

**Proceedings of the Fourth Session of the Second Assam Legislative
Assembly assembled under the provisions of the Government of
India Act, 1935.**

The Assembly met in the Assembly Chamber, Shillong at 10 A.M., on Tuesday,
the 23rd March, 1948.

PRESENT

The Hon'ble Mr. Lakshesvar Borooah, Speaker, in the Chair, the eight
Hon'ble Ministers and forty one Members.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(To which oral answers were given)

**Information re: Vital, Agriculture, Labour and Business
Statistics**

Srijut SARAT CHANDRA SINHA asked :

*23. Will Government be pleased to state—

(a) What are the sources from which information is received by the
Departments, regarding:—(i) Vital Statistics, (ii) Agriculture
Statistics and (iii) Labour and Business Statistics ?

(b) Whether these sources are reliable ?

(c) If not, what measures Government propose to take to get the correct
figures ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

23. (a) (i)—For the collection of Vital Statistics in the rural areas where
registration is optional, Choukidars in the permanently-settled areas and Gaonburas
or Village Headmen in the other parts of the Province are the primary sources.

In towns where registration is compulsory, the head of the family members
or the attending Physician is responsible for reporting vital occurrences to the
Municipal office.

(ii)—The sources of information are usually the District Officers who
obtain statistics through the Land Records and Revenue Staff.

(iii)—Strength of labour force, absenteeism, strikes and lock-outs, etc.,
are received from Industries concerned in prescribed forms. Industrial Statistics
returns are also received from the Industries. The strength of membership of
Trade Unions and other figures concerning Unions are received from the
Unions.

(b)—Vital Statistics except those for the rural areas are reliable.
Labour and Crop Statistics are also fairly reliable, but cannot be said to be
accurate.

(c)—The agency and the method employed for collection of these important statistics have not so far been as full and as complete and accurate as could have been wished. Government have since started a Department of Statistics with a Director of Statistics and Economic Adviser to be assisted by other staff for this purpose and there is every reason to expect that our future statistics will be as accurate and as up-to-date as is possible.

Damage to crops by Elephants in Ratabari Thana

Maulana MD. MUFAZZAL HUSSAIN asked :

*24. (a) Are Government aware that the year before last about 60 *hals* of paddy had been destroyed by wild elephants in circle No. 3 of Ratabari Police Station, Karimganj ?

(b) Is it a fact that a large number of cultivators who thus suffered loss filed petitions to the local Government praying compensation for their destroyed crops ?

(c) If so, whether Government gave them any compensation ?

(d) Is it a fact that the Questioner timely moved Government asking help to protect the crops of the poor cultivators from being destroyed by the elephants ?

(e) If so, whether Government rendered any help whatsoever for the protection of their crops ?

(f) Are Government aware that two persons from among the sufferers, viz., (I) M. Ayazur Rahman and (II) Idris Ali served pleader's notice to Government and that the Deputy Commissioner, Sylhet and Divisional Forest Officer, Sylhet made separate enquiries through the Sub-Deputy Collector, Patharkandi and Forest Ranger respectively as to whether or not the paddy of the persons mentioned above were actually destroyed by the wild elephants ?

(g) If so, what steps Government have taken after such enquiries ?

*25. (a) Will Government be pleased to state whether they have received any representation recently that about two hundred elephants have already assembled in hilly land of circle No. 3 of Ratabari Police Station and have begun to destroy the paddy nearby ?

(b) If so, do Government propose to help the poor cultivators immediately so that their crops may be saved from the depredation by wild elephants ?

*26. (a) Are Government aware that about 60 *hals* of paddy land were not cultivated last year in circle No.3, Ratabari Police Station (Karimganj) for fear of crops being destroyed by wild elephants ?

(b) Is it a fact that last year also, wild elephants destroyed the crops in circle No.3, Ratabari Police Station ?

(c) Is it a fact that on a representation from the Questioner, the Sub-divisional Officer, Karimganj sent some Sepoys with guns to scare away the elephants, but no useful purpose was served thereby ?

(d) Are Government aware that people of Circle No.3, Ratabari Police Station have been feeling difficulties and are afraid of cultivating all their paddy lands for fear of habitual depredation by wild elephants ?

(e) Do Government propose any kind of protection to save their future crops ?

(f) If so, what is that ?

The Hon'ble Srijut RUPNATH BRAHMA replied :

24.(a) & (b)—The hon. Member is referred to the replies given by the Hon'ble Rev. J. J. M. Nichols-Roy, to his Unstarred Question No. 271(a) in the Budget Session of the Assembly, 1947.

(c)—The question of compensation by Government for damage done by wild animals cannot arise.

(d)—The hon. Member brought the need of help to protect the crops to the notice of Government.

(e)—Kheddah and Mela Shikar operations were sanctioned in the Patharkandi and Ratabari thanas and some 47 wild elephants were caught.

(f)—Yes, notices were served and enquiries are reported to have been made by the district officers, through Subdivisional Officer.

(g)—Combined Kheddah and Mela Shikar was allowed in both Ratabari and Patharkandi Circles.

Mr. J. S. HARDMAN: Have Government taken legal opinion on the question of the liability of paying compensation ?

The Hon'ble Srijut RUPNATH BRAHMA: There is no such rule in the existing Manual for compensation for the damage caused by wild elephants and I do not see any necessity of taking legal opinion in this matter.

Mr. J. S. HARDMAN: Will Government be pleased to consider the question of taking legal advice on this point ?

The Hon'ble Srijut RUPNATH BRAHMA: I will examine whether that is necessary to be done.

Srijut DANDESWAR HAZARIKA: May I know from the Government whether these wild elephants are *res nullius*—I mean nobody's property ?

Mr. J. S. HARDMAN: On a point of information, Sir, are they preserved by Government ?

The Hon'ble Srijut BISHNURAM MEDHI: They are preserved by Government under certain statute, but that does not make Government liable in case the elephants destroy any crop or property.

Maulavi MUHAMMAD ABUL KASHEM: If Government cannot give protection to the agriculturists, should they not allow these agriculturists to kill the elephants if they damage their crops ?

The Hon'ble Srijut RUPNATH BRAHMA: We are giving protection to the cultivators. In different areas we are having our operation year after year. We also grant licenses to the individuals for killing these animals.

The Hon'ble Srijut BISHNURAM MEDHI: The Act is very clear. It gives the right of protection of crop and protection of life and in doing so it can extend to the killing of an elephant. That is quite well-known under the Act.

Mr. J. S. HARDMAN: Will Government then provide these agriculturists with suitable weapons for killing the wild elephants that destroy their crops ?

The Hon'ble Srijut BISHNURAM MEDHI: Government are always prepared to consider the question of giving license to any individual who can satisfy Government that he needs a gun for the protection of his crop and life.

Mr. J. S. HARDMAN: My Question is about weapons and not about a license. Are Government aware that the cultivator does not possess weapons of such a calibre ?

The Hon'ble Srijut RUPNATH BRAHMA: Generally licenses are allowed in those areas in the vicinity of forest.

The Hon'ble Srijut BISHNURAM MEDHI: Muzzle loading guns are more effective than any other weapon.

Mr. J. S. HARDMAN: Is a muzzle loading gun powerful enough to kill an elephant ?

The Hon'ble Srijut BISHNURAM MEDHI: I have seen elephants being killed by a muzzle loading gun.

Maulavi MUHAMMAD ABUL KASHEM: As the agriculturists are poor they cannot purchase any arms and ammunitions. So may I expect that Government will direct the Police or Military Department to help the agriculturist in killing the elephants in case they lodge information with them ?

The Hon'ble Srijut RUPNATH BRAHMA: As a matter of fact we have done so in the case of Cachar and if it is found necessary we shall be prepared to do that in the case of the Assam Valley as well.

The Hon'ble the SPEAKER: You send 'Shikari' to kill such elephants.

The Hon'ble Srijut RUPNATH BRAHMA: Yes, under the rule we do so.

Maulavi MUHAMMAD ABUL KASHEM: My Question is if the Shikari is allowed to kill an elephant he will not always kill it, he will only catch the elephant.

The Hon'ble the SPEAKER: Those are technical hunters.

Srijut DANDESWAR HAZARIKA: The hon. Member is perhaps aware that when any rogue elephant destroys crop or becomes a danger to human life, it is proclaimed and reward is also paid for killing the elephant.

Dr. EMRAN HUSAIN CHAUDHURY: But by the time Government proclamation is published in the Gazette much damage will have been caused by the elephants to crops.

The Hon'ble Srijut RUPNATH BRAHMA replied :

25. (a) & (b)—No representation has been received by Government on this Elephant catching operations are sanctioned in the area.

26. (a)—Government are not aware.

(b)—It is possible.

(c)—Government have no information.

(d)—Government are not aware.

(e) & (f)—Government have already taken action. Kheddah and Mela Shikar operations have been sanctioned in the Patharkandi and Ratabari thanas.

†**Maulavi MUHAMMAD ABUL KASHEM**: May I know from the Hon'ble Minister whether after receipt of these Questions, enquiries were made to ascertain the facts?

The Hon'ble Srijut RUPNATH BRAHMA: We have not yet received any official report from the Subdivisional Officer.

UNSTARRED QUESTIONS

(To which answers were laid on the table)

Venture Primary Schools

Srijut HARINARAYAN BARUA asked:

109. (a) Will Government be pleased to state the number of Venture Primary Schools in the last year and also the number of such schools this year in the Jorhat Subdivision?

(b) How many such schools have been given grants this years?

(c) The basis of calculating the quota of grants per district and sub-division?

(d) Whether Government propose to sanction the grant on the strength of the pupils on the rolls of such schools?

(e) The number of schools sanctioned for this year for the tribal and ex-tea garden labour communities?

(f) Whether Government propose to increase the number of schools for the backward communities?

Srijut MAHENDRAMOHAN CHOUDHURY (Parliamentary Secretary) replied:

109. (a)—The number of Venture Primary Schools in Jorhat Subdivision—131—last year, and, 116—this year.

(b)—Twenty-one schools have been given direct grant this year and 13 schools have been taken over through the Local Board.

(c)—Grants are ordinarily given on population basis, special consideration being shown to backward areas and classes.

(d)—No, in that case schools in the most backward localities will go without Government aid.

(e)—Three schools for tribals and one for ex-tea garden labourers in Jorhat Subdivision through Local Board. By direct grant—5 for tribals and 3—for ex-tea garden labourers.

(f)—Yes, according to demand.

†Speech not corrected.

*Srijut HARINARAYAN BARUA: ট্ৰাইবেল areaৰ Venture স্কুল বিলাকৰ কিবা লিষ্ট আছে নেকি? আৰু গৱৰ্ণমেণ্টে এনেকুৱা স্কুল বিলাকক সাহায্য দিব পাৰিবনে?

*Srijut MAHENDRA MOHAN CHOUDHURY: (Parliamentary Secretary) তেওঁৰে কথামতে এনেকুৱা Tribal areaৰ Venture স্কুলৰ List এতিয়া দিয়া সম্ভৱপৰ নহব, আৰু এই List পালে এইবিধয়ে চেষ্টা কৰা হব।

Assamese Stipendiaries in the Bengal Veterinary College

Maulavi MD. ROUFIQUE asked :

110. (a) Will Government be pleased to state the number of Assamese that have graduated from the Bengal Veterinary College since 1943 ?

(b) Is it a fact that Assamese stipendiaries and candidates for admission into the Bengal Veterinary College were not provided with seats in the College for the last two years by the College Authorities ?

(c) If so, why ?

(d) Are Government aware that the demand for Veterinary aid and treatment in the rural areas has been ever growing and the Veterinary Department have found themselves unable to meet this demand particularly for want of qualified Doctors ?

(e) If so, do Government propose to take steps immediately to start a Veterinary College in Assam ?

(f) If the answer to Question (e) above is in the affirmative, do Government propose to take the House into confidence in selecting a site for the proposed College ?

(g) Is it a fact that the present Director of Veterinary Department advised against the establishment of Veterinary College in the Province ?

(h) If so, what are the reasons therefor ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

110. (a)—1943—Three.

1944—Three.

1945—One.

1946—Two.

1947—Three.

(b)—No, it is not a fact so far it relates to the stipendiaries. Government, however, have no information in regard to the non-stipendiaries.

(c)—Does not arise.

(d)—Yes, it is so.

(e)—Steps are already well ahead.

(f)—Yes, Government have tentatively located it at Nowgong.

(g) & (h)—Yes. So was the view of the Government of India particularly for the reason that within a few years of the opening of such a College in Assam, the number of Veterinary Graduates will far outweigh the actual demand of the Province.

Appointments in the Secretariat Establishment

Dr. EMRAN HUSAIN CHAUDHURY asked :

111. Will Government be pleased to state:—

(a) Whether it is a fact that recently some junior and underqualified Assistants have been confirmed in the Secretariat superseding the legitimate claims of many senior and qualified Lower Division Assistants ?

- (b) On what basis these promotions and confirmations were made ?
 (c) Whether Government have received any representation from any one regarding these anomalies ?
 (d) How many Assistants are still to be confirmed in the Lower Division cadre in the Secretariat ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

111. (a)—In January last 7 Lower Division Assistants who were considered fit for promotion were confirmed in the Upper Division in the Secretariat.

(b)—On the basis of seniority combined with efficiency.

(c)—Four representations were received.

(d)—29.

***Dr. EMRAN HUSAIN CHAUDHURY** : Do I understand that there is no question of supersession in the rank of Lower Division Assistants in the Secretariat?

The Hon'ble Srijut GOPINATH BARDOLOI : There is no question of supersession in view of the fact that they were promoted on the basis of seniority and efficiency.

***Dr. EMRAN HUSAIN CHAUDHURY** : My question is whether there was any clerk superseded?

***The Hon'ble Srijut GOPINATH BARDOLOI** : I am not aware of that as the reply will show.

***Dr. EMRAN HUSAIN CHAUDHURY** : What was prayed for in those representations?

The Hon'ble Srijut GOPINATH BARDOLOI : The main fact that is sought to be impressed upon by those representationists is what has already been stated in the reply, namely, that the representations would be considered on the basis of seniority and efficiency, and it is the Department concerned, I mean, the Secretary concerned, who actually judges the merits and efficiency of these officers, and it is on the basis of such decisions that these vacancies are filled up.

***Dr. EMRAN HUSAIN CHAUDHURY** : I thank Government for letting us know that there is no question of supersession there.

The Hon'ble Srijut GOPINATH BARDOLOI : If there is any supersession, it is on the basis that they have not been found fit to hold the responsibility.

DEMANDS FOR GRANTS

Grant No 34.

("72.—Capital Outlay on Industrial Development")

The Hon'ble Sritut GOPINATH BARDOLOI : On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs 3,00,00,000 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—'72.—Capital Outlay on Industrial Development'.

*Speech not corrected.

The Hon'ble the SPEAKER: Motion moved:

"That a sum not exceeding Rs. 3,00,00,000 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—'72.—Capital Outlay on Industrial Development".

