is the most important part inasmuch as it is a Frontier Province of India whose culture must intermingle with the culture of the great Chinese people, when the whole of Asia is looking through the portals of Assam. As such, the University which we are going to establish here where we fought the Soraighat to keep our political freedom intact, should be such which will keep intact our Assamese culture, and through this Assamese culture, we should establish a contact between us and all Eastern countries on the other side of India and with other Indian Provinces as well. If for such an important University which we are going to establish, the Government of India cannot find out 50 lakhs of rupees, then it will be a very sorry figure. Only recently they gave a similar amount to the most flourishing Universities of India. Why not a similar amount should be paid for establishing our own University which was already overdue? It is a shame that we could not establish a University in 1921. We have been dragging this miserable existence without culture, looking to the culture of other people and starving our people's brain and heart only for a morsel of food. We tolerated it, but our future generation will not forgive us if we cannot establish a good University at the present moment. For this noble cause I am not asking very much. The Government of India have been taking 10 crores of rupees from us during these few years on account of extra tea duty. Let them give us only a crore of rupees so that we can establish all the buildings and all the paraphernalia of a University and we can begin a University life of a virile nation.

**The Hon'ble the SPEAKER:** How long the hon. Member is going to speak ?

**Srijut NILMANI PHOOKAN:** I will take some time, Sir.

**The Hon'ble the SPEAKER:** Then you can speak after lunch.

#### Adjournment

The Assembly was then adjourned for lunch till 1 P. M.

#### After Lunch

**Srijut NILMANI PHOOKAN:** Sir, a sum of fifty lakhs of rupees is nothing in comparison with the demands which we have been making on the Central Government from 1921 upwards. Even the other day our Finance Minister has very ably put our case regarding the injustice of the Central Government



in not giving our proper share from the Central Exchequer for the development of our poor Province, poor in the sense that we have not been able to handle our own resources; we have been rather prevented from doing that. And I am glad to find that all the Members of this House, including the Opposition Members, agree in one thing that justice has not been done in the case of subvention to our Province. In the face of these facts, which have been staring at the Central Government for the last quarter of a century, if this trifling amount of even 50 lakhs of rupees is not given by our own National Government,—the Government which is running the Free State of India,—for the development of one of its own limbs, it will be unfortunate not only for Assam but for the whole of India. Our culture must be given the first importance if we are to develop as a nation in every walk of life. We do not think that a University even with 50 lakhs of rupees is enough. In Western countries, where possibly every subdivision has got a University, in spite of hundreds of endowments by multi-millionaires, can it be said that the Governments of those countries spend less than what we do here? Possibly not a fraction of what those Governments spend is given to our Universities by our own Government even now. Possibly some of the hon. Members will take me to task for demanding so small an amount, viz., 50 lakhs of rupees, but, Sir, I have become a bit wiser by the past experience of the step-motherly treatment of the then Government towards Assam. Should we expect the same step-motherly treatment at the hands of the Government of Pandit Jawaharlal Nehru—the Government which is giving protection to everybody in every walk of life, the Government which stands on moral grounds—more than material now, the Government which is the repository of all the cultures of India and for the matter of what the cultural life of Asia, the Government which is dreaming the unity of Asia through cultural ties? Should this Government be a miser Government in our case? I am sure that if the Government, who are no less alert on this point, with the backing of the whole House, move in this matter and tell the Government at the Centre point-blank that a sum of 50 lakhs is our demand, 'we are not begging anything of you, only give us a bit of the wealth that you have been exploiting from this rich Province for at least the last 50 years, we were helpless then, but after 15th of August, 1947 we cannot think so', there will be no difficulty of finding out money from the Central Exchequer. I should rather say that a certain amount, say 20 or 30 lakhs, should be given to us every year for the next ten years for the purpose of the Gauhati University. This must be paid as the Gauhati University is meant to cater for the new needs of our new national life and there is no reason why scholars from all the Provinces should not flock to this University to learn at the feet of the savants at Gauhati. If that is the case it will be in a sense an international, at least Asiatic, University which will have a link with all other Universities of Asia. To develop such a University I do not think that our present Central Government can be miserly. As early as 1922 we carried a Resolution in this very Council to the effect that the Bengal Government had no right to legislate over the Calcutta University without consulting the Assam Government. Since then we had been carrying on our fight for establishment of our own University if we could not have any right over the Calcutta University. The Calcutta University has now become a Provincial University. So, why should we not have a different University of our own? We had been crying hoarse about it for decades. Now anyhow we have at least got a University, thanks to the present Government and the special endeavour made by our Hon'ble Premier. We have somehow managed to begin, but a few lakhs by way of contribution by our own people will not be enough to run that University. However, our Government have already contributed as much as they can. Under the present circumstances, we cannot blame our Government for not finding more money.....



**Maulavi MUHAMMAD ABUL KASHEM:** Sir, should repetition be allowed ?

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

**Srijut NILMANI PHOOKAN:** Sir, our Government might support the Resolution with all the emphasiss they can command and the hon. Members of the whole House should be unanimous on this point in demanding 50 lakhs by way of subvention from the Government of India for the establishment of the university.

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

“This Assembly is of opinion that the Government of Assam do move the Dominion Government of India to make a subsidy of fifty lakhs of rupees out of the Extra Tea Duties levied these years for a capital expenditure of the Gauhati University, Assam.”

**Srijut SARAT CHANDRA SINHA:** মাননীয় সভাপতি ডাঙৰীয়া, মই ফুকন ডাঙৰীয়াৰ প্ৰস্তাৱটোৰ এটা সংশোধনী প্ৰস্তাৱ ডাঙি ধৰিব খুজিছোঁ। প্ৰস্তাৱটোৰ তৃতীয় আৰু চতুৰ্থ শাৰীৰ পৰা “Out of the Extra Tea Duties levied these years” এই কেইটা কথা ইয়াৰ পৰা উঠাই ললে .....

**The Hon'ble the SPEAKER:** Order order সংশোধনী প্ৰস্তাৱ পেচ কৰিবলৈ মই এতিয়া দিব নোৱাৰোঁ।

**The Hon'ble Srijut BISHNURAM MEDHI:** দিলে ভাল হয়।

**Srijut SARAT CHANDRA SINHA:** Sir, if out of the extra duties levied these years a claim for subvention for the university is demanded, our claim for 75 per cent. of excise duty is likely to be prejudiced. So let the Amendment be accepted by the House. That would be much better, Sir.

**Maulavi ABDUL HAI:** Sir, I think, the Hon'ble Speaker has the discretion.

**The Hon'ble Srijut GOPINATH BARDOLOI:** Sir, I do not think a formal Amendment is necessary. What the Mover of the Resolution has proposed is a subsidy of 50 lakhs. I should like to make the position clear before the House. I consider that the Resolution can stay as it is and we can speak on it. Sir, I might have made a preliminary statement on this; but it seems now that the procedure has been altered. Originally, at the initial stage of a Resolution a reply was expected from the Minister-in-charge after the Motion was moved; but under the present procedure, it seems, Sir, that when a Resolution is moved all the Members participate first.....

