



**Proceedings of the Fourth Session of the Assam  
Legislative Assembly assembled after the Second  
General Election under the Sovereign  
Democratic Republican Constitu-  
tion of India**

---

The Assembly met in the Assembly Chamber, Shillong,  
at 10 a.m. on Monday, the 1st September, 1958.

**PRESENT**

Shri Dev Kanta Borooah, B.A., LL.B., Speaker in the  
Chair, seven Ministers, four Deputy Ministers and sixty  
Members.

---

**Calling attention to matter of urgent Public Import-  
ance regarding the situation arising out of  
mismanagement of the  
Bidynagar Tea Estate**

**Mr. SPEAKER:** Calling to attention motion by Shri  
Bishwanath Upadhyaya. I would request the hon. Member  
to be brief.

**Shri BISHWANATH UPADHYAYA (Patharkandi):** माननीय  
अध्यक्ष महोदय, इस विधान सभा के नियम ५४ के अनुसार मैं एक अत्यन्त गुरुत्वपूर्ण प्रश्न  
के बारे में सरकार का ध्यान आकर्षित करना चाहता हूँ। और साथ ही इस प्रश्नपर  
उचित रूपसे विचार करके इसका उचित समाधान करने के लिये मैं सरकार से विनम्र  
अनुरोध करता हूँ। आपको मालूम है कि काछाड़ जिलेके विद्यानगर चाय बगान में पिछले  
कई वर्षोंसे बहुत बड़ी धांधली चल रही है। इस बारे में मैंने इस सदन में कई प्रश्न  
पुछे भी थे। उनमें से एक-दो प्रश्नों के उत्तर मुझे मिले हैं। मुझे सख्त अफसोस है  
कि मेरे बाकी प्रश्नों के जवाब देने के कष्ट सरकार ने नहीं किये हैं .....

**Mr. SPEAKER:** आप इन सारी बातों का बयान नहीं कर सकते।  
आप मुख्तसर कीजिये।

**Shri BISHWANATH UPADHYAYA:** जी हां! मैं यही कहना  
चाहता हूँ कि इस बगान में बड़ी मनमानी चल रही है। इन चीजोंकी जांच करने के लिये  
सरकार की ओर से एक कमेटी वहां गई थी। और इस कमेटीने अपनी रिपोर्ट  
सरकार की सेवा में दाखिल भी की है। किन्तु हमें उस रिपोर्ट के बारे में कुछ भी मालूम नहीं  
हो सका है। हम जानना चाहते हैं कि कमेटी हब क्या रिपोर्ट सरकार को दी है और  
सरकार उस रिपोर्टपर कौन सी कारवाई कर रही है?

सन् १९५१ में ही सरकार ने यह बगान अपने हाथ में लिया और उसकी देखभाल कर रही है। उसी समय सरकार की ओर से एक मैनेजर नियुक्त हुये थे और वे मजदूर इस बगान की देखभाल कर रहे थे। किन्तु उन्होंने बगान में अपनी मनमानी बलाट और बगान को घाटा पहुँचाया। इस अभियोग के कारण वे बगान के मैनेजर के पद से हटा दिये गये। उसके बाद सन् १९५३ में एक दूसरे मजदूर मैनेजर के पद में नियुक्त हुये। लेकिन उन्होंने भी अपनी मनमानी करना शुरू किया। और बगान में हर तरह की घांघलीवाजी होने लगी। इस बारे में बार-बार सरकार का ध्यान आकर्षित करने पर भी उसका कोई नतीजा नहीं निकला। हमने उस बारे में विभिन्न अभियोग दिया। सरकार के पास बार-बार Telegram दिया। किन्तु यह बड़े ही दृढ़ की बात है कि किसीने इस बारे में कोई ध्यान नहीं दिया।

इस बारे में मुझे वहाँ की पंचायत ने एक चिट्ठी भेजी है। हमें अपने आपसे ही पढ़के सुना हूँ ताकि आपलोग इस बगान में चलनेवाली बारी घांघलीवाजिया में (corruption) वाकिफ हो सकें। ताकि आपलोगों की मानस हो जाय कि उस बगान में कमी मनमानी चल रही है।

In this connection I would like to read out the letter dated the 19th August, 1958 addressed to me by the President, Bidyanagar garden Panchayat.