There are as many as 17 Cut Motions. The time allowed is one hour. In addition we have 43 minutes from the Question hour. I am looking if there is any omnibus Motion. There is no such Motion, I find. May I know from the European Group which of the Cut Motions they want to move?

Mr. J. S. HARDMAN: I will speak on Motion No.1 which stands in my name. I can deal with all my points in one discussion.

The Hon'ble the SPEAKER: May I ask the Opposition which of the Cut Motions they want to move?

Maulavi MUHAMMAD ABUL KASHEM: We will only put the questions and get replies without discussing much.

Mr. J. S. HARDMAN: Mr. Speaker, Sir, I beg to move that the provision of Rs. 67,45,000 under Grant No. 34, Major head—72.—Capital Outlay on Industrial Development, Minor head—A.—Textile Industry, Detailed head—Machinery, at page 196 of the Budget, be reduced by Re.1, i. e., the amount of the whole grant of Rs. 3,00,00,000 do stand reduced by Re. 1.

The object of my moving the Motion is to discuss the the absence of details in the project.

If hon. Members will turn to page 196 of the Budget estimates they will find, under Grant No. 34, a statement given of the money required for Capital outlay on industrial development. The sums required are—

A Textile Industry—machinery	...	...	Rs. 67,45,000
B Sugar Industry—machinery	...	...	Rs. 31,00,000
buildings	...	...	Rs. 8,25,000
C Paper Industry—machinery	...	...	Rs. 34,00,000
buildings	...	...	Rs. 9,00,000
D Jute Industry—machinery	...	...	Rs. 50,00,000
buildings	...	...	Rs. 12,50,000
E Miscellaneous—Industries	...	...	Rs. 7,25,000

Sir, the only other information which Government have seen fit to provide hon. Members with is contained in the Memorandum on the Budget Estimates. It is, Sir, so brief that I can read it out without unduly detaining this House: "The following schemes are to be financed from loans granted by the Government of India:

Major Industries:—In pursuance of Government's decision to own or participate in certain major industries, orders have already been placed for textile machinery in the United States of America. The provision of 60 lakhs in the Revised represents an advance towards the cost of machinery. The provision for the next year represents a probable estimates in connection with Major Industries, viz., Textile, Sugar, Paper, Jute Industries and Miscellaneous Industries."

Allow me, Sir, to state at the outset that we are not opposing industrialisation, we are not opposing nationalisation and we welcome the developments that are proposed. Our objection, Sir, is entirely on a matter of procedure—financial procedure. I noticed during the earlier debates on the Budget that there was a tendency to dismiss as trivial, objections which were raised on matters of procedure, but I would urge, and urge strongly, that matters of procedure are not trivial. The whole of the functioning of Parliamentary Democracy depends on the due observance of procedure. We contended last year in connection with the same provision that the procedure adopted was irregular, and Government attempted to make various defences. But I would submit that those defences were most inadequate. With your permission, Sir, I would like to refer to the speeches made last year in this House. This is recorded at pages 368 onwards of the printed proceedings. Mr. Faull in moving a Cut Motion for reduction of the grant which then was under 63B.—Major Industries, observed “My object of moving this Cut Motion is to point out that the mandatory Financial Rules regarding inclusion of detailed expenditure in this case has not been observed”. He proceeded, “A reference has been made in the Appendix containing the Budget for the Post-War Development Schemes of the Government of Assam for 1947-48 at page 132. There against the whole of the items included on the page it is stated that details are under preparation”. Those details, incidentally, Sir, seem to be still under preparation. Mr. Faull continued, “I need perhaps say no more than that the omission to furnish details renders this portion of the Demand for a grant completely invalid. It is a recognised right of this House to examine and discuss proposals for expenditure, before it is voted, and I am at a loss to understand how any Member can examine or discuss schemes when details of the schemes have not been supplied. It is a responsibility of Government to see that the Budget Estimates are placed before this House in a proper form, and they have not discharged that obligation in respect of a very large sum proposed for expenditure.....The Manual prepared by Government places clearly on the Finance Department the onus of seeing that estimates to be placed before the House are in the accepted form and contain details essential for the appreciation and examination of the new expenditure”. At a later stage in his speech Mr. Faull stated, “In conclusion I would submit that this portion of Demand No. 32 is entirely unconstitutional and that this House should not be asked to vote these funds”.

The first defence on behalf of Government was undertaken by Mr. Prabhudayal Himatsingka. His contention was—I will quote his words: “Government has ample resources at its command to get together technical experts, technicians and such other persons that may be required in a scheme like this. As you know, Sir, and as the Hon'ble Minister has mentioned already, it is at present not possible to have exact quotations for a cotton mill, or sugar mill, or a jute mill”. We do not dispute that, Sir. We realise at the present time exact quotations cannot be obtained, but that does not mean that Government will place orders without having some idea of the cost. Allow me to explain to the House what has been the normal procedure in placing orders for machinery from abroad in the past few years. Manufacturers are able to give the present prices at which they can make delivery. It is recognised that they cannot make delivery at present, and, therefore, they cover themselves in some way or other by inserting clauses in the agreement that any rise in the cost of basic materials, any rise in the cost of labour will be added to the basic price. Government have some idea as to what their jute or textile mills will cost them if present prices remain stable; if prices increase they can calculate what these mills will ultimately cost.

The second defence of Government was undertaken by the Hon'ble Mr. Baidyanath Mookerjee. He repeated the contention made earlier by Mr. Himatsingka and then went on to propound a most extraordinary proposition. He said: "The money is not going to be spent from provincial revenues. This is a Government of India loan and moreover the Government of India propose to satisfy themselves before sanctioning this loan". I am very glad to mention that the Hon'ble Speaker at the time viewed this extraordinary proposition with the contempt it suited. It was pointed out that the Provincial Government were responsible for the money. If it is badly spent it is the Province which will suffer. In the second place, there is no difference in financial procedure between expenditure which is met from public revenues and expenditure which is met from loans. Whether the money is to be provided by loans or whether from provincial revenues the same procedure is to be followed, a detailed estimate has to be prepared and placed before this House for consideration.

A year has elapsed and we have not had any advance on the information which has been supplied by Government. We are still signing a blank cheque without having any idea of the details. Government have admitted that proposals were sent to the Government of India a year ago detailing the schemes and on those proposals the Government of India agreed that they would be prepared to finance them. I contend, Sir, that it was the duty of Government to place the information which they sent to the Government of India before this House. It may be contended by the Hon'ble Minister that the Members of this House are mere laymen. What do we know of textile mills? What do we know of jute mills? What do we know of paper manufacture? That, Sir, has never been accepted by any Parliament as an adequate answer for depriving the House of information. It is expected that legislators who are keen and interested in their duties will take pains to obtain information necessary to enable them to scrutinise and to make sound comments on proposals which may come up before the House for sanction. I am certain that in this House there are many of us who could obtain information which would enable us to examine critically even technical schemes of industrial development. We have, Sir, no idea at the moment of what the ultimate costs of the schemes are going to be. There is a form which is prescribed in the Budget Manual—Form H—which requires that the ultimate recurring and the ultimate non-recurring costs are to be calculated. This enables the House to know what the ultimate commitment of any scheme is to be. We do not know what amount is going to be spent on buildings, what amount will be required for machinery, what capital will be necessary for running the various concerns, what is the prospect of producing the products at a reasonable price and what are the prospects of profit. We do not even know, Sir, where these industries are to be located and on this point I am confident that many Members of this House will have something to say. I am quite certain that a certain hon. Member will be prepared to stake out a claim for Nalbari and that other Members will be prepared to put forward claims for other parts of the Province. It is natural that in deciding the location of these important industries the views of the public should be given due consideration. The hon. Members may feel that I have been unduly critical of Government and that I have condemned their financial procedure without offering any constructive criticism. We were told a year ago that the details were under preparation. This year Government have not even bothered to tell us that they have left the details out completely. The Hon'ble Finance Minister a year ago mentioned that if the money was voted, we would have a second opportunity to vote when the details were prepared. I would, submit, Sir, that that was a very generous

offer—an offer which was not contemplated by the Budget Manual or by the Rules framed by the Assembly. Once the money is voted it is done and finished. Government have complete authority to spend it without further reference to this House. If we vote without details, there is no obligation whatever for Government to come before this House again. If Government had been successful in spending the two crores which we generously voted a year ago, there would be no need for Government to come again before this House. There is no procedure, Sir, for voting a second time on a Demand which has been voted in the same financial year. The correct procedure was indicated last year by the Hon'ble Speaker and that was, where details were not available the correct method of approach was to bring in a token demand for Re. 1. If that is done, Sir, Government have authority to go ahead with a scheme. Government are entitled to exceed the provision on the understanding that as soon as details of the expenditure are secured, they will place them before the House and the House has an opportunity to vote on the inevitable Supplementary Demand which will be necessary once a token provision is accepted. I would suggest, Sir, that Government would be well advised to adopt a better financial procedure on this occasion and to withdraw the present demand, substituting it by a token demand. The consideration of these proposals cannot be undertaken without details. We concede that machinery has to be ordered and exact figures cannot be obtained, but that does not mean that we cannot get more information than Government has given us to-day. In the circumstances, Sir, I beg to move that the Motion which stands in my name be accepted by the House.

The Hon'ble the SPEAKER : Cut Motion moved :

“That the provision of Rs.67,45,000 under Grant No.34, Major head—72.—Capital Outlay on Industrial Development, Minor head—A.—Textile Industry, Detailed head—Machinery, at page 196 of the Budget, be reduced by Re.1, *i.e.*, the amount of the whole grant of Rs.3,00,00,000 do stand reduced by Re.1.”

The Hon'ble Srijut GOPINATH BARDOLOI : I presume, Sir, that Mr. Hardman by this Motion has virtually moved his other Motions also:

Mr. J. S. HARDMAN : Yes, Sir.

The Hon'ble Srijut GOPINATH BARDOLOI : Sir, while I consider that the criticism offered by Mr. Hardman is hardly fair, I thank him for the opportunity he gives me of explaining the figures on which he commented. I want to explain that these figures could not be put with more accuracy than has been done in the Budget. I do not know if Mr. Hardman is a businessman, but I know he knows business very well. He knows that certain procedure has got to be followed in order that business may be transacted. What has been proposed in these figures are exactly in consonance with this proposition. I would have been glad, Sir, if some explanation were given as notes in the Memorandum describing these items of Grants of the Budget. They could give greater details than now. But I can tell the hon. House that I can explain the position even now and am glad that the hon. Member gives me the chance.

The items of industries in which Government have proposed to follow a certain policy, namely, that Government will be finding the capital expenditure, and the industrial concerns will be furnishing the management, are the following: textile, sugar and paper. In respect of the jute industry we have to revise our policy which I will presently state before the House. I will make mention of other industries also about which Government propose to take up on share

basis. But I will first confine myself to the criticism in respect of those industries which have been proposed to be financed by Government so far as capital outlay is concerned, but of which the management will be left to business enterprises. Since Mr. Hardman has chosen to follow the procedure of speaking on all these industries at the same time, I shall deal with them item by item in the same way in my reply. But before doing that I like to just mention the procedure of which he complains. I do think that there had been a discussion in the Assembly about it. I do not propose to take up the point as I suppose the Hon'ble Finance Minister has, in his statement, made the position clear in this Session of the Assembly. I would only satisfy myself in giving him the details on account of which he has fallen foul upon the Government.

The first thing is in respect of textile industry. I can inform him that the textile industry has been classified, as I said, under the fully State-owned category. The Government of India allotted to Assam 1,00,000 spindles and 2,225 looms. Out of the quota, orders for 75,000 spindles comprising 50,000 coarse and 25,000 fine and 1,625 looms have been placed in the United Kingdom and efforts are being made to procure the rest comprising 25,000 coarse spindles and 600 looms in the United States of America through the India Supply Mission according to the following details:—

Orders have been placed with Messrs. Platt Bros. & Co. Limited, England, for spinning machinery comprising 25,000 Ring Spindles, 2,50,000 other spindles, and with Messrs. James Greaves & Co., Manchester, for weaving machinery to the extent of 1,625 looms. In respect of the balance of the quota consisting of 25,000 spindles and 600 looms, Government of India in the beginning allotted it to Messrs. Jalan Textile Limited. Orders were actually placed in the United States of America through the Indian Supply Mission there for a second-hand machinery. The proposed machinery was under examination by this Mission and after their report this Government thought it desirable to have a new set of machinery instead of a reconditioned old machinery. The matter has not yet been finally settled. But the Government of Assam are now in correspondence with the Indian Supply Mission about the availability of these machineries.

Now a stage has been reached when the specifications and estimates of the machinery to be supplied by the manufacturers will have to be carefully vetted by a recognised expert before finalising the orders. As a matter of fact it is well known to persons who deal in this business that oftentime orders do vary according to the experience gained by certain industrialists in running these machineries in a particular way, and Government must necessarily wait for finalising the orders, till they have been able to consult the parties to whom possibly the management may be given.

Mr. J. S. HARDMAN: On a point of information, Sir, can I get the approximate estimates of the ring spindles and looms ?

The Hon'ble Srijut GOPINATH BARDOLOI: I am coming to that, Sir. Now, it may interest the House to know that well-known firms have already submitted applications for Managing Agencies for the proposed mills, and the question of Managing Agencies is under consideration of the Government. This amount of Rs.67,45,000 has been provided for Textile machinery and it has been based on the commercial practice of making advance of 33 : 1/3rd per cent. of the value on finalising the contract, taking, of course, into consideration the increased value of the machinery from America. But in the absence of any final quotation the amount given can necessarily be nothing more than approximate. I think, Sir, I have sufficiently explained the meaning of that figure in the Budget. I had said that I wished this to be put down in the

Memorandum so that hon. Members might have understood the position better. However, I think I have sufficiently explained the position so far as the Textile Industry is concerned.

I will now take up the question of Sugar Industry. My hon. Friend over there has said that Government are not giving consideration to the site he suggested. As regards this, I will tell him that it will depend more or less on the experts' guidance and direction as to where particular machineries would be best suited. As regards the sugar factory we took adequate expert opinion as to where to locate the machineries. The Government of India gave us two Units of Sugar Mills. In response to our invitation for quotations, a dozen well-known firms submitted quotations and specifications, among whom are the Skoda Works Limited, a very well-known firm. These firms submitted specifications for a Plant with a crushing capacity of 1,000 tons a day based on double sulphitation process, which is one being largely used in India. But as there is abundant supply of good quality limestone in Assam, they have been requested to submit specifications based on carbonization process. Accordingly the Skoda Works Limited and a number of British Firms submitted quotations.