**Babu KAMINI KUMAR SEN:** I think, the old procedure still stands.

**The Hon'ble the SPEAKER:** Yes.

**The Hon'ble Srijut GOPINATH BARDOLOI:** In that case I would like to speak a few words now. I do not propose to go to the subject-matter of the debate, but I just want to make the position clear. The Resolution, Sir, is defective. It has two distinct concepts underlying it. One is a demand for allocated duty and the other is for grant for the University. The rules of



Debates of our Assembly do not permit these two fundamentals of Resolution to be taken up together. But since you have allowed the discussion on those lines, I feel, Sir, that some explanation is necessary in order that the whole subject-matter might be understood. The hon. Mover of the Resolution made his position clear and has put both the concepts together in such a way by which a complete whole of a Resolution can be made possible. But it would be clear even then to the House, that the demand for allocated revenue on extra tea duties—I think, he means thereby excise duty and export duty—is a subject which cannot really be linked up with developmental object for finding funds for the University. That is one thing, Sir, I have got to point out at the outset.

Now, regarding the contents of the Resolution I desire to point out that both these points have been taken up by Government separately. We had a discussion on financial position of the Province—a discussion which was initiated by the hon. Leader of the Opposition and we all agreed that the Province suffered injustice at the hands of the Centre during the last 20 or 25 years, and that a revision of the financial arrangement between the Centre and the Provinces was necessary. Now in that perspective we have claimed export duty on tea and jute. We are claiming excise duty on petroleum and kerosene and tea. So what has been proposed by the hon. Mover of the Resolution has been done in respect of that duty.

But that does not mean that even without financial settlement we shall not be getting the requisite money for a development scheme for a University in the Province which went on without a University for so long. It is not merely a demand of the people: the need is there; and in pursuance of this attitude the Government, as the hon. Members might know, have already proposed to give the University 11 lakhs of rupees this year for non-recurring expenditure. Government have also put in the Post-war Budget, which the hon. Members might have seen, a sum of Rs.30 lakhs for the next year's Budget, but all this is proposed to be expenditure more or less on buildings, etc., as non-recurring expenditure. This actually brings us to a sum of Rs.41 lakhs. My hon. Friend wanted only 50 lakhs. Our own estimate is that 50 lakhs may not be sufficient for the purpose of the University. Therefore, we are not shutting our claim or limiting our claim to 50 lakhs only. As soon as we are able to spend this 41 lakhs, and, I am sure we will be able to do so, we will want some more money and go in for the full fulfilment of the scheme of the University. It is presented in the form of a Post-war Scheme and if this scheme is accepted by the Government of India, we feel that whether on the basis of allocated revenue or in any other way, whether as a grant for Post-war Development, the money should be made available to us. That is the position, in other words, our demands are not limited to what we have already demanded, namely, 41 lakhs but it may be a very much higher demand. The demand will be according to the demand of the scheme. I have already in the course of the Budget discussion said that the Post-war Budget was not merely an indication of needs of the Province, but also a demand of the Government of India to find finances for those schemes. This is in consonance with this principle the Budget has been prepared and amount has been provided in this way. In view of this, I personally feel that there is hardly any necessity for a discussion. The Government not only agree that there should be a University, but they also agree that there should be a good University. Government further agree in respect of certain branches of study, the Government of India should provide better facilities for this University than for any other institutions, and so it should receive particular attention of the Dominion Government as it should receive from all thinking people of the world.



I was mentioning in this connection a very important subject of study, viz. that of river training. River training, construction of dams and generation of electric powers are, as I said, going to be subjects of great importance of the modern world. I personally feel that there is hardly any place in India, I do not know how many in the world, where practical study of rivers is possible better than in Assam. To start study of that nature would really require large sums of money, engagement of great and renowned scientists for purpose of imparting education and great engineers to demonstrate experiments. It was naturally one of the reasons why I thought that the Engineering College should be located in the University ground for the necessity of co-ordination of the scientists and physicists for the study of a great subject like this.

I have already said that we agree with the hon. Mover in respect of a demand of a University and also for a good University. If a new University comes into existence it should not function merely as a duplication of another University which is already there, but it must have certain fundamental new functions to perform. We do believe that when it would be such an important institution, there is no reason why the Government of India should be apathetic to the needs of education of the Province may, in some subjects of India as a whole.

**Maulavi MUHAMMAD ABUL KASHEM:** Sir, as the Hon'ble Premier has said that there need be no discussion on this, we also feel the same. But at the same time we cannot appreciate the point that if we press for this we will be taking a suicidal policy. While we are going to press for a share of the revenues for the Province at this stage we can also pass this Resolution asking for some money for the University. If we can place that matter before the Centre and then get adequate sum of money by way of our provincial share, I think that will be better; and we can utilise from that amount an amount that is required for the University, as desired by the hon. Mover and the Hon'ble Premier. So before accepting the Resolution I should like to ask the hon. Mover and the Hon'ble Premier and also all the hon. Members of the House to think whether it will be detrimental to our interests to send such a Resolution to the Centre at this stage when we are pressing again for another share for our Province.

**Srijut GAURI KANTA TALUKDAR:** মাননীয় সভাপতি মহোদয়, মাননীয় প্রধান মন্ত্রী মহোদয়ৰ পৰা যি কথা শুনিলোঁ ইয়াৰ পিছত মোৰ বিশ্বাস হৈছে যে মোৰ বন্ধুবৰ শ্ৰীযুত নীলমণি ফুকনৰ প্ৰস্তাৱটো উঠাই লোৱাই বাঞ্ছনীয় হ'ব। তেখেতে ভাৰত গৱৰ্ণমেণ্টৰ পৰা যে ৫০ লাখ টকা subsidy দাবী কৰিছে, মোৰ মতে এইখিনি টকা প্ৰকৃতপক্ষে যথোপযুক্ত নহ'ব। আমাৰ প্রধান মন্ত্রী মহোদয়ে যি আকাঙ্ক্ষা আৰু পৰিকল্পনা মনত পোষণ কৰিছে সেই আশা আকাঙ্ক্ষা ৫০ লাখ টকাৰে পূৰণ হ'ব বুলি বিশ্বাস কৰিব নোৱাৰি আৰু আমাৰ বিশ্ববিদ্যালয়খন সৰ্ববৃদ্ধগুন্দৰ কৰি তুলিবলৈ কিমান টকা লাগিব তাকো সঠিককৈ এতিয়া কোৱা টান। তেখেতে এই টকা extra tea dutyৰ পৰা আছুতীয়াকৈ ear-mark কৰি দিবলৈ দাবী কৰিছে। অকল Extra tea duties পৰা কিয় তেখেতে এই টকা দাবী কৰে আৰু কিয় ৫০ লাখ টকা মাথোন দাবী কৰে—তাকো মই বুজিব নোৱাৰিলো। মোৰ মনে টকা খুজিব লাগিব আৱশ্যক মতে। এখন সম্বুদ্ধিশালী অসম গঢ়ি তুলিবলৈ যিমান টকাৰ দৰ্কাৰ সিমান টকা আমি সময়ে সময়ে খুজি থাকিম। ক'ৰ পৰা, আৰু কোন Head ৰ পৰা টকা উলিয়াব তাক সম্প্ৰতি আমি ভাৰত গৱৰ্ণমেণ্টক আঙুলিয়াই দিয়াৰ কোনো আৱশ্যক নাই। আমি আমাৰ প্ৰদেশখন সকলো প্ৰকাৰে উন্নত কৰিবলৈ কাম হাতত ল'ব লাগিব আৰু আৱশ্যক মতে ভাৰত গৱৰ্ণমেণ্টৰ সাহায্য সময়ে সময়ে খুজি থাকিব লাগিব আৰু কাম কৰি দেখুৱাব লাগিব। আৰু কেন্দ্ৰীয় চৰকাৰৰ পৰা পোৱা টকাৰ সদ্ব্যৱহাৰ হোৱা দেখিলে আৰু আমাৰ অভাৱ অভিযোগ ভাল দৰে ডাঙি ধৰিব পাৰিলে কেন্দ্ৰৰ পৰা যথেষ্ট সাহায্য পোৱা যাব বুলি মই বিশ্বাস কৰোঁ। কিয়নো বৰ্তমান কেন্দ্ৰীয় গৱৰ্ণমেণ্টে



অসমৰ নিচিনা পিছ পৰা প্ৰদেশখনৰ প্ৰতি নিষ্ঠুৰ বা উদাসীন হ'ব পাৰে বুলি ভাবিব নোৱাৰোঁ। বিশেষতঃ আমি ভাৰত পৰ্যবেক্ষকৰ পৰা এতিয়ালৈকে সহানুভূতিপূৰ্ণ আচৰণ পাই আহিছোঁ, ইয়াৰ পিছতো কেতিয়াবা ভাৰত পৰ্যবেক্ষক আমাৰ দাবী পূৰণ কৰিবলৈ অৱহেলা কৰা দেখিলে আমি আমাৰ দাবী পূৰণৰ কাৰণে যথোচিত ব্যৱস্থা অৱলম্বন কৰিব পাৰিম। মোৰ বোধেৰে বৰ্তমান ভাৰত পৰ্যবেক্ষকৰ অসমৰ প্ৰতি আচৰণ যে সহানুভূতিপূৰ্ণ সি ভাল দৰে প্ৰকাশ পাই আহিছে। তেনেদৰে কুকন ডাঙৰীয়াৰ প্ৰস্তাৱটো গ্ৰহণ কৰা দাবীয়ে হ'ব বুলি মই ভাবিব নোৱাৰোঁ। সেই কাৰণে মই অনুৰোধ কৰোঁ। আমাৰ চৰকাৰে আমাৰ প্ৰদেশখনক সকলো প্ৰকাৰে সৰ্বক্ষণীয় কৰি তুলিবলৈ যত্ন কৰিব আৰু তাৰ কাৰণে আৱশ্যকমতে ভাৰত চৰকাৰৰ পৰা সাহায্য খুজিব। মোৰ বিশ্বাস বৰ্তমান পৰিস্থিতিত লক্ষ্য কৰি বন্ধুৰ কুকন ডাঙৰীয়াই তেওঁৰ প্ৰস্তাৱটো উঠাই লব।

**Srijut SARAT CHANDRA SINHA:** মাননীয় সতাপতি ডাঙৰীয়া। মাননীয় প্ৰধান মন্ত্ৰীয়ে যি কৈছে তাৰ পিছত মোৰ সংশোধনী প্ৰস্তাৱটো উত্থাপন কৰাৰ প্ৰয়োজন নাইকিয়া হৈছে। মই অনুৰোধ কৰোঁ কুকন ডাঙৰীয়াই যেন তেওঁৰ প্ৰস্তাৱটো উঠাই লব। কিয়নো গুৱাহাটী বিশ্ববিদ্যালয়ৰ কাৰণে যি ৫০ লাখ টকা তেওঁ বিচাৰিছে সেই টকা Extra tea dutyৰ পৰা দাবী কৰা ঠিক হোৱা নাই। Extra tea dutyৰ এটা বৃহৎ অংশ আৰু পাব লাগে বুলি আমাৰ অসম চৰকাৰে কেন্দ্ৰীয় চৰকাৰৰ ওচৰত দাবী জনাইছে। শ্ৰীযুত কুকন ডাঙৰীয়াই আমাৰ কৃষ্টি সহজে যি বহুতা দিছে, আমি তনি সুখী হৈছোঁ। আমাৰ কৃষ্টিৰ মূলভিত্তি গুৱাহাটী বিশ্ববিদ্যালয়ৰ কাৰণে কেন্দ্ৰীয় চৰকাৰে এই ৫০ লাখ টকা দিবই লাগিব। তাৰ ওপৰিও Extra tea dutyৰ পৰা আমি এটা অংশ পাবই লাগিব। বিশ্ববিদ্যালয়লৈ Extra tea dutyৰ পৰা টকা খুজিলে আমি ঠগ খাব লাগিব। এনে অৱস্থাত এই ধৰণৰ এটা প্ৰস্তাৱ গৃহীত হোৱা উচিত নহয় বুলি মই ভাবোঁ। সেই কাৰণে মই কুকন ডাঙৰীয়াক অনুৰোধ কৰোঁ তেওঁ যেন প্ৰস্তাৱটো উঠাই লব।

**Srijut NILMANI PHOOKAN:** I sent this Resolution at a time when I had no way to know the mind of our Government nor the mind of the Government of India. The Budget is still a sealed book in many respects even now. At such a time I contemplated moving a Resolution in this Assembly demanding 50 lakhs from the Central Government for the development of the Gauhati University. Now the Hon'ble Prime Minister, with all the authority of his position, has said that the Central Government are going to give us 41 lakhs.

**The Hon'ble Srijut GOPINATH BARDOLOI:** I have said, Sir, that we have put in a demand on the Central Government and that the amount has been provided for.

**Srijut NILMANI PHOOKAN:** Then our Government have already put in a demand for 41 lakhs of rupees on the Central Government. Am I to understand that our Government have already made provision for 41 lakhs in expectation of the amount from the Central Government?

**The Hon'ble Srijut GOPINATH BARDOLOI:** No, Sir, as I have said, we have decided even for the year 1947-48 to make over 11 lakhs of rupees from the Post-war Development Fund which may not be expended. That is one thing. So far as the next year's Post-war Budget is concerned, the hon. Member must have seen that a sum of Rs.30 lakhs has been provided for development of education; this as I said, is for the satisfaction of the needs of the Province on the one hand and a demand on the Central Government for finding this money for us in the other.