In the meantime, on the request of this Government, the Skoda Works Limited, sent their Sugar Expert, Mr. G. A. Sherl, for surveying sugar possibilities in Assam and for selecting sites for the proposed Sugar Mills. He has given his opinion to the Government of Assam and his report has been published. His opinion was that Assam would be ideal for establishment of a Sugar factory as sugarcane in some parts of Assam is better than in most parts of India. He has also suggested suitable areas for the same. One is Naojan—Bokajan area—was regarded by Mr. Sherl as the best site for a sugar factory and also for cultivation of sugar-cane of different varieties. An officer of the local Government in the Department of Agriculture with long experience in the matter has been proposed to be appointed for this sugar-cane cultivation. It is expected to bring about 4,000 acres under cultivation in the course of 3 years, at the end of which most of the machineries are expected to be installed. It is well known that there are areas also in other parts of the Province which are fit for sugarcane cultivation. I may inform for the information of the House that Mr. Sherl thinks there are such places near about Digboi and also some places in the Cachar district. But for the establishment of a sugar factory he thinks Naojan Bokajan area should be given first priority, second should be those places near about Digboi. On account of difficulties for transporting the machinery, he thinks that although there are possibilities for sugarcane cultivation in Cachar, the two places named by me before, *i.e.*, Naojan and Bokajan should be given priority.

Now it will be seen here that the provision of Rs.31,00,000 which has been put in the Budget, has been put exactly on the same idea of making advance on 33 : 1/3rd per cent. on quotations submitted by different firms ; but in the absence of final quotations (and it must vary according to local requirement), the amount cannot be taken as final and must be regarded as tentative.

In regard to Paper Industry, here also it will be seen that the Government is not sitting idle, and have taken adequate steps to implement the policy. The Government of India allotted one Paper Mill for this Province. The Government of Assam fully availed of the services of Mr. Bhandari, a Paper Expert of the Government of India, who made a survey and formulated scheme for the establishment of a Paper Factory in Assam. In his report he recommended a Plant with a capacity of 35 tons per day with an estimate of 1.5 crore including working capital. These specifications are for machineries for manufacture of writing and printing papers received from the firm of Bertram Limited of Edinburgh who are reputed to be world famous concern for paper machinery.

Mr. Bhandari recommended Karimganj to be the most suitable site for the purpose, but due to recent political changes, it is not proposed to site the mill there. It will have to be established in some other place and this will be examined by our Paper Expert. A Paper Expert has actually been appointed and has resumed his duties to finalise the scheme. The question of appointing Managing Agency is also under active consideration of the Government. The provision of 34 lakhs is also based on commercial practice of making an advance amounting to 33 : 1/3rd per cent if and when the orders are finalised.

Then in respect of Jute: In this connection the policy has had to undergo a little modification on account of the political changes in the country. Originally, Sir, the Government of India agreed to give Assam one Unit. Assam, as it may be well known, is the second jute producing area in India. But on account of the Partition, the situation has changed. We have received certain advice from the Government of India in this regard that Assam will be well-advised not to have Jute Industry as a State-owned Industry. We have fallen in line with that wish of the Government of India and thought that if it is possible to have the Industry on a share basis between the Province and the Industry, then we will consider the question of running the Industry in that way. But it is well-known that many difficulties are standing in the way. It is learnt that Jute Factories in West Bengal are lying idle for transport difficulties and for want of raw materials which are now in East Bengal. And if the question of production as a whole is to be considered it has also got to be considered whether the setting up of new machinery will be really as profitable as it might have been expected in other circumstances. But final decisions have not been adopted by Government and, therefore, the money that has been provided is on the basis of the same understanding, that if the machinery has got to be ordered (and, whoever is going to pay for it, at any rate, tentatively), it has been charged on the Provincial Government. This is in reference to the industries that have been put there. There are other industries, *e.g.*, tannery, on which there is a Motion before the House. In this matter, the idea of Government is to co-share with these industries, but the details have yet to be worked out. But as some provision has got to be made, and a provision has accordingly been made which is not very big. I may inform the hon. House that it has been made on certain information and correspondence with some of these concerns. So, I submit, Sir, that Government have actually come to a stage when they have the clearest idea of what they are going to do. The money that has been provided is on the actual information received. Therefore, the criticism which Mr. Hardman sought to throw does not hold good. I quite see that it would have been better if those details would have been put in the Memorandum. But it cannot be said that Government are not doing things in a proper and businesslike way.

As regards location of these Industries, this must depend largely on the Industries themselves. There is a reference in a Motion to the location of the Jute Mill in Goalpara. I have already explained to the hon. House that in the opinion of Government it should be located in the largest jute-growing areas. So, we have got to decide whether Goalpara, Kamrup or Nowgong will be the most suitable place. I may inform the House that the largest jute-producing district is Goalpara with an acreage of 55,000, then comes Kamrup with an acreage of about 44,000; next comes Nowgong with an acreage of 39,000. But in this matter also it is the Industry co-operating with Government which must have a good say. They take many things into consideration, that is availability of labour, facilities for availability of power and many other factors which I am not in a position to detail.

Regarding Cotton Mills also, there has been a Motion for locating it in Goalpara on the ground that the Garo Hills produce very large quantity of cotton. I do not know how that cotton can be utilised for the kind of stuff that we generally use in our Province. But if the stuff can in any way be utilised, I am sure, the industrialists and experts will fix Goalpara, or it might be, at any place in the proximity of the Garo Hills, for establishing their factory. But as I said, it can be done only in collaboration with the Industries which will actually be running the business.

I think, Sir, I have sufficiently explained the position before the Hon. House and, I hope, that Mr. Hardman will, in view of what I said, withdraw his Motion.

Maulavi MUHAMMAD ABUL KASHEM: Mr. Speaker, Sir, the points raised by my Friend, Mr. Hardman, have been replied to by the Hon'ble Premier and in course of his reply we have got much information and in view of the actions taken by Government, I want to say that in case the paper industry which formerly the experts of the Government of India wanted to establish in Karimganj and now due to partition of Sylhet

The Hon'ble the SPEAKER: I do not think, the hon. Member is in order. He cannot discuss now.

In view of the explanation given by the Hon'ble Prime Minister, does Mr. Hardman want to withdraw his Motion?

Mr. J. S. HARDMAN: On a point of personal explanation, Sir, I wish to point out that my contention was never that Government had not estimates, but they were keeping these to themselves and we were entitled to share these with them; but, however, Sir, in view of the very satisfactory statement which has been made by the Hon'ble Premier giving us the whole details which we had previously been deprived of, I beg leave of the hon. House to withdraw my Motion.

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

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

Maulavi MD. MAKSED ALI: Mr. Speaker, Sir, I beg to move that the provision of Rs.67,45,000 under Grant No.34, Major head—72.—Capital Outlay on Industrial Development, Minor head—A.—Textile Industry, Detailed head—Machinery, at page 196 of the Budget, be reduced by Re.1, *i.e.*, the amount of whole grant of Rs.3,00,00,000 do stand reduced by Re.1.

The object of my Cut Motion is to urge upon the Government for establishment of a Cotton Mill at Goalpara.

Mr. Speaker, Sir, as you are aware, the Garo Hills produce a huge quantity of cotton every year and this raw cotton is brought to Goalpara which is the only centre for export of this commodity. All this cotton which is grown in the Garo Hills is brought to Goalpara by road and river. Goalpara town is situated on the bank of the river Brahmaputra. Moreover, there is a proposal by the Government that Goalpara is going to be connected by road with the interior parts of the Garo Hills. Then again I beg to say, Sir, that there is a proposal also on the Government side to connect Bongaigaon by Railway with Goalpara. So from all these points of view I think Goalpara will be the most suitable place for the establishment of a Cotton Mill. So with these words I commend my Motion for the acceptance of the House.

The Hon'ble the SPEAKER : Cut Motion moved :

"That the provision of Rs.67,45,000 under Grant No.34, Major head—72.—Capital Outlay on Industrial Development, Minor head—A.—Textile Industry, Detailed head—Machinery, at page 196 of the Budget, be reduced by Re.1, i.e., the amount of the whole grant of Rs.3,00,00,000 do stand reduced by Re.1".

***Srijut BELIRAM DAS :** May I know from the hon. Member who moved this Cut Motion just now whether he knows that cotton coming from the Garo Hills to Goalpara cannot be utilised for textile purpose ?

Maulavi MD. MAKSED ALI : Why then huge quantity of cotton is exported from Goalpara ?

***Srijut BELIRAM DAS :** It is a short staple cotton and is mixed up with seeds.

Maulavi MD. MAKSHED ALI : Then why it is taken to the Rest of India ?

Maulavi MUHAMMAD ABUL KASHEM : Mr. Speaker, Sir, as for the question of my Friend, Mr. Beliram Das, I will inform him that certain percentage of cotton from the Garo Hills are now being used for producing textile. If Government take steps certainly some more improved quantity of cotton can be produced in the Garo Hills.

Srijut GAURI KANTA TALUKDAR : Sir, we find several hon. Members asking the Government to locate the jute-mills, cotton mills, sugar-mills, etc. which the Government contemplate to start in the near future in the districts to which the hon. Members belong. In such very serious matters, I think, the Government should be led more by the advice of their experts instead of being guided by the wishes of certain hon. Members who are mere laymen. Secondly, Sir, sites for such mills should be selected in such places which are safe from strategic point of view. They should be located in such localities where we may not have any fear of external troubles and mischiefs. These two points should not be forgotten when deciding the location of such industrial centres. With these words I would request my hon. Friend, Maulavi Md. Maksed Ali, to withdraw his Motion and leave the whole question to the discretion of the Government.

The Hon'ble Srijut GOPINATH BARDOLOI : I think I could tell the hon. Member that this question is being examined. If as is now tentatively reported that there is possibility of improving the cotton of the Garo Hills and the neighbouring areas, it is quite likely that we will establish the cotton mill in the Goalpara district. But as I said already, and Mr. Talukdar has pertinently pointed out that it must be left to the people who know about the thing to make the selection. With these words, I request the hon. Member to see his way to withdraw his Motion.

Maulavi MD. MAKSED ALI : Mr. Speaker, Sir, on getting the assurance from the Hon'ble Premier, 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 MAKABBIR ALI MOZUMDAR: Mr. Speaker, Sir, I beg to move that the provision of Rs.39,25,000 under Grant No.34.—Major head—72.—Capital Outlay on Industrial Development, Minor head—B.—Sugar Industry (total), at page 196 of the Budget, be reduced by Re.1, *i.e.*, the amount of the whole grant of Rs.3,00,00,000 do stand reduced by Re.1.

The object of moving this Motion is to raise a discussion about the desirability of establishing a sugar mill in the district of Cachar.

Sir, I am sadly disappointed by the speech of the Hon'ble Premier, as I feel Cachar is going to be deprived of all industrial schemes. Karimganj was thought suitable for the establishment of a paper mill, but it is going to be deprived of that owing to political consideration. If it is so, then the sugar mill can conveniently be shifted to Katakhal which can cater to the needs of the Province. At Katakhal the raw materials will be available from the neighbouring places like Aijal, Hailakandi, Manipur and the eastern part of the Cachar District. From Haflong also Katakhal will be a central place. As regards sugar mill, Cachar has been found to be a suitable place. Of course, it has been given the third priority. But I think there are vast areas where sugar-cane cultivation can be done and transport facilities are also very good in Cachar. Jirighat was visited by some experts and my hon. Friend, Mr. Deb, accompanied them. They found Jirighat a very good place for the purpose of sugar-cane cultivation and for the establishment of a sugar mill there. Sir, in view of these facts I would request the Hon'ble Premier to see that Cachar is not deprived of such an industrial scheme. With these few words, Sir, I commend my Motion to the acceptance of the House.

The Hon'ble the SPEAKER: Cut Motion moved :

“ That the provision of Rs.39,25,000 under Grant No.34.—Major head—72.—Capital Outlay on Industrial Development, Minor head—B.—Sugar Industry (total), at page 196 of the Budget, be reduced by Re.1, *i.e.*, the amount of the whole grant of Rs.3,00,00,000 do stand reduced by Re.1.”

The Hon'ble Srijut GOPINATH BARDOLOI: Sir, I have very little to add to what I have already said. We have got to go by the advice of experts in all matters ; I feel that we should not quarrel over sites. It is, however, true that Cachar has been put down as one of those places where sugarcane cultivation is possible on a large scale and can possibly feed also a mill. But the main difficulty that has been pointed out is the difficulty of transport. If in the meanwhile transport difficulty is solved, it may be possible to consider the matter again ; but as it stands, Sir, I am afraid we have to accept the opinion of the expert. Nevertheless, as I said just now, if communications improve and transport difficulties are removed, possibly we may consider about it at a stage when it will be possible to do so.

Maulavi MAKABBIR ALI MOZUMDAR: Sir, I find a ray of hope in the speech of the Hon'ble Premier, and with this hope 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 MUHAMMAD ABUL KASHEM: Mr. Speaker, Sir, I beg to move that the provision of Rs. 43,00,000 under Grant No.34, Major head—72.—Capital Outlay on Industrial Development, Minor head—C.—Paper Industry (total), at page 196 of the Budget, be reduced by Re.1, *i.e.*, the amount of the whole grant of Rs.3,00,00,000 do stand reduced by Re.1.

I want to raise a discussion on the selection of sites for establishing paper mills. As we have already got a ray of hope that the case of Karimganj is no longer under the consideration of Government, and Government will have to select some other suitable sites, I would request the Hon'ble Premier to ask the experts to examine whether Kokrajhar in the Goalpara District and Rangapani in the Garo Hills will be suitable for establishment of paper mills, specially Kokrajhar which is connected by train with many places of the district wherefrom large quantities of bamboo can be brought in. There are also river facilities. In pre-partition days Kokrajhar used to export huge quantities of bamboos to Bengal, now this will be stopped and people will be loser if they are not given facilities to sell their bamboos. Similar is the case of Rangapani in the Garo Hills on the Tura-Mankachar Road, wherefrom large quantities of bamboos used to be exported each year to Mymensingh and other districts of Bengal. Now, this has been totally stopped due to Partition. I think that will also be a suitable place. We have seen that a Garo gentleman in the neighbourhood of Rangapani has already made some paper which can be used in time of scarcity. We used that paper, it is quite all right though a bit thick. So, the bamboo that is available there will undoubtedly suit the purpose of a paper mill. I would therefore request Government to consider these sites for establishing paper mills, and with these few words I commend my Motion to the acceptance of the House.

The Hon'ble the SPEAKER : Cut Motion moved :

"That the provision of Rs. 43,00,000 under Grant No.34, Major head—72.—Capital Outlay on Industrial Development, Minor head—C.—Paper Industry (total), at page 196 of the Budget, be reduced by Re.1, i.e., the amount of the whole grant of Rs. 3,00,00,000 do stand reduced by Re.1."

The Hon'ble Srijut GOPINATH BARDOLOI : Mr. Speaker, Sir, I have already said, in reply to the Cut Motion of Mr. Hardman, that on account of the political situation, the unit that was proposed to be fixed at Karimganj had to be abandoned, and a new site will have to be selected. I cannot, however, be as definite as my hon. Friend has been in wanting to locate the paper mills at Kokrajhar in Goalpara district and at Rangapani in the Garo Hills. After all it will be in the hands of the experts to select the site. An expert has already been appointed and I have no doubt that he will investigate the likely site or sites. But as laymen we know one or two things. Paper mills want a large quantity of water for the purpose of washing pulps, and although the water with which they are washed is itself a poison, these mills have got to use a large quantity of water. Therefore it is thought that a place near a river is suitable, being a place where they can let out the water after proper disinfection or some process which they have ; the water after washing can be let out into the river and thereby save a lot of expenditure on that head. I do not know, Sir, whether these considerations will not weigh with experts or manufacturers who would be appointed by Government ; but as I said, I am not in a position to give any definite reply as to particular places where these mills will be located. This question will be examined by the expert and I am sure he will select the best sites. In view of this, Sir, I would request my hon. Friend to withdraw his Motion. If the expert chooses some place in Goalpara as one of the sites, surely that will be selected.

Maulavi MUHAMMAD ABUL KASHEM : Sir, from the assurance that the examination will be made by the expert I beg leave of the House to withdraw the Motion.

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

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

Maulavi MUHAMMAD NAZMAL HAQUE: Mr. Speaker Sir, I beg to move that the provision of Rs.62,50,000 under Grant No.34, Major head—72.—Capital Outlay on Industrial Development, Minor head—D.—Jute Industry (total), at page 196 of the Budget, be reduced by Re. 1, i.e., the amount of the whole grant of Rs.3,00,00,000 do stand reduced by Re. 1.

The object of my moving the Motion is to raise discussion for the establishment of Jute Mill at Goalpara.

Sir, it is rather strange to hear from the Hon'ble Prime Minister that the India Government is hesitating to establish jute industry in Assam. Sir, I think, I shall be correct, if I say that after the partition of India, Assam is the only Province which grows more jute in comparison with other Provinces of the Union. Now if we are to give our raw materials to other Provinces, Assam will surely suffer in respect of this industry. If I say that a mill can be established in Assam, I am correct in this respect because the produce which we get in Assam will be sufficient to feed one jute mill. I also agree with the Hon'ble Premier when he spoke about the jute industry in his answer to a Cut Motion moved by hon. Mr. Hardman. I want to add a few words with regard to location of this industry at Goalpara. Sir, Goalpara is connected by river, road and probably it will be connected by railway with all parts of Assam. All the jute growing centres such as Nowgong, BARPETA, etc., are connected with Goalpara by river. I therefore think Goalpara will be the most suitable place to have a jute mill in Assam. With these words, Sir, I commend the Motion for the acceptance of the House.

The Hon'ble the SPEAKER: Cut motion moved:

“That the provision of Rs. 62,50,000 under Grant No.34, Major head—72.—Capital Outlay on Industrial Development, Minor head—D.—Jute Industry (total), at page 196 of the Budget, be reduced by Re 1, i.e., the amount of the whole grant of Rs. 3,00,00,000 do stand reduced by Re. 1.”

Maulavi MUHAMMAD ABUL KASHEM: Sir, I rise to support the Cut Motion moved by my hon. Friend, Maulavi Nazmal Haque. Already we learnt from the Hon'ble Premier that the Government of India have asked this Government to reconsider the question of establishment of jute mills in certain parts of Assam. We have, Sir, learnt from the speech of the Hon'ble the Finance Minister while he presented the Budget that taking India as a whole our produce is not negligible which comes to about 31 per cent. of the total produce of India. So, Sir, I will ask the Hon'ble Premier to again move the Government of India to materialise the proposal for establishing a jute mill in Assam and if that be accepted, to start a mill in Goalpara. But in case the Government of India do not consider the case sympathetically for the industrialisation of the country and if the Hon'ble Premier takes the move to ask some of the industrialists in Calcutta to establish some industry here in Assam at a suitable place, I think, he will succeed. With these words, Sir, I support the Motion moved by my hon. Friend.

The Hon'ble Srijut GOPINATH BARDOLOI: Mr. Speaker, Sir, I am afraid, I could add very little to what I have already said. As I said, Sir, that the Government of India are against having a jute industry as Government owned concern. We have, therefore, fallen in line with the opinion of the Government of India in view of the uncertainty of the industry. It is not known whether Pakistan will not absorb the entire jute that is produced in Pakistan for their own mills which I hear they are going to set up in Chittagong. In view of the fact that the mills that are already in India may not have enough raw materials,

Government do not sponsor a venture that may be fraught with loss. In such circumstance, Government cannot take a decision for establishing a mill. We, therefore, have fallen in line with the Government of India's advice. But if any private concern comes and establishes a mill, then the question as to whether Government should participate with it so that Government may profit by such participation, will be a matter to be decided then. Of course, final decision in the matter has not yet been taken by Government, but I personally feel that the decision on the lines I have indicated should be a proper decision. In view of this, the hon. Mover's Motion cannot be accepted. I therefore, ask my hon. Friend to withdraw his Motion.

Maulavi MUHAMMAD ABUL KASHEM : By participation does the Hon'ble Premier mean that if a private firm takes up this enterprise it can expect some subsidy from Government ?

The Hon'ble Srijut GOPINATH BARDOLOI : I am afraid, Sir, the question of subsidising big industries cannot be a very serious proposition for Government.

Maulavi MD. NAZMAL HAQUE : On hearing the Hon'ble Premier, Sir, I beg leave of the House to withdraw my Motion.

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

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

Maulavi MD. NAZMAL HAQUE : Mr. Speaker, Sir, I beg to move that the provision of Rs. 7,25,000 under Grant No. 34.—Major head—72.—Capital Outlay on Industrial Development, Minor head—E.—Miscellaneous, Detailed head—Industries, at page 196 of the Budget, be reduced by Re. 1, i.e., the amount of the whole grant of Rs. 3,00,00,000 do stand reduced by Re. 1.

Sir, my intention to move this Cut Motion is to urge upon the Government to establish or to start a tannery at Rakhaldhubi in Lakhipur Police Station in the Subdivision of Goalpara. Sir, it is a place which is surrounded by Muslim villages and where the hides are abundantly available. As this Industry is not liked by our Hindu friends or the Hindu Community, it is desirable that such Industry be established in places, where the Muslims live in a compact area. Every year we find that hides are taken away from this locality to other places. If such an industry is started here, local hides may be fully utilised, and in course of time this place will develop into a tannery centre. This will give impetus to the people of adjoining places to learn the art of this industry.

With these few words, Sir, I move this Motion for the acceptance of the House.

The Hon'ble the SPEAKER : Cut Motion moved :

“That the provision of Rs. 7,25,000 under Grant No. 34, Major head—72.—Capital Outlay on Industrial Development, Minor head—E.—Miscellaneous, Detailed head—Industries, at page 196 of the Budget, be reduced by Re. 1, i.e., the amount of the whole grant of Rs. 3,00,00,000 do stand reduced by Re. 1.”

Maulavi MUHAMMAD ABUL KASHEM : Mr. Speaker, Sir, at page 196 of the Budget under the Head under discussion full details are not given. The opening of a tannery centre will be very profitable to our people. So I would like to ask the Hon'ble Minister in charge and the hon. Members of this House to see that this work of experiment is begun and accept the Motion moved by my hon. Friend.

Srijut BELIRAM DAS: I beg, Sir, to oppose this Motion of Mr. Nazmal Haque because there are already some tanneries started in the different parts of the Province and so instead of starting new centres of such industry, the existing ones in the Province should be encouraged by giving them proper subsidies to make them a complete success. The people will derive greater benefit from these tanneries if such State aids are granted to the existing tanneries within the Province.

* **Srijut DHARANIDHAR BASUMATARI**: Sir, the hon. Member is not in order while he is speaking from a different seat other than his own (*laughter*).

The Hon'ble the SPEAKER: Where is your seat? (*great laughter*). Yes, the hon. Member is not in order. Hon. Members are to address the House from their seats. (The hon. Member then came back to his own seat).

* **The Hon'ble Srijut GOPINATH BARDOLOI**: Sir, the Parliamentary Secretary who is in charge of this Department will reply on my behalf.

* **Srijut BIMALAPROSAD CHALIHA (Parliamentary Secretary)**: Sir, I would like to reply on the Motion just now moved.

At the first instance I like to say that this Motion has drawn the attention of this House to a very important industry for which there is great scope in Assam. According to the industrial policy of this Government, this Government has decided to grant financial aid to this kind of industry. At present we have two tanneries, one at Gauhati and the other at Tinsukia and some negotiations are going on as to how best the Government can help this industry in Assam. In some Provinces in India efforts have been made to develop this industry on the line as a cottage industry. But so far as Assam is concerned, it seems there is no such possibility to develop this industry to that level in the immediate future. There is of course possibilities of leather manufacturing cottage industry. With regard to the particular place the hon. Mover of the Motion mentioned for opening a centre of tannery, the matter has got to be examined. If some private parties try to develop this tannery there Government will consider how best such an enterprise can be helped. Srijut Beliram Das has suggested that instead of starting new centres to be undertaken, the existing ones in the Province should be helped for their development. This is really a good idea.

When Government is taking keen interest in such industry for its development in the Province I would request the hon. Mover to please withdraw his Motion.

Maulavi MUHAMMAD NAZMAL HAQUE: Sir, on the assurance given by the Parliamentary Secretary, 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 MUHAMMAD ABUL KASHEM: Sir, I beg to move that the provision of Rs. 7, 25,000 under Grant No. 34, Major head—72.—Capital Outlay on Industrial Development, Minor head—E.—Miscellaneous, Detailed head—Industries, at page 196 of the Budget, be reduced by Re. 1, *i.e.*, the amount of the whole grant of Rs. 3,00,00,000, do stand reduced by Re. 1.

*Speech not corrected.

The object of my Motion is to urge for making adequate provision for imparting education in Weaving, Carpentry, etc. in the "Gauhati Technical Institute at Mankachar."

We have already stated, Sir, that the District of Goalpara is very backward in all respects, especially in respect of industries. So, just to give an idea of these, the people of Mankachar, one of the most backward places in Assam, decided to start one technical institute named "Gandhi Technical Institute" to be run by them for imparting education in Weaving, Carpentry and Cane work to the people of that area. In this connection the people of that place have already started raising of a fund. But if the Government provide subsidy to this institute then it can be started from the next year. So I would request the Hon'ble Prime Minister and the Parliamentary Secretary to see that in such an extreme corner of the Province we can get help from the Government just to encourage this institute and then, for weaving purpose, cotton, for carpentry purpose, timber and for cane work, cane may be made available from the neighbouring places.

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

The Hon'ble the SPEAKER: Cut Motion moved:

"That the provision of Rs.7, 25,000 under Grant No.34, Major head—72.—Capital Outlay on Industrial Development, Minor head—E.—Miscellaneous, Detailed head—Industries, at page 196 of the Budget, be reduced by Re. 1, i. e., the amount of the whole grant of Rs. 3,00,00,000 do stand reduced by Re. 1."

***Srijut BIMALAPROSAD CHALIHA (Parliamentary Secretary):** Mr. Speaker, Sir, I would like to reply to my hon. Friend, Maulavi Abul Kashem. I am very glad to hear from the hon. Member that the public of Mankachar have undertaken to establish a Technical School at Mankachar. This Government realise the importance of technical education in the matter of improving the lots of the mass people and we thank the hon. Member and his colleagues for proceeding on these lines. It has been the custom with this Government to help such enterprises with industrial grants and also providing Instructors wherever possible. This institution, as has been said by my hon. Friend, is still in embryo and when it is going to start we shall certainly examine how best we can help the institution. While wishing success to the enterprise I would request my hon. Friend to withdraw his Motion.

Maulavi MUHAMMAD ABUL KASHEM: Mr. Speaker, Sir, with the kind assurance of help given by the hon. Parliamentary Secretary, 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.

I will then put the original Motion.

The Question is:

"That a sum not exceeding Rs. 3,00,00,000 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 '72.—Capital Outlay on Industrial Development'."

The question was adopted.

GRANT No. 10

"25.—General Administration"

The Hon'ble Srijut GOPINATH BARDOLOI: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs. 39,85,600 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—"25.—General Administration".

The Hon'ble the SPEAKER: Motion Moved :

"That a sum not exceeding Rs. 39,85,600 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 '25.—General Administration'."

There are seven Cut Motions to this Grant.

Maulavi MD. NAZMAL HAQUE: With regard to No. 2, I do not like to move it, Sir.

Maulavi MUHAMMAD ABUL KASHEM: Mr. Speaker, Sir, I beg to move that the total provision of Rs. 39,85,600 under Grant No. 10, Major head—25.—General Administration, at page 56 of the Budget, be reduced by Re. 1, *i.e.*, the amount of the whole grant of Rs. 39,85,600 do stand reduced by Re 1.

Sir, I brought in this Cut Motion to raise a discussion as to the ways and means which the authorities should adopt in the new political set up so that the minority community or race may have nothing to fear from the hands of the majority community or the police as instances have occurred which were hitherto unknown in peaceful Assam.

After partition of India there has been a change in the attitude of the officials and in some cases of non-officials as well and the minority community are being given trouble and difficulties unnecessarily. For instance, I may say that in the district of Goalpara, for hoisting white flags on the houses of some people in pursuance of a certain amount of superstition—I may inform the House that there is some sort of superstition in the minds of some people that hoisting of white flags will drive away epidemics, etc.

Srijut SARAT CHANDRA SINHA: On a point of information, Sir, was there any hoisting of white flags on previous occasions?

(Voices—No—No.)

Maulavi MUHAMMAD ABUL KASHEM: Yes, Sir, there was. For this some of the members of the minority community have been dragged to police station and have been insulted there. Also there are instances of cattle belonging to members of the minority community have been forcibly sold at reduced rates by the Dhubri Congress President because the Congress President thought that they would be taken out of India. He ought to have informed the authorities instead of taking the law into his hands and he sold the cattle at such a reduced price which was about 50 per cent. below the actual market price. And there are also instances that the military personnel stationed at different places are not being properly with the minority community. Whatever had happened is probably well known to many of my hon. Friends coming from the district and also to the Hon'ble Premier.

As to the hoisting of white flags, my hon. Friend, Mr. Sinha, questioned whether this was done in previous years. In certain places it used to be done. White flags with certain Arabic inscriptions used to be hoisted at top of houses, as I said, to get rid of some sort of evil or epidemic diseases.

Srijut SARAT CHANDRA SINHA : On a point of information, Sir, was there any epidemic in that locality at the time ?

Maulavi MUHAMMAD ABUL KASHEM : That is rather a stronger reason why more white flags should be hoisted in order to avert the evil. Sir, I would like to make a suggestion to all Members of the House coming from this subdivision along with the Subdivisional Magistrate to have some sort of a committee to go into the case of the minority community and their report will be submitted to the Deputy or Subdivisional Magistrate and the Subdivisional Officer or District Magistrate as the case may be will call a meeting on a suitable time and will discuss the matter and if a particular officer is found guilty of misconduct then they may forward the case for necessary action.