**Srijut NILMANI PHOOKAN:** Then, Sir, I take it that in the next year we may expect 30 lakhs of rupees from the Central Government and that this amount would be needed for the Gauhati University. If the House feels that 30 lakhs will be sufficient or reasonable and if the Government also think that it is sufficient for this purpose, in that case of course, I shall have to withdraw my Resolution. But my standpoint is quite different. Some hon. Members have said that the Government of India are very sympathetic to us and that they are helping us in every way and that we can expect their help for that reason. But my view point is quite different from the very beginning. I do not want to stand at the door of the Central Government with a begging bowl. I claim a portion of the duty on tea which has been ours. So my standpoint is quite a different one. If the Central Government have sympathy for us in the development of our University, it is but right and proper for them to give us our due share and my point is that, with all our self-respect and dignity we should approach the Central Government for our due share and not only appeal to them with a begging bowl for the development of our own needs. That, Sir, is my standpoint.

However, I do not want to make any hairsplitting argument regarding this point of a begging bowl, but at any rate, I want money to develop my University and if the Government is satisfied that the Central Government will do their duty to us and we the representatives of the people are also satisfied, then I cannot but withdraw my Resolution; but after I know that that is the sense of the House, I shall decide.

**The Hon'ble Srijut GOPINATH BARDOLOI:** Mr. Speaker, Sir, I think, I should speak a few words more to clear up the position in reference to certain points raised by my hon. Friends. The demand for 30 lakhs of rupees is for the development of University education in the Province and that we expect that the Government of India will give us that amount in view of the fact that the University is part of the development of the Province. But the question of financial relationship between the Province and the Centre is a subject which is entirely different from the demand for a University grant; and for that the hon. Member knows the attitude we have taken on this subject. I do not know what is in the mind of the hon. Member; but what we have done is to insist on the Government of India giving us shares of export duty on tea and jute and excise duty on petroleum and kerosene, etc. In each case the demand is based either on ground of production of the commodities in the Province and also their consumption. If you call this demand as begging with a beggar's bowl, we have done so. We do not know any other method. I can inform for the information of the House that we have already sent Amendments in this connection to the Constituent Assembly, and have also sent a memorandum to the Government of India on the lines of the Amendments mentioned above.

The refore both the points conveyed in the Resolution have been acted upon: we have put our demand on the Government of India, which we believe will have to be conceded sooner or later for the improvement of the finances of the Province and that also not on a system of dole, or a subvention, but on securing a fair proportion of duties which are derived by the Government of India on the produce of this Province. We, by, providing for expenditure in the Post-war Budget, have done what the Mover wants. But as I said, the question of grant to a University has got to be taken up separately, and if a demand is to be made on Government of India on account of the University project, it has got to be put as a scheme of development for a period of five or more years and the expenditure in that behalf may be very much more than 50 lakhs of rupees



and, therefore, Sir, it is not desirable to put it down as a fixed sum and confine ourselves to it. We are making the demand on the basis of schemes which the University proposes to make. As the hon. Members of the House may know that the University authority are now functioning and it is for them to make out the schemes. This money of 30 lakhs and 11 lakhs has been given largely as amounts to be spent on the buildings and equipments alone. At any rate, it will always be desirable for any Government to make demands on the basis of figures on schemes. Well, the sum—total of these schemes might come to very much more than 50 lakhs. Therefore, we do not like to limit ourselves to that demand. If it is to be more, surely we will demand more, but if it is less on the basis of the schemes, we might regulate demand accordingly. That is the position, Sir.

As regards my Friend, Mr. Abul Kashem's remarks that such big sums of money will not be required for the University, I beg to differ from him for the simple reason that the expenditure for the Residential University which is the aim of the Gauhati University cannot be small.

**Maulavi MUHAMMAD ABUL KASHEM:** I think, the Hon'ble Prime Minister could not follow me properly. I said that what we are trying to get from the Central Government is our legitimate share for the Province from the taxes and excise duties that they realise from this Province. Probably, it will not be a befitting time to press for 50 lakhs of rupees for the University when we are pressing for enhancement of our provincial share. My point is this, that from the amount we thus get from the Centre for the excise duties, we should spend whatever money we can, on the University.

**The Hon'ble Srijut GOPINATH BARDOLOI:** I thank the hon. Member very much for the observations made by him. As a matter of fact that is exactly the point of view of this Government.

With these words, I request the hon. Mover to withdraw his Resolution.

**The Hon'ble the SPEAKER:** Will the hon. Member withdraw his Resolution?

**Srijut NILMANI PHOOKAN:** After hearing the Hon'ble Premier that we have got a scheme for 5 years development of the University and there will be a consistent scheme of expenditure for these 5 years and if my demand for 50 lakhs, which is more than the scheme concerned .....

**The Hon'ble the SPEAKER:** The hon. Member should say whether in view of the statement made by the Hon'ble Prime Minister, he is prepared to withdraw his Resolution?

**The Hon'ble Srijut BISHNURAM MEDHI:** The Resolution says only about lump-sum grant and nothing more.

(A voice—It is wasting time of the hon. House).

**Srijut NILMANI PHOOKAN:** If I am wasting time, I should not like to speak any more. My object is that I want Rs.50 lakhs for the University.

**The Hon'ble the SPEAKER:** The hon. Member should state whether in view of the Hon'ble Prime Minister's explanation, he is going to withdraw his Resolution?



**Srijut NILMANI PHOOKAN:** I have already said that if it is the sense of the House after hearing the Hon'ble Premier, I am prepared to withdraw the Resolution.

**The Hon'ble the SPEAKER:** He should say— He asks leave of the House to withdraw the Resolution.

**Srijut NILMANI PHOOKAN:** After hearing on this point from the Hon'ble Premier, I beg leave of the House to withdraw the Resolution.

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

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

### Re-Long Holidays for Courts

**Maulavi MUHAMMAD ABUL KASHEM:** Mr. Speaker, Sir, I beg to move that this Assembly is of opinion that in modification of the list of Holidays published in the *Assam Gazette* in 1947, the Government of Assam do provide for Courts and offices a long period of holidays of at least fifteen days as it is essentially necessary from various points of view and that for this purpose either the Puja Holidays or Bihu holidays be extended to fifteen days and that if necessary the half holidays on Saturdays be discontinued to effect a saving.

In moving, Sir, I want to say that there are certain difficulties for which this Resolution has been placed. Difficulties are these that officers who come to serve from distant places will not get any opportunity during the whole year to visit their homes and they can do so only when they get leave. As for the pleaders who have got their homes in the distant villages also cannot get time to go to their homes to look after their families if they are kept there, as in many cases, they have to leave their families at home. And also officers who will stay from home for the whole year leaving their families and near relations will remain discontented and as a result the work will also suffer. Just to give opportunities to them, I propose, that at least at this stage there should be holidays for 15 days in order to give facilities to all of them. Fifteen days would be sufficient only for those who live near the station where they serve but for the people who come from distant places, it will not suffice. In view of the fact that there is no provision for long holidays, I am suggesting only 15 days' holidays at a stretch. If Government raise the question that by extending the holidays the work will suffer, I suggest that there may be a rule that there should not be any half holiday on Saturdays. By this they will work two and half hours more in a week and in this way they can work for 11 more days even if 15 days' holidays be granted. So, Government will not be loser and at the same time Government officers will get an opportunity to visit their homes once a year.