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. 39,85,600 under Grant No. 10, Major head —25.— General Administration, at page 56 of the Budget, be reduced by Re. 1, i.e., the amount of the whole grant of Rs. 39,85,600 do stand reduced by Re 1.”

Adjournment

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

After lunch

The Hon'ble the SPEAKER : We were discussing Cut Motion No.5. Any hon. Member taking part ?

Srijut SARAT CHANDRA SINHA : মাননীয় সভাপতি ডাঙৰীয়া, মৌলবী আৰু কাছিম চাহাবে যি প্ৰস্তাৱ তুলিছে মই তাৰ বিৰোধিতা কৰোঁ। বগা নিচান উৰুৱা বুলি তেওঁ যি প্ৰস্তাৱটো উত্থাপন কৰিছে মই সেই প্ৰস্তাৱটো আলোচনা কৰিবলৈ থিয় দিছোঁ। আমি এই বছৰৰ আগেয়ে এনেকুৱা বগা নিচান দেখা নাছিলো। যোৱা বছৰো দেখা নাই তাৰ আগৰ বছৰো দেখা নাই—দহ বছৰ আগেয়েও দেখা নাই ; কেবল এই বছৰতহে বিশেষভাবে এই বগা নিচানবোৰ দেখিবলৈ পাইছোঁ। ইয়াৰ ভিতৰত কি উদ্দেশ্য নিহিত আছে সেইটো মই বহলাই আলোচনা কৰিব নালাগে। আজিৰ পৰিষদত যিবোৰ যুক্তি দিয়া হল সেইবোৰ হবই নোৱাৰে। যিবিলাক পনুৱাই এই বগা নিচান উৰুৱাইছে তেওঁলোকক স্মিলে বুজা যায় যে আজিৰ পৰিষদত যিবিলাক যুক্তি দিয়া হৈছে সেই যুক্তিবিলাক প্ৰকৃত কথা লুকাবলৈহে দিয়া হৈছে। তেওঁলোকে সেই জিলাখনক পাকিস্থানৰ অন্তৰ্ভুক্ত কৰাৰ আশা এতিয়াও এৰা নাই। পাকিস্থানপন্থী সকলক বগা নিচান উৰুৱাবলৈ নিৰ্দেশ দিয়া হৈছে। বগা নিচান উৰাইছে—এই অঞ্চলটো nationally Pakistan অৰ্থাৎ মনোভাৱৰ ফলৰ পৰা পাকিস্থানৰ অন্তৰ্ভুক্ত কৰিবলৈ। এই কথা অসমীয়া ভাষা গ্ৰহণ সম্বন্ধেও,—ঠিক একে বকমেই শুনিবলৈ পাইছোঁ বহুত পনুৱা অসমীয়া গ্ৰহণ কৰিবলৈ ইচ্ছুক হৈছে। বহুত ঠাইত, বিশেষকৈ মোৰ ওচৰত থকা পনুৱা সকলে বিশেষভাবে এই মত পোষণ কৰে যে এই দেশ আমাৰ দেশ, ইয়াৰ ভাষাই আমাৰ ভাষা, ইয়াৰ কৃষ্টিই আমাৰ

কৃষ্টি। তাক গ্রহণ কৰিবলৈ আমাৰ অলপো আপত্তি নাই। কিন্তু যেতিয়া তেওঁলোকৰ স্কুল বিলাকত অসমীয়া চলোৱা হ'ল, তেতিয়া দেখা গ'ল, পাকিস্তানৰ পৰা অহা দেওৱাণী, মৌলবীসকলে কুপ্ৰচাৰ কৰিবলৈ আৰম্ভ কৰিলে যে যদি তেওঁলোকে অসমীয়া ভাষা গ্ৰহণ কৰে, তেনেহলে পাকিস্তানলৈ যোৱাৰ সুৰ মৰিব। এই ধৰণৰ কুপ্ৰচাৰ এতিয়াও চলি আছে। আমি ডাঠি ৰখ পাৰোঁ। যে বগা নিচান উক্ৰাত কুসুস্কাৰ থাকিব পাৰে, কিন্তু কেৱল যে সেইটোৱেই যে এক মাত্ৰ কাৰণ, এনে নহয়। ইয়াৰ ভিতৰত ওকতৰ ৰাজনৈতিক উদ্দেশ্য নিহিত আছে।

গৱৰ্ণমেণ্টে তদন্ত কৰি যি ব্যৱস্থা অৱলম্বন কৰিছে সেইটো ঠিক হোৱা নাই, অলপ চিলা হৈছে। এনে অৱস্থাত কঠোৰ ব্যৱস্থা অৱলম্বন কৰিব লাগে। তেনে ব্যৱস্থা অৱলম্বন নকৰিলে নানা বকমৰ অশান্তি আৰু বিশৃঙ্খলা সৃষ্টি হোৱাৰ যথেষ্ট কাৰণ আছে। তেখেতে minority community ৰ ওপৰত জুলুম হৈছে বুলি আশঙ্কা কৰিছে। আৰু সেই ভয় কৰি এই Cut Motion টো আনিছে। মই ভাবো অসম গৱৰ্ণমেণ্টৰ তলত থাকি এনেকুৱা এটা Cut Motion অনা নিতান্ত অন্যায হৈছে। কাৰণ, অসমত কতো minority ৰ ওপৰত জুলুম হোৱা নাই, অবিচাৰ হোৱা নাই। জুলুম হৈছে—এনেকুৱা ঘটনাৰ কথা উল্লেখ কৰি তেখেতে এটা উদাহৰণো দিব নোৱাৰে। গতিকেই তেখেতে যিটো প্ৰস্তাৱ দাঙি ধৰিছে, মই তাৰ বিৰোধিতা কৰোঁ। আৰু গৱৰ্ণমেণ্টে এই বিলাক বিষয়ত কঠোৰভাবে ব্যৱস্থা অৱলম্বন কৰিব লাগে বুলি কওঁ। গৱৰ্ণমেণ্টে যাতে যথাবিহিত কঠোৰ ব্যৱস্থা অৱলম্বন কৰে তাৰ বাবে আকৌ গৱৰ্ণমেণ্টক অনুৰোধ জনাওঁ।

Maulavi MD. NAZMAL HAQUE: Mr. Speaker, Sir, I take my stand to support the Motion and to oppose what Mr. Sinha has said. At the very outset I should say that the whole thing has been misunderstood, because there is a suspicion in him which makes him think like that. From our experience we know how things were going on. Perhaps Mr. Sinha did not see this before, but it was the habit among the Muslim villagers to hoist these flags to scare away epidemics. Sir, may I ask whether the white flag is a sign of the State of Pakistan? Certainly it is not.

As regards language, I should ask whether the Bengali speaking Hindus do like to go to Pakistan by claiming to retain their languages? Both Hindus and Muslims who speak Bengali are trying to retain their mother tongue. This does not mean that they like to go to Pakistan.

Now, Sir, there is no harm to form a Committee of non-officials to enquire into the atrocities or anything which is done and of which the minority communities are afraid of. We will not incur any expenditure of the Government for this.

We the representatives will sit together and see whether some wrong is done to the people or not and if any wrong is done to the people, it will be brought to the notice of the Government for taking necessary action.

I therefore submit that a non-official committee should be formed with the representatives of all communities to protect the rights and interests of the minority communities so that all may live in peace. With these words I support the Motion.

The Hon'ble Srijut GOPINATH BARDOLAI: Sir, speaking frankly, I have not been able to understand the implication of this Cut Motion. In the first place, I do not know how it has been proposed to be put in this voting for the Demand that I have made. It will be found that details that have been put down there relate to the expenditure heads of administration, and I do not see any reason how this Motion could have been moved in the Assembly. But since the debates have already taken place and points have been raised I would like to give a reply. The Motion is that the authorities should adopt in the new political set-up such ways and means that the minority community may have nothing to fear from the hands of the majority

community. This is the specific term of the Motion. In the first place, this Motion assumes that there are some distinct majority community at the hands of which the minorities should receive special consideration. If you just analyse the population of Assam you will find there is hardly any community in Assam which may be called the majority community. I do not know whether this fact is known to the hon. Mover. In Assam there is no community which may be called a majority community in which the population of one community is predominantly more than the population of another community. But if the object of the Cut Motion is to adopt measures for a kind of Government in which peace and amity between different communities is the aim, I could reply that the safety of a State and the maintenance of law and order must be the first consideration of every Government towards that end, and that no Government could be called a Government unless it was fully alive to the maintenance and safety of the State on the one hand and the maintenance of orderly state of society on the other. If in discharging this responsibility of Government any particular community is to receive certain kind of treatment at the hands of Government it is not the Government who should be blamed, but it must be understood that the State had to adopt certain measures for the anti-State action of certain people. It has been argued by the hon. Mover that there were white flags, on certain houses, that nobody knows the implication of these white flags, and yet Government sent Police and Military into the area and thereby caused fear in the minds of the minority communities. I would not like to place before the House the State secret, but I could tell the hon. Members of this House without divulging any secret, that the sending of some Military—not a very large number—and the special Police was essential in the circumstances of the case. We had caused enquiries to be made about the white flags which appeared suddenly in different places. It was explained by some that they were raised as a kind of prevention or some kind of measure against the epidemic of cholera. But how was that they were also found in the Darrang district, in Nowgong, and in some places in the Kamrup district also? So Government had to enquire what the meaning of these white flags was. The conclusion that they came to was that these were signals of places where Muslim Leaguers from outside the Province might have safe homes or place of refuge in case Pakistan meant any mischief. Accordingly the Government thought that some action was necessary. And it was only after Government was fully satisfied that some action was necessary that these steps had to be taken. But my hon. Friend, in spite of what he has said, has not been able to point out one case where specific high-handedness was adopted. The Military and the Police were sent there to watch the situation and to protect the people. Therefore the action that was taken in that behalf could never be said to be action of majority against minority or of any kind of high-handedness in that behalf. The action that was taken was meant for the safety of the State and to make the people feel that they remained in safety and security. The action that Government had taken must be taken by every Government as it is the primary duty of every Government. Therefore there cannot be any apprehension on the part of the minority to think that any wrong was done to them if they are loyal to the State. I think it would be admitted by everybody that this Government is not discriminating between one community and another in Governmental activities. It has been the constant and abiding endeavour of this Government to see that scope for work is given to all communities. We claim a little indulgent consideration of the House in this that we could fairly claim to be one of the few Provinces of India which has been able to maintain the

kind of communal harmony which has not been the lot of many Provinces outside Assam to share. I surely congratulate the members of all communities for this. It is a great honour to this Province and that fact is being recognised throughout India. I believe, Sir, if we continue to maintain the outlook of loyalty to the State and perform duties which the State wants of us, I do not think, Sir, this harmony which has been our pride, which has been our privilege, will in any way be jeopardised.

I, therefore, feel, Sir, that there is hardly any justification for the fears which my hon. Friend has entertained in respect of the treatment of minorities, if they are loyal to the State. As I said, there are hardly any minorities in the Province and that is, I suppose, to the best interests of the Province. Nobody can rule over anybody on account of the number of any community and that has probably been one of the reasons why we have lived in such peace and in such amity. With these few words, Sir, I would request my hon. Friend to withdraw his Motion.

Maulavi MUHAMMAD ABUL KASHEM: Sir, we have got assurance from the Hon'ble Premier that no injustice will be done to any community. But before asking for leave to withdraw my Motion I would request Government that they should not depend merely on Police reports and distrust us. I would rather ask the Hon'ble Premier to see that in a case like this or in any major incident, enquiries should be made either by some Members of the Legislature or by some member of the Government, so that we can get opportunities to represent our case. The Police and the Criminal Investigation Department want that distrust between communities should continue and that is why.....

The Hon'ble the SPEAKER: I cannot allow the hon. Member to make any more speech.

Maulavi MUHAMMAD ABUL KASHEM: I am withdrawing my Motion with a request to Government to take notice of all the points I raised. With these few words, 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: Cut Motion No.6.

Maulavi MUHAMMAD ABUL KASHEM: I do not like to move this Motion, Sir.

The Hon'ble the SPEAKER: Cut Motion No.7.

Maulavi MD. NAZMAL HAQUE: I don't like to move it, Sir.

The Hon'ble the SPEAKER: Then I am now putting the Demand as a question. The question is:

"That a sum not exceeding Rs.39,85,600 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 '25.—General Administration'"

The question was adopted.

Curtailement of the days fixed for the Budget Session

Srijut PURNA CHANDRA SARMA: Mr. Speaker, Sir, I rise to say a few words about the continuation of this Session up to 10th of April. Many hon. Members have asked me to represent to you to see if the Session could be shortened by at least three or four days. I have had some discussion with the Secretary and I think that we can Shorten the Session by at least three or four days.

The Hon'ble the SPEAKER: Will the hon. Member kindly show how this can be done ?

Srijut PURNA CHANDRA SARMA: Sir, firstly, voting on Demands for Grants continue up to the 29th, but we expect that this voting will be finished on the 27th. Then we find that four days have been allotted for Private Members' Business. I think we can finish Private Members' Bills and Motions in two days.....

The Hon'ble the SPEAKER: What about Resolutions ?

Srijut PURNA CHANDRA SARMA: These we have been taking every day after Government Business is over and I think the Resolutions will also be finished. In view of this, Sir, I think that the whole Business can be finished by the 6th April. I have had a discussion with the Secretary and I think this can be adjusted. Many hon. Members have asked me to put it before you.

The Hon'ble the SPEAKER: We should take the sense of the House in this matter. What does Mr. Hardman say ?

Mr. J. S. HARDMAN: I have no objection to meet the wishes of the hon. Member, Sir.

Maulavi ABDUL HAI: From our side, Sir, we have also got no objection.

The Hon'ble the SPEAKER: Are you prepared to give up Non-official Business ?

Maulavi ABDUL HAI: Perhaps we can finish Non-official Business by that time because we are getting extra time for it after the disposal of Cut Motions.

The Hon'ble the SPEAKER: Then you agree on the condition that the Non-official Business is finished by that time.

The Hon'ble Srijut GOPINATH BARDOLOI: I suppose, Sir, it is necessary for Government to clear the position. Government are very anxious to finish their agenda and we can agree to the suggested shortening of the Session only if there is no interference either according to Rules or according to procedure to having our Business finished in time. In this connection it is necessary for me to mention one thing: I did not mention this before,

as the matter has not yet been finalised. I would have requested you, Sir to adjourn the proceedings of the 5th April till the 7th on account of the fact that Government are proposing to open the High Court on that date. Final arrangements have not yet been arrived at regarding appointment of the Chief Justice and other attendant matters. But we thought of requesting you whether you could not adjourn the proceedings of that day till the 7th. I am mentioning this fact because in arriving at a decision this may be borne in mind. If the House is agreed that we should adjourn earlier, I suppose it will be for the Leaders of the Parties to sit together with the Secretary and revise the programme with a view to accommodating Government as well as Private Members' Business consistent with the period of time which we want to omit from the programme. Subject to this we would have no difficulty in agreeing to cutting down the programme by a few days if it were possible.

The Hon'ble the SPEAKER: I think, the Hon'ble the Leader of the House and the Leaders of the various Parties should meet together and after consultation inform me on the 26th as to how it would be feasible to curtail the Session. On the 5th we are told that there is the opening of the High Court. That is a very important matter for Assam. I think, the Hon'ble Prime Minister and other Ministers will have to attend the function. Seventh is a recess day. If the hon. Members are prepared to sit on the 7th we may close on the 5th. Any way, the hon. Leaders of different Parties may sit sometime to-morrow and come to a decision and inform me on the 26th or on the 27th as to whether it will be possible to shorten the Session, if possible, before the 5th. When does Mr. Hardman propose to sit ?

Mr. J. S. HARDMAN: I have no objection to sit any time—it may even be to-day after the Session.

The Hon'ble the SPEAKER: It will take about half an hour, I think, and not more than that. So we may sit after we break up to-day.

Grant No.1

“4.—Taxes on income other than Corporation Tax”

The Hon'ble Srijut BISHNURAM MEDHI: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs.50,300 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—‘4.—Taxes on Income other than Corporation tax.’

The Hon'ble the SPEAKER: Motion moved :

“That a sum not exceeding Rs. 50,300 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—‘4.—Taxes on Income other than Corporation tax.’”

There is no Cut Motion.

(After a pause)

It appears no hon. Member is going to take part in it and so I am putting the question.

The question is :

"That a sum not exceeding Rs. 50,300 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—'4.—Taxes on Income other than Corporation tax'."

The question was adopted.

GRANT No. 26

16B. Navigation, Embankments and Drainage Works, 39—Public Health and 50—Civil Works

The Hon'ble Rev. J. J. M. NICHOLS-ROY : On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs. 14,75,800 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—'18-B.—Navigation, Embankments and Drainage Works, 39.—Public Health and 50.—Civil Works.'

The Hon'ble the SPEAKER : Motion moved :

"That a sum not exceeding Rs. 14,75,800 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—'18-B.—Navigation, Embankments and Drainage Works, 39.—Public Health and 50.—Civil Works'."

There is no Cut Motion.

(After a pause)

It appears no hon. Member is taking any part. So I am putting the question.

The question is :

"That a sum not exceeding Rs. 14,75,800 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—'18-B.—Navigation, Embankments and Drainage Works, 39.—Public Health and 50.—Civil Works'."

The question was adopted.

GRANT No. 7

12.—Charges on account of Motor Vehicles Taxation Act

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. 5,59,900 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—'12.—Charges on account of Motor Vehicles Taxation Act'."

The Hon'ble the SPEAKER : Motion moved :

"That a sum not exceeding Rs. 5,59,900 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—'12.—Charges on account of Motor Vehicles Taxation Act'."

There are two Cut Motions. Dr Emran Husain Chaudhury may move his Cut Motion No. 1.

Dr. EMRAN HUSAIN CHAUDHURY : Mr. Speaker, Sir, I beg to move that the total provision of Rs. 5,59,900 under Grant No. 7, Major head—12.—Charges on account of Motor Vehicles Taxation Act, at page 47 of the Budget, be reduced by Re. 1, *i.e.*, the amount of the whole grant of Rs. 5,59,900 do stand reduced by Re. 1.

By this Motion I want to raise a discussion regarding the difficulties experienced by travellers by buses due to lack of proper control.

Sir, on a number of occasions I raised questions in the House regarding the hardships experienced by travellers in buses. Sometimes the answers given by Government were not satisfactory. As a frequent traveller in buses unlike Hon'ble Members of the Cabinet, Sir, I could assure Government that it is nearly always that the buses are either over-loaded or the passengers over-charged. There is no proper checking of buses, Sir. There is no knowing when the buses would leave their stations and as soon as these buses have left their stations and are out of sight of the police, the over-loading business begins. I might be asked by Government to give specific examples. From one or two cases, Sir, I do not like to generalise, but actually I have found on many occasions that buses are over-loaded and passengers harassed. That is why, Sir, I have been compelled to refer to this again on the floor of this House. On one occasion in the last week of February, 1946 I brought a serious matter to the notice of the Police Officer on duty. He took out a pencil and took down some note and assured me that a case would be instituted, but since then I have heard nothing.

The Hon'ble Srijut OMEO KUMAR DAS : Where did it happen ?

Dr. EMRAN HUSAIN CHAUDHURY : At Jorhat.

Therefore, I am raising this Cut Motion in order to draw the attention of Government to the hardships that are actually experienced by travellers in buses. I hope, Government will consider the points that I have urged in my speech.

The Hon'ble the SPEAKER : Cut Motion moved :

“That the total provision of Rs. 5,59,900 under Grant No. 7, Major head—12.—Charges on account of Motor Vehicles Taxation Act, at page 47 of the Budget, be reduced by Re.1, *i.e.*, the amount of the whole grant of Rs. 5,59,900 do stand reduced by Re.1.”

Srijut KARKA DALAY MIRI : মাননীয় সভাপতি ডাঙৰীয়া, মই এই প্ৰস্তাৱটোৰ সম্বন্ধে কেই আঘাৰমান কৰ খোজোঁ। বৰ্তমান Bus ৰ কাৰণে কিমান অসুবিধা হৈছে তেওঁলোকে জানে যিসকলে ভ্ৰমণ কৰে। মই বিশেষকৈ কব পাৰো নিয়ামাটৰ পৰা যোৰহাটৰ কথা। তাত ইমান অসুবিধা হৈছে যি সকলে Bus ত travel কৰিছে তেওঁলোকে বুজিব পাৰিছে। তাত চলা অসন্তৰ হৈছে। য'ত ৩০৪০ জন মানুহ যাব তাত ৫০ জন মানুহ যোৱা মই নিজে দেখিছোঁ। আৰু মৰিয়নিৰ পৰা যোৰহাট Bus service ৰ যিবিলাক Bus আমাৰ অসমীয়া মানুহে চলায় সেই বিলাকত কিছুমান সুবিধা পোৱা যায়। কিন্তু পাঞ্জাবী বিলাকে বে care হৈ চলায় আৰু passenger ক নানাৰকমৰ গালি দিয়ে আৰু অপমান কৰে। ইয়াৰ বাহিৰে আৰু কি কৰে— বাটত অৰ্থাৎ আধা বাটত মানুহ ললে full charge কৰে। আৰু অনেক বকমৰ অসুবিধা আৰু কিমান অপমান তেওঁবিলাকে জানিছে যি বিলাকে এই বাটত ফুৰিছে। কাজেই গবৰ্ণমেণ্টক মই অনুৰোধ কৰিব খোজোঁ সেই বিষয়ে গবৰ্ণমেণ্টে যাতে ব্যবস্থা লয়।

Srijut NILMANI PHOOKAN : Sir, I have one word to speak in a way of suggestion to the Hon'ble Minister-in-charge of the matter under reference. The criticisms that have been levelled against the buses are actually true and to remove these difficulties, if the Government make certain enquiries at the

time of settlement of the buses or issuing permits for them, as to who are the actual owners of the busses and whether they are actually the public carriers or it is a business proposition for them,—if all these are properly looked into, the situation might at least be improved to some extent. As regards buses from Niamati to Jorhat, it will not be very difficult for Government to find out whether there is actually over-loading or not. You can, Sir, take a number of tickets that are daily issued by the ferry steamer and from the average number of buses that ply between Niamati and Jorhat, and it will be apparent to the hon. Members of the House whether the objection that has been raised by the hon. Mover of the Motion is correct or not. I think it will be proved to the hilt that buses are everyday overloaded. It is a piteous site to see little children in the hands of their mothers running to catch seats somehow or other and fail. The whole system must be overhauled. The settlement of buses must be made with the real public carriers and not with those who run the buses as a business or commercial proposition, and rickety buses should not be allowed to be plied. When things of this sort are going on Government should take note of it and see that there is a necessity of overhauling the system of issuing permits and the system of regulating the passing of buses should be strictly followed.

The Hon'ble Srijut GOPINATH BARDOLOI : Mr. Speaker, Sir, in place of the Hon'ble Minister-in-charge I feel it necessary to explain to the House certain policy which Government have taken for removal of the difficulties, which the hon. Member has made the subject-matter of this Cut Motion. Government are quite prepared to accept the fact that passengers in the private buses suffer difficulties. But it has got to be seen that the permits for these buses are given not by Government but by a body which is known as the Regional Transport Authority. It is expected that this Authority exercises its function having due regard to all that is necessary to ensure the convenience of the passengers. The second thing from which the people naturally suffer is for the want of proper vigilance by the police who are expected to look after the traffic in roads and routes. Here also the hon. Member has raised another matter which call for information from Government. It is, I believe well recognised that the police are too much taxed with law and order duty now and although there are police for the purpose of road traffic, the supervision that is to be exercised over their work is not up to the standard necessary to afford proper convenience to the passengers. Government therefore are considering how best they can cause removal of all these difficulties that are now felt. Government are actively considering the question of taking over passenger and even goods traffic on certain routes or roads, which can be classified under three categories. The first category will be those roads the transport of which will be managed entirely by Government. The second category will be those classes of roads for the running of which, co-ordination with the railway authorities may be necessary, and the Government and the railway authorities will take the responsibility for running the traffic over the roads. The third category will be those for which the Government with the Railway will throw open to the existing or future private parties a certain percentage of share in the business known as tripartite arrangement. In these lines the Government, private individuals and owners and the railway authorities will work together for running the traffic under a common Directorate and common supervision. I may state for the information of the House that the decision in respect of the third category is a tentative one as to finalise this decision it will take probably some time, involving as the Scheme does three parties. Government, however, recognise that unless such measures are taken, difficulties which have been mentioned by my hon. Friend over there cannot be properly solved.

Regarding the Police looking after the administration of these routes, Government are also considering as to whether the Police should not altogether be eliminated from this Province of transport administration. In some other Provinces, the hon. Members may know, these duties have been taken over by the Transport Department who are making arrangements to eliminate altogether the Police from the Department. At present the Police do a lot of work in connection with Transport. Permits for petrol and as I have said, traffic control and other matters also are now administered through the Police Superintendents in various districts. As a matter of fact even in the Regional Transport Authority, which I have mentioned before, the Police Superintendents always work as Secretaries. So, this Department is exercising very large functions in the administration of transport in the Province at present. Government are considering how far the Police Department could be altogether eliminated from this administration. I hope, Sir, we shall have better times so that there will be no room for complaint of the hon. Member. At present an experimental transport is running between Nowgong and Gauhati and from the reports I have received so far, I find that the inconveniences and difficulties which the hon. Member made mention are not there.

In view of what I have said, I hope the hon. Mover will withdraw his Cut Motion.

Dr. EMRAN HUSAIN CHAUDHURY : I am glad I have been able to draw the attention of the Government to the hardship caused to the passengers of these buses and in view of the assurance given by the Hon'ble Premier that he will look into the matter, 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 : Motion No. 2 stands in the name of Maulavi Muhammad Abul Kashem. The hon. Member may move.

Maulavi MUHAMMAD ABUL KASHEM : Mr. Speaker, Sir, I beg to move that the total provision of Rs. 5,59,900 under Grant No.7, Major Head—12—Charges on account of Motor Vehicles Taxation Act, at page 47 of the Budget, be reduced by Re. 1, *i. e.*, the amount of the whole grant of Rs. 5,59,900 do stand reduced by Re. 1.

Sir, I brought this Cut Motion to raise a discussion on the necessity of doing away with discrimination in granting permits to the citizens of the Province for political differences. Of course, it is painful to raise such a discussion on the floor of this august House. I want to bring to the notice of the Government that in future such things must not happen and I want only to give one instance. Of course, I feel ashamed to speak, but there is no alternative since I have already brought in this Cut Motion.

In the last meeting of the Lower Assam Regional Transport Authority there was a petition of mine for a public carrier and I know from the hon. Member who happens to be a Member of this House as well as of the Provincial Transport Authority that on objections raised by the Superintendent of Police, Dhubri, due to political reasons, the permit was not given to me. Of course in my case it has been definitely settled, but I would like to bring to the notice of the

Government on behalf of other persons who have been similarly treated. In this connection I would ask the Hon. Minister in-charge to give directions to those concerned to grant permits to the petitioners for vehicles without making any discrimination in future, but to decide the matter according to merit and give permits to those who actually require to run the buses and not to do injustice to one section of the people because of political differences. Sir, in spite of political differences, we can assure you that there is no such political movement against the State. Whatever that might be, since the Congress Party are running the Government you know, Sir, there must be some sort of an opposition. You also would like that some sort of organisation should continue and moreover our Political Organisation which is based on communal basis has also been dissolved. In view of this, I would request the Hon'ble Minister to accept the proposal I have given him just now and also I would request all the hon. Members to support the Motion which I now commend to the acceptance of the House.

The Hon'ble the SPEAKER: Cut Motion moved :

‘That the total provision of Rs. 5,59,900 under Grant No. 7, Major Head—12.—Charges on account of Motor Vehicle Taxation Act, at page 47 of the Budget, be reduced by Re. 1, i. e. the amount of the whole grant of Rs. 5,59,900 do stand reduced by Re.1.’

Does any hon. Member wish to take part ?

Srijut HEM CHANDRA HAZARIKA: মাননীয় সভাপতি মহোদয়, তেখেতে এই Cut Motion আনি যি কথা কৈছে এই সন্দেহ মই তেখেতৰ motion ব বিবোধিতা কৰিছো। তেখেতে কৈছে যে political কাৰণে তেখেতক permit দিয়া হোৱা নাই। সেই বিষয়ে মই কব খোজো এই ভাষ্য সংবাদ তেখেতক কোনে দিলে? তেখেতৰ এই কথা মিছা আৰু অসত্য। সভ্য সকলে তেখেতৰ লগত ৰাজনৈতিক মতৰ বিতৰ্ক কাৰণে এই permit দিয়া নাই, সি মিছা আৰু অসত্য অপবাদ। আৰু এই permit দিয়া সম্পৰ্কে সম্প্ৰদায় বিবেচনা কৰা হয় বুলি তেখেতক কোনে কলে? এজনকো মই সভা হোৱাৰ পিছত এনেকুৱা সম্প্ৰদায় হিচাপে regional transport authority ব permit কেতিয়াও দিয়া হোৱা নাই। যদি কোনোবাই তেখেতক এনে মিছা সংবাদ দি থাকে তেনেহলে মই কওঁ সেই কথা মিছা আৰু তেখেতে এনেকুৱা এটা মিছা কথা উঠাইছে। যদি তেখেতে নিজে permit নাপায়েই তাৰ কাৰণে এটা ভুল কথাতে তেনেকুৱা এটা ভুল বাতৰিৰ ওপৰত নিৰ্ভৰ কৰি এটা ভুল কথা কৈছে যেহেতু assembly ব সভ্য এজনে এটা মিছা ভিত্তিৰ ওপৰত মিছাকৈ এই assembly ব বহুমূলীয়া সময় নষ্ট কৰিছে বুলি মোৰ বিশ্বাস হৈছে। তেখেতে কোনো যুক্তি দিব পাৰিছেনে? যে কোনো সম্প্ৰদায়িক ভিত্তিৰ ওপৰত permit দিয়া হৈছে তেনেকুৱা এটা হিচাপ দিব পাৰিছেনে? তেখেতে তেখেতৰ যুক্তি সমর্থন কৰা উচিত আছিল পাৰ্টিট দিয়া হিছাব দখুৱাই আগৰ যিবিলাক permit

Srijut KARKADOLOI MIRI: সভাপতি ডাঙৰীয়া, তেখেতৰ speech টো অলপমান গৰম হৈছে বুলি মোৰ মনত হৈছে।

Srijut HEM CHANDRA HAZARIKA: তেখেতক অপবাদ দিলে খং উঠিব নোৱাৰে জানো?