This year, the Puja holidays, I mean Durga Puja holidays, commence from the 9th to 12th of October. Then comes 14th Iduzzuha and 17th Lakshmi Puja. I want 15 days in all, and to make it 15, only 9 days additional holidays are necessary. In view of the reasons put by me, I would ask every hon. Member of the House to consider whether for the sake of efficient and for proper discharge of work and also for the convenience of the practising lawyers and others, who live in towns in connection with the courts and offices, it will not be proper to allow them 15 days' holidays. I hope, they will accept this Resolution unanimously to effect savings as well as improve the efficiency in the office.



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

"That this Assembly is of opinion that in modification of the list of holidays published in the *Assam Gazette* in 1947, the Government of Assam do provide for Courts and offices a long period of holidays of at least fifteen days as it is essentially necessary from various points of view and that for this purpose either the Puja holidays or Bihu holidays be extended to fifteen days and that if necessary the half holidays on Saturdays be discontinued to effect a saving".

**The Hon'ble Srijut GOPINATH BARDOLOI:** Sir, I beg to oppose this Resolution. There has been a tendency, at any rate, there was a tendency in the country to have more holidays and less work before the 15th of August. We had given such a large number of holidays that Government thought that Government work, and I am sure with that also public work, largely suffered. So this Government decided to have a representative Committee of businessmen, of leaders of various communities and Government to determine what should be the reasonable number of holidays in the country. I could give for the information of the hon. Members on the opposite, that the Leader of the Opposition was also a member of that Committee and the Committee after full consideration came to the conclusion of having the list just as it is in force to-day. It was realised by almost everyone of the gentlemen present there that we were already having too much of holidays and very much less of work. The decision therefore on the basis of which the list of holidays has been prepared is based on the collective opinion practically of all elements in the society—Government and the people. I do not therefore find any justification for the hon. Member to move this Resolution unless of course it is sought that more leisure and less work should be the order of the day in Independent India. In order that members of certain religious communities may have further advantage of utilising some of this time for holidays, the Government have further agreed to extend the number of casual leave from 10 to 15 days so that if any member of the religious communities wants to have additional days for observance of any special religious ceremony he could take advantage of it. They get the benefit of pay during the period they observe these special holidays, but that saves, as may be understood by the House, work from other hands. It is with that object that the holidays list was prepared. I feel that there is hardly any justification for further adjustment. I would personally go for further curtailment. I want you to try this list as an experiment for some time.

**Mr. P. M. SARWAN:** May I have one information? So far as I know, Christian opinion was never asked for. And I think, if the Christians were asked they would have insisted on Saturday after the Good Friday to be included in the list of holidays. That Easter day is the most important day for the Christians next to the Good Friday. Easter Days include Good Friday, Saturday and Monday, following the Easter Day, and this will have no meaning unless a Christian has at least that Saturday as a holiday.

**The Hon'ble Srijut GOPINATH BARDOLOI:** I do not understand what the hon. Member says.

**Mr. P. M. SARWAN:** Of course the native Christians are always silent over these things and do not mind this so much. I think Government might consider that now.

**Maulavi ABDUL HAI:** Mr. Speaker, Sir, in moving this Resolution my hon. Friend Maulavi Abul Kashem has made one point very clear. He wants to economise the list of holidays. But in reply the Hon'ble Premier said that



Government want to curtail the number of holidays to get more work. Now by granting half-holidays on Saturdays in a year, Government grant 26 days of holidays. In place of this if the Resolution is accepted there will be curtailment of some more holidays. He wants only 15 days either for Bihu or Puja as holidays. Now we have got in the list some days for Puja and some days for Bihu. By curtailing the half-holidays on Saturdays we can surely give a few days more for Bihu or Puja. So I think the Hon'ble Premier may reconsider his decision whether he would accept this Resolution or not. If he accepts the Resolution his purpose will be fulfilled. He wants that we must have lesser number of holidays and it will fulfil his purpose because by granting half-holidays on Saturdays Government practically grant 26 days holidays in the year. Now by this Resolution the Government has got the opportunity to minimise the holidays to a great extent by curtailing the half-holidays on Saturdays and also to give sufficient rest to the employees of the Government by increasing the number of Bihu or Puja holidays preferably Bihu by some days more upto the extent of 15 days.

**The Hon'ble Srijut GOPINATH BARDOLOI:** I have already made my position clear, and do not propose to take up the time of the House by repeating what has been said. But I would only like to add that the holidays that have been fixed now have been on the basis of observance of religious ceremonies. I do not think, I shall be justified in curtailing them in order to increase some other holidays. That in my opinion would not be the right thing, and I am afraid it will not be appreciated by the people of the country. I personally do not see that a fifteen days' holiday is necessary for recreation unless, of course, that is meant individually for particular objects; and for that as hon. Members know, there is provision in the Service Manual—a month's leave is always due to an officer for a continuous year of work, and there is also provision for taking all these together after three years. I think the rules are there and the rules really satisfy the conditions what the hon. Mover of the Resolution actually wants.

In view of this, I think that the hon. Mover may kindly withdraw his Resolution. Everybody feels to-day that we must work more than what we are doing now, if we want to be citizens of the Free Indian State. If we just look to the holidays list of the British Government we find that the number is very much lesser. I am sure it is less than 20 days.

As regards increasing the Good Friday holiday, I made the same observation. Those who actually think that they have to observe the Easter Saturday and Easter Monday they are free to do so now, as the number of casual leave has been increased from 10 to 15 days. I therefore feel that the Resolution is one to be withdrawn.

**Maulavi MUHAMMAD ABUL KASHEM:** In view of the discussion in the Assembly and in view of the provisions made by the Government as declared by the Hon'ble Premier, I beg leave of the House to withdraw the Resolution with a request to the Hon'ble Prime Minister to make changes, if necessary, in the list in the near future.

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

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



**Declaration of Friday as a week-end Public holiday  
in place of Sunday**

**Maulavi ABDUL HAI:** Mr. Speaker, Sir, I beg to move that this Assembly is of opinion that the Dominion Government of India be moved to declare Friday, the day on which the Father of the Nation, Mahatma Gandhi, departed from this world as a week-end public holiday in place of Sunday.