The Hon'ble the SPEAKER: আপোনাৰ নিজৰ কথাখিনি শেষ কৰক।

Srijut HEM CHANDRA HAZARIKA : যা'হক, সভাপতি মহোদয়, এটা কথাৰ কাৰণে মোৰ ঋং উঠিছে। তেখেতৰ কথাত মই খুব দুঃখিত হৈছো। আগৰ যিবিলাক permit দিয়া হৈছে তাত কোন সম্প্ৰদায়ৰ মানুহ বেচি সেইটো চালেই তেখেতে গম পালেহেঁতেন যে আমাৰ বৰ্ত্তমান গৱনমেণ্ট কেতিয়াও সাম্প্ৰদায়িক ভিত্তিৰ ওপৰত permit দিয়া নাই। এতেকে তেখেতে যি মিছা অপবাদ দিছে তাৰ বিৰোধিতা কৰি মই তেখেতৰ প্ৰস্তাৱৰ বিৰোধিতা কৰিছো।

Maulavi MUHAMMAD ABUL KASHEM : Sir, may I be permitted to reply to his query as he wants to know something from me. As I said, an hon. Member of the House who also happens to be a member of the Transport Authority told me that. I cannot but rely on what he said. The hon. Member, Mr. Hazarika cannot categorically say that that hon. Member told me a lie.

The Hon'ble Srijut BISHNURAM MEDHI : May I know if that gentleman is present in the House ?

Maulavi MUHAMMAD ABUL KASHEM : No, Sir, he is not here, but I cannot disclose his name without his permission.

The Hon'ble Srijut BISHNURAM MEDHI : So evidently he said something confidential and did not like that his name should be disclosed.

Maulavi MUHAMMAD ABUL KASHEM : If the hon. Member wants me to disclose his name, I have no objection; but this gentleman happens to be a member of that particular Board who told me that this was the reason of refusing to grant me a permit. Now, on the statement of another Member of the same category I cannot cancel the statement altogether of the Member who told me. I just bring to the notice of the Government that what happened before should not recur. This is all I wanted to say.

Srijut SARAT CHANDRA SINHA : Is the hon. Member sure that he is right in making this statement ?

Maulavi MUHAMMAD ABUL KASHEM : Yes. Even if the hon. Member wants I can give his name outside the House or inside the House.

The Hon'ble Srijut RAMNATH DAS : Mr. Speaker, Sir, permits are granted not by Government, but by Transport Authorities as has been explained by the Hon'ble Premier in replying to the previous Cut Motion. Whatever share, this Government has in the distribution of permits, has been discharged equitably. As it has been explained by the Hon'ble Premier, it is the policy of the present Government not to discriminate in the matter of administration of any Department of Government between community and community. Therefore, Sir, I say with emphasis that the Cut Motion that the hon. Member has tabled and the wordings that he has used and the arguments that he has advanced do not at all justify his Motion. He cited example of his own case for a permit in order to justify his Motion because it was not granted to him as alleged by him on political reasons. It may be that one member of the transport authority might have said to him that the permit was not granted to him on political

reasons. But I can assure the House that such consideration is not taken into account by the Regional Transport Authority or the Provincial Transport Authority or any body who has a share in this matter of granting permits.

With these few words, Sir, I assure the hon. Member that permits are not granted or refused on communal or political grounds. In the circumstances I hope, he will withdraw his Motion.

Maulavi MUHAMMAD ABUL KASHEM : On the categorical statement made by the Hon'ble Minister that permits are never granted on communal or political grounds, 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 : Now, I put the main question.

The question is :

"That a sum not exceeding Rs. 5,59,900 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 '12.—Charges on account of Motor Vehicles Taxation Act'".

\ The question was adopted.

GRANT No. 8

" 13 — Other Taxes and Duties "

The Hon'ble Srijut BISHNURAM MEDHI : On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs.95,400 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—"13.—Other Taxes and Duties."

The Hon'ble the SPEAKER : Motion moved :

" That a sum not exceeding Rs.95,400 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 '13.—Other Taxes and Duties.' "

There is one Cut Motion standing in the name of Dr.Emran Husain Chaudhury.

Dr. EMRAN HUSAIN CHAUDHURY : Mr. Speaker, Sir, I beg to move that the provision of Rs.14,000 under Grant No.8, Major head—13.—Other Taxes and Duties, Minor head—A.—Charges for Collection—Superintendence, Sub-head—1.—Pay of Officers (Total), at page 50 of the Budget be reduced by Re.1, *i.e.*, the amount of the whole grant of Rs.95,400 do stand reduced by Re.1.

I have moved this Cut Motion in order to raise a discussion on arbitrary appointment of a number of Superintendents of Taxes. We have just listened to a rejoinder, or rather a retort, by an hon. Member of the Party opposite and that frightens me into making a mild speech—as mild as possible. I would give no occasion to any hon. Member of the House to make a fighting speech like the one made by an hon. Member just now.

Sir, we are here to ventilate the grievances of the public and one of these grievances relates to the arbitrary appointment of officers by Government. We know that there is a certain body known as the Public Service Commission and some time back a number of officers—Superintendents of Taxes—were appointed

by Government over the head of the Public Service Commission. That is a grievance shared by us all and it is to ventilate that grievance that I take my stand to-day. Thereby I should like to draw the attention of the Hon'ble Minister concerned to the complaint that is made throughout the length and breadth of this Province.

The Hon'ble the SPEAKER : Cut Motion moved :

"That the provision of Rs.14,000 under Grant No.8, Major head—13.—Other Taxes and Duties, Minor head—A.—Charges for Collection—Superintendence, Sub-head—1.—Pay of Officers (Total), at page 50 of the Budget, be reduced by Re.1, i.e., the amount of the whole grant of Rs.95,400 do stand reduced by Re.1."

The Hon'ble Srijut RAMNATH DAS : On a point of information, the hon. Mover says that the Government has appointed some Sales Tax Superintendents over the head of the Public Service Commission. What does he mean by that ?

Dr. EMRAN HUSAIN CHAUDHURY : What I meant is to raise a discussion about the arbitrary appointment of these officers who were appointed without consulting the Public Service Commission. No advertisement was made and no application called for.

The Hon'ble Srijut BISHNURAM MEDHI : I am glad that the hon. Member has put his Motion very mildly although the basis on which the Motion was based is absolutely baseless and the information that was supplied to him by anybody seems to be absolutely incorrect. So I am making the position quite clear. The last statement that he made that the Public Service Commission was not consulted and that these officers were appointed at the beginning without the approval of the Public Service Commission is not correct. Hon. Members may be aware that this is a new Department and to organise a Department of this kind Government considered that instead of bringing some raw youths from outside it was better to have a few experienced officers with administrative ability on deputation for the purpose for organising the new Department. So at the beginning the idea was to bring some very intelligent officers with very high academic qualification and administrative efficiency at the top so that the new Department could be well organised. With that view Government did consult the Public Service Commission and as a matter of fact they did not appoint anybody from outside, but brought some officers from some other Departments on deputation. If a man is taken from another department on Deputation consultation is not necessary with the Public Service Commission. But as a matter of fact Government did not like to do anything without consulting the Public Service Commission. Although not imperative under the rule, yet Government did consult the Public Service Commission and with their full approval these persons were taken at the beginning. I will now make the position more clear. One of the Sub-Deputy Collectors who is a man of sufficient knowledge in economics and who has administrative experience has been taken. His name is Jitendralal Das. He is a first class M A., and a first class B.L., and has a very good record as a good administrator. He is now on deputation and the hon. Members will be glad to know that this officer who was a Sub-Deputy Collector while taken on deputation has been promoted by the Public Service Commission as an Extra Assistant Commissioner. Another officer who had experience in audit and examination of accounts and had 20 years experience in the Co-operative Department was taken. His name is Nalini Kanta Barkakoty. He was an auditor and Edu-

Dr. EMRAN HUSAIN CHAUDHURY: I have no grudge against any officers. What I wanted to know whether the appointments were arbitrary or not. I am quite satisfied with them.

The Hon'ble Srijut BISHNURAM MEDHI: The third man is a registered accountant and he was working in the Supply Department as a Superintendent of Accounts and he was getting Rs.300 per mensem there. For getting a chance of being permanent he came to this Department on a salary of Rs.200 a month. All these names were sent to the Public Service Commission and they approved their appointment. But even after that approval I did not make them permanent. I wanted to see how they work and after six months two of them have been made permanent. The third is still on deputation.

As regards other appointments, that will be done only on the distinct recommendation of the Public Service Commission.

In view of this, my hon. Friend will see quite clearly that the information which was given to him is absolutely incorrect and the basis on which he brought this Motion is also baseless.

Dr. EMRAN HUSAIN CHAUDHURY: Sir, the explanation given by the Hon'ble Finance Minister is rather satisfactory and 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: The question is:

"That a sum not exceeding Rs.95,400 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—'13.—Other Taxes and Duties.'"

The question was adopted.

GRANT No.14

" 30.—PORTS AND PILOTAGE "

The Hon'ble Rev. J. J. M. NICHOLS-ROY: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs.2,100 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 —" 30.—Ports and Pilotage "

The Hon'ble the SPEAKER: Motion moved:

"That a sum not exceeding Rs.2,100 be granted to defray the charges which will come in the course of the payment during the year ending on the 31st March 1949 for the administration of the head—'30.—Ports and Pilotage ' "

Srijut NILMANI PHOOKAN: May I add a word by way of suggestion? Just I received a letter from the Garamir Deka Adhikar Goswami that the steamer which used to call at Kamalabarighat has been withdrawn and he has asked me to press on the Government that the Kamalabarighat should continue as before as a permanent Ghat. The steamer from Tezpur to Neamati used to call at that Ghat and recently that also has been withdrawn. So it would be very inconvenient for the public and I personally know that it would be very difficult for the Majuli side people. I draw the attention of the Hon'ble Minister to this point and possibly he will take some steps to see that the Ghat is not abolished from there.

The Hon'ble Rev. J. J. M. NICHOLS-ROY: As regards that, Sir, we shall ask the Steamer Company to continue the station, if possible. We shall try our best to persuade them to do so.

The Hon'ble the SPEAKER: As there is no Cut Motion under this Demand I am therefore putting it as a question.

The question is :

"That a sum not exceeding Rs.2,100 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 '30.—Ports and Pilotage'".

The question was adopted.

GRANT No. 28.

"55.—Superannuation, Allowances and Pensions and 83.—Payment of Commuted Value of Pensions."

The Hon'ble Srijut BISHNURAM MEDHI: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs.31,41,400 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—**"55.—Superannuation, Allowances and Pensions and 83.—Payment of Commuted Value of Pensions."**

The Hon'ble the SPEAKER: Motion moved :

"That a sum not exceeding Rs.31,41,400 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—**'55.—Superannuation, Allowances and Pensions and 83.—Payment of Commuted Value of Pensions'**".

The question is :

"That a sum not exceeding Rs. 31,41,400 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 **'55.—Superannuation, Allowances and Pensions and 83.—Payment of Commuted Value of Pensions'**".

The question was adopted.

GRANT No. 6.

II.—Registration

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.1,17,900 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—**'11.—Registration'**.

The Hon'ble the SPEAKER: Motion moved :

"That a sum not exceeding Rs.1,17,900 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 **'11.—Registration'**".

The Hon'ble the SPEAKER: There is one Cut Motion standing in the name of Maulavi Md. Abul Kashem.

Maulavi Md. ABUL KASHEM: Mr. Speaker, Sir, I beg to move that the total provision of Rs.1,17,900 under the Grant No.6, Major head 11.—Registration, at page 45 of the Budget be reduced by Re.1, *i.e.*, the amount of the whole grant of Rs.1,17,900 do stand reduced by Re.1.

I have tabled this Motion to urge upon the Government for immediately opening a Sub-Registration Office at Mankachar that has been sanctioned long before and for appointment of a Marriage Registrar at Mankachar as proposed in 1946. Sir, we saw in the Gazette that a Sub-Registry office had been sanctioned for Mankachar. Probably it is a year since then, but no office has yet been started. I would urge upon Government to take immediate steps in the matter. As regards Marriage Registrar, Sir, Mankachar is unconnected with the Dhubri side for the greater part of the year, because the only road leading from Mankachar to Dhubri is overflowed in the latter part of May, and people experience great difficulty in going to Dhubri or to Ghagmari for registration of their marriage. They would feel a bit of relief if one Marriage Registrar is appointed for that locality. In doing so, no money is required from Government; only appointment, I think, will suffice. So I would request Government to sanction this. With these few words, I commend my Motion to the acceptance of the House.

The Hon'ble the SPEAKER: Cut Motion Moved :

“That the total provision of Rs.1,17,900 under Grant No.6, Major Head 11.—Registration, at page 45 of the Budget be reduced by Re.1, *i.e.*, the amount of the whole grant of Rs.1,17,900 do stand reduced by Re.1.”

Dr. EMRAN HUSAIN CHAUDHURY: Mr. Speaker, Sir, I beg to support the Motion that has been moved by my hon. Friend, Mr. Abul Kashem, because I have some knowledge about Mankachar. It is a fact that this is an over-populated area; it is also a fact that too many marriages take place within a very short time. The appointment of a Marriage Registrar has therefore become an urgency. Hence I would commend the Motion for the acceptance of the House.

The Hon'ble Srijut RUPNATH BRAHMA: Mr. Speaker, Sir, the hon. Mover of this Cut Motion has raised two things, *viz.*, the appointment of a Marriage Registrar and the opening of a Sub-Registry office at Mankachar.

So far as the appointment of a Marriage Registrar is concerned, we took figures from the District Registrar some time ago, and from those figures there was no justification at all for the appointment of a Marriage Registrar. For the information of the hon. Members I may state the figures:

In 1943 the number of marriages was only 7 and the number of divorces 1; in 1944, the number of marriages 6 and the number of divorces nil; In 1945 the number of marriages was 7 and divorces nil. (Dr. Emran Husain Chaudhury:—Of late, the number of marriages has increased substantially). For the hon. Member's satisfaction, I can say that if he wants I may call for the figures of later years and if they justify I shall see whether one Marriage Registrar can be appointed at Mankachar.

So far as opening of the Sub-Registry office is concerned, Sir, I find from the file that during the time of my predecessor it was ordered that there should be one Sub-Registry office at Mankachar as an experimental measure for one year only. But we have no definite information whether the Sub-Registry office has been opened since then. We asked the Inspector General of Registration to report whether such an office had been started, but till now no definite information has been received. He has again been asked to explain why this is being delayed. In view of these facts, Sir, I hope the hon. Mover will see his way to withdraw the Motion.

Maulavi MUHAMMAD ABUL KASHEM: With the request to the Hon'ble Minister to reconsider the question of appointing a Marriage Registrar, in view of the transport difficulties of the locality, and with the assurance that the Hon'ble Minister is taking steps to see that the Sub-Registry office is being opened immediately, 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: The question is:

"That a sum not exceeding Rs.1,17,900 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 '11.—Registration'."

The question was adopted.

GRANT No. 27

54A.—Famine Relief

The Hon'ble Srijut BISHNURAM MEDHI: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs.1,00,000 be granted to defray the charges which will come in the course of payment during the year ending on the 31st of March, 1949 for the administration of the head "54.—A.—Famine Relief".

The Hon'ble the SPEAKER: Motion moved:

"That a sum not exceeding Rs.1,00,000 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 '54A.—Famine Relief'."

There is no Cut Motion.

(After a pause).

It appears that no hon. Member is taking part. So I am putting the question.

The question is:

"That a sum not exceeding Rs.1,00,000 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 '54A.—Famine Relief'."

The question was adopted.

GRANT No. 15

36.—Scientific Department

The Hon'ble Srijut GOPINATH BARDOLOI: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs.10,300 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 "36.—Scientific Department."

The Hon'ble the SPEAKER: Motion moved:

"That a sum not exceeding Rs.10,300 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 '36.—Scientific Department'."

There is no Cut Motion.

(After a pause).

It appears no hon. Member is taking any part. So I am putting the question.

The question is:

"That a sum not exceeding Rs.10,300 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—'36.—Scientific Department'."

The question was adopted.

GRANT No. 3

" 8.—Provincial Excise "

The Hon'ble Maulana MAHOMED TAYYEBULLA: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs.8,48,000 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—"8.—Provincial Excise".

The Hon'ble the SPEAKER: Motion moved:

"That a sum not exceeding Rs.8,48,000 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—"8.—Provincial Excise'."

There are three cut motions.

Mr. J. S. HARDMAN: Mr. Speaker, Sir, I beg to move that the provision of Rs.32,060 under Grant No. 3, Major head—8.—Provincial Excise, Minor head—A.—Superintendence, Sub-head—1.—Pay of Officers (total), at page 38 of the Budget, be reduced by Re. 1, i. e., the amount of the whole grant of Rs. 8,48,000 do stand reduced by Re. 1.

By this Motion I want to discuss the illegal duties on foreign liquor.

We are, Sir, encouraged by the presence of a new Hon'ble Minister in charge of the Excise Department in the hope that our case will receive favourable consideration.

This has for some time been a grievance of a small community, resident in Assam. It is contended that there has been some measure of injustice in the action which was taken by the Assam Government as far back as in June, 1946. It had been our intention to refer this issue a year ago and in point of fact some Questions on this point were tabled but with the Constitutional changes these had lapsed. In the meanwhile, however, we have taken legal advice on this question and we are assured that our contention is just and sound in law.

On the 28th of June, 1946 the Excise Commissioner issued instruction for the levy of fees on passes for the import of foreign liquor. This provided for a levy of Rs. 3-8 per bottle on spirits and Re. 1-2-9 on beer under Rule 21 of the Assam Excise Rules. This was further explained in a communiqué of the 20th September, published in the *Assam Gazette* of the 28th of that month. It was stated that the import of foreign liquor, overseas or Indian made, of any quantity whatsoever is prohibited when not covered by a pass issued by the Collector of the district concerned. This description applies even to foreign liquor intended for private consumption. The Excise Commissioner, who was addressed, has admitted that the only substantive provisions in the Eastern Bengal and Assam Excise Act, 1910 for collection of fees on foreign liquor are to be found in section 13 and section 25.

I propose, Sir, to challenge these duties on two main grounds: firstly, that these duties contravene section 297 of the Government of India Act, as adapted by the Independence of India Act, and secondly that these duties are contrary to the express provisions of the Eastern Bengal and Assam Excise Act of 1910.

Section 297 of the Government of India Act lays down that there is to be no restriction on internal trade in India and no Government has the power to impose any tax, cess, toll or due which, between goods manufactured or produced in the Province and similar goods not so manufactured or produced discriminates in favour of the former. Any law passed in contravention of this section is invalid. The rates charged for the foreign liquor produced at the Dikom Distillery are lower than the rates charged for country-made foreign liquor produced outside Assam on account of the imposition of pass fees, which are in effect a tax, under Part I of the Excise Rules at page 58 of the Excise Manual. Since higher pass fees are charged on the overseas liquor, this constitutes a further illegality.

The point of difference is—when does a pass fee cease to be a fee for issuing a pass and when does it become a tax? I will however consider this point in greater detail when discussing the second part of my contention.

Under the Eastern Bengal and Assam Excise Act, 1910 an immunity from further duty or tax is conferred on liquor which has been imported into India under the Indian Tariff Act, 1894 or the Sea Customs Act, 1878. Sub-section(2) of section 10 of the Eastern Bengal and Assam Excise Act, 1910 says: "Sub-section (1) shall not apply to any article which has been imported into British India and was liable, on such importation, to duty under the Indian Tariff Act, 1894, or the Sea Customs Act, 1878." Section 21 is very similar. It provides for levy of duty on excisable article provided that no duty should be imposed on any article which has been imported and has paid under the operation of the Sea Customs Act. Similarly, sections 11 and 21 of the Excise Act confer immunity on imported foreign liquor in regard to Provincial excise duty on import, export or transport.

This is, however, under section 23A a reservation in favour of duties being levied before the commencement of Part III of the Government of India Act, that is in 1937, and this would have no application to duties imposed in 1946. We concede that under section 13, Government have authority to require intoxicants exceeding a given quantity to move under a pass. Under section 25 fees are to be charged for these passes. These sections, however, must be read subject to the provisions of the Excise Act. Government have no power to impose a duty and cannot, under the fiction of issuing passes, levy duties.

When does a Pass Fee cease to be a fee for the issue of a pass and become a duty? This proposition has been clearly established by a long series of decisions, the trend of which is that when the income received from passes substantially exceeds the cost involved in the issue and the control of passes, the charges on account of passes cease to be fees and become duties. This is the case in regard to these Excise Duties. The cost of issuing passes is little more than a few annas each and does not increase in proportion to the amount issued. It is as simple to issue a pass for a large consignment as for the smallest container. We would not even grudge a fee of Re.1 for each pass if there is no limitation on the quantity that can be imported at a time, but the present tax is an unjustifiable exaction and Government have a responsibility for seeing that the money which they collect is legally justified.

I will challenge Government to place on the table of the House the considered opinion of their legal advisers on this issue. We have had this question examined by lawyers of distinction and we are satisfied that there is no question for doubt.

Sir, I now commend the Motion which stands in my name for the acceptance of the House.

The Hon'ble the SPEAKER : Cut Motion moved :

“That the provision of Rs.32,060 under Grant No.3, Major head—8.—Provincial Excise, Minor head—A—Superintendence, Sub-head—1.—Pay of Officers (total), at page 38 of the Budget, be reduced by Re.1, *i.e.*, the amount of the whole grant of Rs.8,48,000 do stand reduced by Re.1.”

The Hon'ble Maulana MAHOMED TAYYEBULLA : Sir, the hon. Mover, Mr. Hardman, has apparently in mind the local imposition on overseas foreign liquors, though the position has not been clearly stated. This imposition is classed by him as a duty, and hence his objection on ground of illegality, because no 'duty' can be levied on overseas foreign liquors liable to custom duty. The Eastern Bengal and Assam Excise Act, as applicable to the Province, makes a distinction as between a 'duty' and a 'fee'. The fee under reference is levied under Rule 21 read with Sections 36 (2) (j), 13 and 25 of the Act. Section 13 was amended in 1931 to authorise the levy, and the imposition is not illegal. The point to make is that the imposition is a 'fee' and not a 'duty', so far as overseas foreign liquors are concerned, and the Act authorises the levy of a 'fee'. Hence there is no illegality.

Now, the position is this: No duty on overseas foreign liquor was ever levied even before the commencement of Part III of Government of India Act, 1935; neither has it been levied, since then. Duty, however, is levied on India-made foreign liquor, whether manufactured within or outside the Province, at the same rates and without any discrimination whatsoever in favour of local products.

Fees, as distinguished from duty, are, however, levied for import of both India-made and overseas foreign liquor, irrespective of the import being made by private individuals for their consumption or by the licensees for sale. The rates differ in the case of each kind, those on overseas foreign liquor being higher. The fee is described as "pass fees" in the case of imports by private individuals and "license fees" in case of import sale by licensees. The levy of the fee on overseas foreign liquor is authorised as I have stated, by Sections 13, 25 and 36(2) (j) of the Eastern Bengal and Assam Excise Act, 1910.

Prior to the amendment of Section 13 in 1939, and the commencement of Part III of the Government of India Act, 1935, overseas foreign liquor imported into Assam by the licensees for sale was subject to 'license fees' in Assam. Upto 1939, such private individuals as imported overseas foreign liquor from Bengal licensees for their own consumption, had not to pay any 'pass-fee' in Assam, but then they paid the 'license fees' in Bengal on their purchases, and the proceeds therefrom were shared in moiety by the two Provinces. This inter-Provincial arrangement was not to the best interests of Assam, and the Act was amended in 1939 to provide for the imposition and collection of the fee in Assam under the new nomenclature of 'pass-fees'. This imposition has been there even before the commencement of Part III of the Government of India Act, 1935, and the Amendment Act of 1939 brought in a change of nomenclature and venue of collection. The imposition, therefore, is not discriminatory when the total imposition on the two varieties are compared.

So far as the India-made foreign liquors are concerned, the Act authorises the levy of both 'duty' and 'fee': But Mr. Hardman maintains that the duties are illegal. I submit that there is no illegality whatsoever in this matter.

I will, however, assure the hon. Mover that the points raised by him will be considered, after taking legal opinion. In view of what I have said, I hope the hon. Mover will withdraw his Motion.

Mr. J. S. HARDMAN: In view of the assurance given by 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: Cut Motion No.3 standing in the name of Dr. Emran Husain Chaudhury.

Dr. EMRAN HUSAIN CHAUDHURY: Mr. Speaker, Sir, I beg to move that the total provision of Rs.8,48,000 under Grant No.3, Major head—8.—Provincial Excise, at page 37 of the Budget, be reduced by Re.1, *i.e.*, the amount of the whole grant of Rs.8,48,000 do stand reduced by Re.1

Sir, I have brought up this Motion to raise a discussion about the settlement of Excise Shops with outsiders. I am glad that Maulana Tayyebulla Saheb has been given charge of the Department to which my Cut Motion relates. I think in certain respects my hon. Friend, Mr. Hardman, feels encouraged that Maulana Tayyebulla Saheb has been put in charge of this Department and in certain other respects I also feel encouraged because I feel that the Maulana Saheb will be able to fulfil and carry out the pledges given by the Congress to the electorate and also to the public that we are all for Prohibition. Only recently in reply to one of my points in the Budget speech Government stated that the Select Committee in this connection had come to the conclusion that all efforts at Prohibition should be abandoned. I would like to say for the information of the hon. Members that most of the persons present at the meeting, when that momentous decision was arrived at, were Congress members and the decision reached there goes against the Congress principles. My Motion does not relate to Prohibition, but to the settlement of Excise Shops with outsiders. Present-day slogan is 'Assam for the Assamese' to which most of us have pledged ourselves. Therefore, I would request Government to settle these excise shops with those people who are actually genuine Assamese. That is the subject-matter of my Motion which I now commend to the acceptance of the House.

The Hon'ble the SPEAKER: Cut Motion moved:

"That the total provision of Rs.8,48,000 under Grant No.3, Major head—8.—Provincial Excise, at page 37 of the Budget, be reduced by Re.1, *i.e.*, the amount of the whole grant of Rs.8,48,000 do stand reduced by Re.1".
Does any hon. Member want to take part?

Srijut DANDESWAR HAZARIKA: On a point of information, Sir, I would like to inform the hon. Member that this Scheme of Prohibition was actually taken up and it was not abandoned, but only postponed due to the Opium Prohibition.

Dr. EMRAN HUSAIN CHAUDHURY: Even then my Motion stands because it has been postponed indefinitely and indefinite postponement amounts to virtual abandonment.

The Hon'ble Maulana MAHOMED TAYYEBULLA : I have to say, Sir, that the question of Prohibition of liquor was taken up by Government and it is still under consideration of the Government ; but that it was postponed in view of the fact that the question of Prohibition of opium is engaging the whole attention of the Government at present. It will be taken up in due course.

But in regard to the point raised by my hon. Friend, Dr. Emran Husain Chaudhury, I have to say that the rules and instructions governing settlement of excise shops do not make any distinction as between persons who are natives of, or domiciled in the Province. Only foreigners, as are not domiciled, are excluded. Thus the natives of the Province and those who are domiciled therein are equally eligible to hold excise shops, and the actual selection is based on individual merit and in conformity with the principles incorporated in Excise rules 219-227 and the settlement instructions in chapter III of the Manual. Further, the principles governing appointments to Government Services also govern settlement of excise shops and the former do not make any distinction as between persons who are natives of, or domiciled in the Province, so far as eligibility is concerned. Therefore the question of 'Assam for the Assamese' does not arise.

So, in view of what I have said, I hope my hon. Friend, the Mover, will withdraw his Motion.

Dr. EMRAN HUSAIN CHAUDHURY : Sir, I have no option but to 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.

I will now put the original Motion as a question.

The question is :

“That, a sum not exceeding Rs.8,48,000 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—‘8—Provincial Excise’.”

The question was adopted.

The Hon'ble the SPEAKER : May I know from the Hon'ble Leader of the House and other Leaders of Parties where shall we sit in connection with the revision of Programme with a view to shortening the session ?

The Hon'ble Srijut GOPINATH BARDOLOI : We will sit in your room, Sir.

(Adjournment)

The Assembly was then adjourned till 10 A.M., on Saturday, the 27th March, 1948.

SHILLONG :

The 24th May, 1948.

A. K. BARUA,

Secretary, Assam Legislative Assembly.