Sir, I know that when this Resolution is coming from a Member belonging to a Community whose day of prayer falls on that very day accidentally surely there will be some misapprehension and suspicion in the minds of some hon. Members of this House including the Government, I say, including the Government because I have got an inkling of that suspicion in their reply to a Question put by my hon. Friend, Dr. Emran Husain Chaudhury. There though the word "Jumma" was not introduced, just to reveal their suspicion Government included the word "Jumma" in their reply. Sir, I like to submit to the hon. Members the fact that if Friday is made a week-end holiday the Muslim will not gain thereby. What is the present practice, it is that the Muslims are allowed an hour's leave to say their prayer and their "Jumma" prayer ends within that time. So even without having Friday as a public holiday we are saying our prayer without any obstruction, and for the rest of the day, we do not sit idle in our houses, but we go out for our own daily work. We are not in the need of whole day holiday for saying our prayer. For the purpose of the prayer provision has already been made there and it will be simply a communal outlook if we look at the matter from that point of view. I am saying that we are neither gainer nor loser by this holiday because our time of prayer ends at 1 p. m. for which the present system is that we are getting leave for it.

Then, Sir, another point may be raised. That may come from my Friends who are the followers of the Christian religion and that they may say like this that Sunday being the Sabbath day, the day for a Christian holiday to say their prayers, if it is changed then the Muslims will gain some advantage on Friday. As I have already explained this is not so. At the same time I do not encroach on the religious susceptability of any community. It is true that the Sabbath day and Sunday has come into force since the time that the British came to India, and prior to that during the Moghuls and Pre-Moghul times this was not a week-end holiday. As Muslims are getting one hour's leave for saying their prayers on Friday, if Friday remains a week-end holiday then on Sunday if required the Christian Community may be granted leave for the period they require for their prayer.

Now the next point which may be raised is that it would dislocate the banking affairs of the world. But, Sir, I say this has little reasoning. From the list of holidays you will find that these are fixed under the Negotiable Instruments Act. But some holidays are also fixed by different Provinces to suit their local needs. When these holidays are observed it does not dislocate the banking world; then how can it be said that by declaring Friday as week-end holiday in the whole of Indian Dominion it will dislocate the banking business in the world. If we accept this, I have every hope that Pakistan will follow suit, and a time may come when the Eastern countries, nay the whole world, will follow our lead, for this Great Person was not only the Father of our Nation but was also the apostle of truth and non-violence, peace and equality, who was equally honoured by all the nations of the world. Sir, I know that only by making Friday the week-end holiday we will not show much respect to him; the most fitting way to show respect to him is to follow his ideals. But this also has its significance. Sir, I may be asked why I am bringing this Resolution on the floor of the Assam Legislature. I have reasons for that. It is known, Sir, that when Gandhiji came to Assam and even when



our Premier and the Governor saw him at Delhi, he said that Assam was peaceful, that Assam was really taking the lead in the matter of communal harmony which no other Province of India had taken. If that be the case will it not be proper for Assam to take the lead in the matter of making Friday the week-end holiday, just to pray and remember the principles for which the Mahatma lived and died ?

(At this stage, the Hon'ble Speaker vacated the Chair and the Deputy Speaker occupied it.)

Madam, equality and peace is only possible when communal harmony prevails. There is no denying of the fact that the immediate cause of Mahatmaji's death in the hands of a fanatic was due to his preaching of communal amity, the seven points he laid down for breaking his fast and the pledge of communal harmony that he demanded. Is it therefore not proper for Assam to take lead in this matter? I put this question to the hon. Members and ask them to give dispassionate consideration to this point, irrespective of caste, creed and religion. Sabbath day means the day of rest and prayer. What other day could be more suitable than the day on which the Mahatma died to pray and remember the ideals which he preached ?

Madam, even without having Friday as a holiday at Jorhat people have started *Sukkurbaria prarthwana*, i.e., Friday prayers, for Mahatmaji's departed soul and to remember his preachings. That is not confined to the Muslims alone. Also, Madam, the Satriya Mahasava of Allahabad has held that this day should be a holiday, and even in other Provinces they are contemplating similarly though no Resolution has been brought forward on the floor of any Legislature. Even the Government of India contemplate to have an effigy of Mahatma Gandhi in currency notes; we whole-heartedly support not only this, but we also think that in postage stamps his effigy should be printed. Then, Madam, granting of this holiday will have a significance of its own. People will remember him on that day and ponder for themselves why this man, who was not a King or a ruler of any country, was held in such high esteem? What is the reason? The reason is the ideals he preached. He fought for the independence of the country and achieved it by his own method of non-violence. It is therefore fit and proper that the day of his death should be a holiday and a day of prayer. That is why I have brought forward this Resolution, and I hope every Member will consider this without any communal rancour. With these words, Madam, I move my Resolution for the acceptance of the House.

**The DEPUTY SPEAKER :** The other day in reply to a question, the Hon'ble Premier said that the best way of commemorating the memory of Mahatma Gandhi was to follow his foot steps in our action, to follow his teachings and to practise what he taught us. I do not know if any other hon. Member will speak.

Any way, let me first put the Resolution

Resolution moved :

"That this Assembly is of opinion that the Dominion Government of India be moved to declare Friday, the day on which the Father of the Nation, Mahatma Gandhi, departed from this world as a week-end public holiday in place of Sunday."

**The Hon'ble Srijut GOPINATH BARDOLAI :** Madam, I honour the sentiment which has inspired my hon. Friend to move this Resolution as I have fully appreciated the speech with which he has commended the Resolution. He has tried to show that his object in moving this Resolution is surely not to



get a holiday on the Jumma day. He has also shown that it will not hurt any community if this House accept Friday as a holiday. The whole sentiment behind it is that this observance should be done in honour of Mahatma Gandhi's demise on a particular day of the week. The question, therefore, is how best we do and should appreciate Mahatma Gandhi. Is it by declaring the date of his death as a public holiday? Is it even by starting a new era from particular year as was suggested by my hon. Friend, Mr. Talukdar, in a Question? While replying that Question, Madam, I made an humble attempt to show that the best way to follow him was to follow in his foot-steps, to try to do as he did and to implement in our life the teachings he has preached. I have read just a bit of Gandhiji's own view in this matter. He was one of them who definitely declared that after his death no attempt should be made to commemorate him by artificial means; he was one who was against erection of bust and things of that sort to commemorate him. He always stood for action and he demanded of the people in the most inimitable and loving way the spirit of service. That is the lesson of Gandhiji's life. In his commentary on the Gita he said that even worship of a book, the worship of names may be a kind of idolatry. But these are matters on which I do not want to take the time of the House. The point of view of Government is that the best way to commemorate Mahatma Gandhi is to follow the ways in which he lived and the House would do well to bear that very important fact in mind that it is not by observing a particular day that we can actually satisfy him. We can do so by action only.

The Resolution suffers also from the defect that it proposes to do away with the existing holiday which is associated with some other religion. Therefore, it is not a matter in which a decision can be taken by Government so easily and so soon. But I could tell the hon. Members of the House that the spirit in which he has moved it appeals to everybody. It is however not a Government agency who should move in this matter. If it is the wish of the country, as he says it is the wish of Eastern Asia, then it is for Eastern Asia to demonstrate the fact and the Government may be compelled and in some cases willing to do it. But as for the Resolution, I request the hon. Member to withdraw it. If the public, as I said in reply to the Question put by hon. Mr. Talukdar, if the country demand it, if the country agitates for it, Government will give consideration. It is only after that stage that a reference should be made to Government. In the meantime let us be satisfied in trying in our own humble way to follow what Gandhiji preached and to bring into our hearts the feelings which he wanted us to entertain for the upliftment of the masses. In these circumstances, I will ask the hon. Mover of the Resolution to withdraw it.

**\*Mr. P. M. SARWAN:** Madam, I am bound to give the House a bit of information which is essential so far as the Christians are concerned. Sunday is a day of rest for the Christians and to shift the holiday from Sunday to Friday will be a harm done to the Christians. It is written in the Holy Bible "Thou shalt do no manner of work on Sunday".

**\*Srijut BELIRAM DAS:** What is written in Bible ?

**\*Mr. P. M. SARWAN:** "Thou shalt do no manner of work on Sunday". So it is for all the Christians not to do any work on Sunday. If you shift the holiday from Sunday to Friday it will be a harm done to the Christians. So I am just warning you not to do one good to one and at the same time do harm to another.



**Dr. EMRAN HUSAIN CHOUDHURY:** Madam, only a few days back one of my Questions was discussed here—the Question related to making Friday a week-end holiday by way of commemorating the day on which Mahatma Gandhi was assassinated. I do not like to repeat the arguments which have been urged by my hon. Friend, Mr. Hai, but I should like to comment on an argument used by the Hon'ble Finance Minister in the course of his Answer to my Questions and it was that Government would agree to making Friday a weekly holiday provided other Provinces would accept it. That was the thing I hinted in my Question. I wanted Government to recommend to the Central Government to accept the sense of the House regarding one of the ways of commemorating Mahatma Gandhi's death. Madam, it has been said that we have to follow in the foot steps of Mahatma Gandhi, we have to look to his ways of life and that is the best way of commemorating Mahatma's death. But, Madam, at times we might not have seen eye to eye with this or that point of Mahatma Gandhi and one of these was that Mahatma Gandhi did not like protection to be given to him in spite of the fact that a week before his lamented death a bomb had been thrown at him. That is why, no adequate protection had been given to Gandhiji and we had to take the terrible consequence. By way of showing every regard and love to one who was regarded by the country as the Father of the Nation, I wholeheartedly support the Resolution moved by my hon. Friend, Mr. Hai. By making Friday a week-end holiday we do not think there will be dislocation of business. The business will continue as it is as the country is going on, as it is in spite of the partition of India between Pakistan and Hindustan. I do not know how long this dislocation will continue. There has been dislocation of business at times, there has been dead-lock following the partition of the country on the Appointed Day. One of the points of the Hon'ble Premier is that Gandhiji while alive did not like the idea of our doing anything to commemorate his death which might ultimately develop into idolatry. But I am afraid it might continue for some time to come. According to the Hon'ble Premier such a step as has been suggested in the Resolution will lead to idolatry. We Muslims cannot tolerate the idea of idolatry. My point is that while in order to demonstrate our best regards to one who served the country most and who may be called the greatest servant of the nation, by making Friday a week-end holiday, we will not be guilty of idolatry. Beside that, the Hon'ble Premier in his speech has said that if the nation wants it and if it is the wish of the public that Friday should be made a week-end holiday, he would have no objection. In the House here we sit as representatives of all sections of the people of Assam. When we speak, we speak on their behalf. It is the wish of the people of Assam, as it is also the wish of many other Provinces of the Indian Dominion, that Friday should be the week-end holiday as a token of our love and homage to the departed soul. That is why I would like to earnestly commend the Resolution of Mr. Abdul Hai to the acceptance of the House. I believe that the House will not only accept it, but will strongly recommend it to the Central Government for favour of their wholehearted acceptance.

**Maulavi MUHAMMAD ABUL KASHEM:** Madam, the Hon'ble Premier has already explained that there are many ways by which we can show respects to Mahatmaji. He also said that there was an instruction from Mahatma Gandhi that outward expression or regard or respect should not be shown to him as he did not like this idea. Basing on that our Hon'ble Premier has suggested that the Resolution moved by Maulavi Abdul Hai should not be pressed. But at the same time he should consider it that if Friday is granted a week-end holiday the people of India will get a chance to remember his name and to have instructions from religious leaders or leaders of different groups of people on the preachings of Mahatmaji. You know, Madam, that Mahatmaji was so great a



man that in spite of his unwillingness to be worshipped he is worshipped and will be worshipped. If a day be set apart for it, I think, the objection raised by my hon. Friend, Mr. Sarwan, can be met by allowing the Christians a Sectional holiday on Sunday. Against this I may say, Madam, that the number of the Christians here would be less than a crore while people other than Christians would be about 40 crores in the undivided India and they will get an opportunity to show respect to him. In all reverence to Jesus Christ I say that making Sunday a sectional holiday for the Christians, we can make Friday a week-end holiday and then most of the people of the country will get an opportunity to recollect Mahatmaji and his preachings which will make us to lead our life on his lines, and thus his memory will always remain fresh in our minds. We, who are at present hard hit by this assassination, will remember by this holiday that we have lost in him not only the greatest man of the present world but the world to come and the next generations will also get scope to remember and know him, and his memory will remain in perpetuity in the minds of the children of the generations to come.

In view of these facts, Madam, I would request the Hon'ble Premier and all hon. Members of the House to reconsider the matter and then let us know whether they can concede to the request of ours and I also commend this Resolution for the acceptance of the House.

**Maulavi ABDUL HAI:** Madam, I thank the Hon'ble Premier that he has appreciated the grounds on which we commend this Resolution for the acceptance of this House. But he is not inclined to accept this Resolution only on the ground that Mahatmaji did not like to be shown any outward respect or homage. Certainly it is not for Mahatmaji who is too great a soul for these sorts of homage, but for ourselves that I have brought in this Resolution. Mahatmaji's preachings contain the tenets of all the different religions. If we commemorate his memory by declaring the day on which he was cruelly assassinated as a week-end holiday, on that day with our rest we will purge our evils by his preaching. There is no distinction between man and man—there is no distinction between one religion and another and that is why in his Prayer Meetings he used two sentences—"Allah-Iswar Teura nam Sob Ko Sodmati de Bhagavan"—This shows that in him, there is no distinction between Iswar and Allah and that there is only one God amidst all of us. For this reason I have brought in this Resolution, not only for showing homage to that departed great soul, but for our own purification and I am only asking this House to recommend this Resolution to the Central Government because that will show that Assam is taking an initiative in the matter. For this, I hope my Hon. Friends who oppose my resolution will reconsider their views. I do not say that Assam Government should declare Friday as a week-end holiday, but only this Resolution be recommended to the Central Government to see their way to declare Friday as a week-end holiday, the day on which Mahatmaji departed from this world.

**The Hon'ble Srijut GOPINATH BARDOLOI:** I again feel, Madam, that no fresh grounds have been urged for which we can change the attitude of the Government. The attitude of the Government in this matter is that it is a matter which public opinion alone can decide and the position of the Government is that it must be left to the public opinion to decide it. Government would not like to commit itself to a new thing like this and to submit their recommendation to the Government of India. But as I said that if it is acceptable to the people as a whole, this Government will surely accept it and will be happy on account of it, but as the situation stands now, Government do not think that the



proper procedure would be to recommend the Resolution. I again sympathise with the spirit with which this Resolution has been moved. But in view of what I have said, I hope the Resolution will not be pressed.

**The DEPUTY SPEAKER:** Is there any other hon. Member who would like to speak?

**Maulavi ABDUL HAI:** I would not like to put any obstruction to the Government however much I think of the importance of this Resolution, but as the Hon'ble Premier has said that he fully sympathises with the necessity of such a Resolution which has been spoken of in public meetings and also on the floor of this House, I hope that there will be something for the future and I am hoping of the day when such a Resolution will be passed by the Government. On these considerations, I do not wish to press my Resolution.

**The DEPUTY SPEAKER:** Has the hon. Member leave of the House to withdraw his, eRsolution?

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

*Re:Veterinary Dispensary at Nalbari.*

**The DEPUTY SPEAKER:** Resolution No.10 standing in the name of Srijut Gauri Kanta Talukdar.

**Srijut GAURI KANTA TALUKDAR:** Madam, Deputy Speaker, I beg to move that this Assembly is of opinion that the Government of Assam do take early steps to convert the Government Veterinary Dispensary at Nalbari into a full fledged hospital.

Madam, this Veterinary Dispensary is one of the oldest Dispensaries in the Province, it was started about 32 years ago. The jurisdiction of this Dispensary comprises of 37 Mouzas, 4 Sub-Deputy Collectors' Circles and 5 Police Stations and includes the entire northern side of the Gauhati Subdivision extending from the bank of the Brahmaputra. The cattle population of this locality is about 4 lakhs and the daily attendance of patients is between 50 and 60. Madam, in reply to my Questions put in this House on the 19th, Government have admitted that it is one of the most important dispensaries and that it deserves special consideration. In the reply to Question No.90(e) Government have stated that for this Dispensary a second Veterinary Assistant Surgeon was sanctioned by Government in 1941, but the Gauhati Local Board could not avail of it for want of funds. Madam, this admission on the part of the Government clearly supports my request made in my Resolution, *viz.*, to convert the present Dispensary into a full fledged hospital. Now, the difference between a hospital and a dispensary is sometimes missed by some of us and some of us consider that there is no necessity for a hospital where there is a dispensary. But in a dispensary we find generally only one Veterinary Assistant Surgeon who generally has to go out on tour to attend cases in distant localities and sometimes he has got to be out on tour for 20 to 25 days in a month. And during these days the door of the dispensary has to remain closed and patients brought from long distances have to be taken back disappointed. Such difficulties are not to be experienced in a hospital where there is a Veterinary Assistant Surgeon who always stays in the hospital and the other Assistant Surgeon is free to go on tour for any number of days. Moreover, a dispensary does not provide for indoor patients whereas a hospital does.



Madam, it has been admitted by Government that the appointment of an Additional Veterinary Assistant Surgeon for this dispensary is a necessity, but from time to time Government officers while inspecting this dispensary have strongly recommended that this dispensary should be converted into a full-fledged hospital. In October last year, the Veterinary Inspector of the Lower Assam Division made such a recommendation and other high officials also have made similar suggestions. And I see no reason why Government should not give effect to them.

**Babu KAMINI KUMAR SEN:** What is the difference between a dispensary and a hospital?

**Maulavi MUHAMMAD ABUL KASHEM:** This Resolution only refers to Nalbari. I think, this Resolution is not in order as it is referring the grievance of a particular place, but according to the rules a Resolution can be moved only when it relates to a public cause in general.

**The DEPUTY SPEAKER:** The Resolution is quite in order because it relates to a matter of general public interest.

**Srijut GAURI KANTA TALUKDAR:** As I have already stated, the difference between a dispensary and a hospital is that in a dispensary there is only one itinerant Veterinary Assistant Surgeon attached to it who is expected to go out on tour frequently and as there is no additional Veterinary Assistant Surgeon, the dispensary is to be kept closed, but in the case of a hospital there are more than one Veterinary Assistant Surgeon, one of whom is always available. Secondly in the dispensary we have got no provision for entertaining indoor patients whereas in a hospital there are bound to be such provisions. And this is the most important factor which is the main object of my Resolution.

**The DEPUTY SPEAKER:** The hon. Member should not spend time by explaining the difference between a hospital and a dispensary.

**Srijut GAURI KANTA TALUKDAR:** Thus Madam, I have made sufficiently clear that the dispensary at Nalbari deserves to be converted into a hospital.

And I hope Government will take this Resolution in their sympathetic consideration. With these words, I commend my Resolution to the acceptance of the House.

**The DEPUTY SPEAKER:** Resolution moved:

“That this Assembly is of opinion that the Government of Assam do take early steps to convert the Government Veterinary Dispensary at Nalbari into a full-fledged Hospital.”

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR.** Madam, Deputy Speaker, this is not the first time that we have been discussing about the Veterinary Dispensary at Nalbari (*Laughter*). In connection with a Question put by my hon. Friend, Mr. Gauri Kanta Talukdar, it has been pointed out that Government are not unwilling to extend their helping hand either to Nalbari or any other place (*Voice—Palasbari*) if it lies within their power and if it is possible for Government to do so. It has already been explained on the floor of this House that Government are in need of more doctors. Some of our dispensaries had to be closed for want of doctors. Nalbari is not an isolated instance where we require additional doctors. But there are other places in the Province where we equally require doctors, (*Hear, hear*), which are equally populous and which require additional doctors for treatment of animal population there. In order to meet all these problems I



have submitted on the floor of this House many times that Government have in their contemplation to increase the number of doctors by starting or establishing a Veterinary College. As time passes and Government has sufficient means to meet all these problems, not only Nalbari but also other places where it is necessary to put additional doctors will get the required number. I am sure, Hon'ble Mr. Talukdar is aware of the handicap under which Government has been working on account of paucity of doctors.

**The DEPUTY SPEAKER :** Is it the sense of the House that we should sit after 3 P.M.

(Voices—No, No).

### Adjournment

The Assembly was then adjourned till 10 A. M. on Tuesday, the 23rd March, 1948.

SHILLONG :  
*The 19th May, 1948.*

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

A.G.P. (L.A.) No. 28/48—118—25-5-1948.