“We have just now despatched a telegram to you intimating to you that the Tilla babu and the Tea-House babu are still employing garden labourers for their personal work such as paddy cultivation and home work, etc.

Further we have to inform you that the Manager has been a bit alert and has, recently, despatched some of his furnitures to his home and has also removed two truck load of furnitures to the residence of his brother-in-law who is at present employed at Oliviacherra Tea Estate. We understand that these furnitures have been sent there for sale. These furnitures were made of garden planks and mistries.

He has also sold all his cows, goats and hens we are afraid that unless immediate enquiry is made in this connection it would be very difficult for the Government to seize these properties. The liabilities of Rs.6000/7000 on A/C of making.....”

**Mr. SPEAKER :** Regarding Calling to Attention Motion I have already requested the hon. Member to be brief so that the hon. Minister-in-charge may give his reply.

**Shri BISHWANATH UPADHYAYA (Patharkandi) :** मेरे कहने का मतलब यह है कि इन सारे अभियोगों पर सरकार का ध्यान आकर्षित करने पर भी सरकार ने इसके बारे में कोई भी कारवाई नहीं की। हम नहीं समझ सकते कि इसका क्या कारण है? हम जानना चाहते हैं कि इस बगान में बराबर क्यों घाटा हो रहा है? इस बारे में मैं सरकार को बताना चाहता हूँ कि इस बगान के १०० श्रमिक बगान में नहीं, बल्कि मैनेजर के बंगले में काम करते हैं।

बगान के बाबू लोगों के घरमें इन्हें काम करना पड़ता है। यहां तक कि बगान के सरदारों के घरों में भी इन्हीं से काम लिया जाता है। और मैनेजर, के घर में भी ये कौन सा काम करते हैं? उनकी गायों के लिये घास-चारा लाते हैं। उनके घरके पानी के टकों में पानी भरते हैं। और मैनेजर के बंगले के बगीचेमें काम करते हैं। लेकिन बगान की ओर से ही इन्हें वेतन मिलता है। इस तरह आप देखेंगे कि इन श्रमिकों में से हर एक को हफ्तेवार = रुपये ४ आने के हिसाब से वेतन दिया जाय तो करीब ४८ हजार रुपये बगान के नामपर बेकार खर्च होते हैं। इन रुपयों से बगान का कोई काम नहीं होता, और यह घाटा बगान को ही सहना पड़ता है। अलावा इसके बगान के टंकेदारों को भी काफी रुपया देना पड़ता है। हमने हिसाब लगाके देखा है कि इस बगान के १ लाख रुपये या उससे भी अधिक, अर्थात् सवा लाख रुपये बेकार खर्च किये जाते हैं। हम जानना चाहते हैं कि यह चोरी क्यों होती है। इस चोरी को बन्द करने के लिये सरकार ने कौनसी कारवाई की है? मैं कहना चाहता हूं और मुझे पूरा विश्वास है कि अगर इस तरह की चोरियां और धांधलीवाजियां न होती तो इस बगान को घाटे पड़ने का मौका कभी न आता।

आपको मालूम होना चाहिये कि विद्यानगर चाय बगान के मैनेजर के बंगले की साग-सब्जी, मुरगी और मुरगी के अंडे वगैरह बाजार में बेचे जाते हैं। इन चीजों को बेचने के लिये भी कई श्रमिकों को खटना पड़ता है। इस तरह बहुत से लोग बगान के नामपर खटते हैं। किन्तु दरअसल इनसे बगान का कोई काम नहीं होता। किन्तु बगान की ओर से ही इनको वेतन दिया जाता है। यहां तक कि इस बगान के श्रमिक बाहर के बगानों में काम करते हैं। किन्तु इन श्रमिकों को भी इसी बगान से ही वेतन नहीं मिलता है। इस तरह की धांधलीवाजी चले तो बगान में घाटा न होगा तो क्या होगा? आज इस बगान में इस तरह की धांधलीवाजी चल रही है, और वहां के बाबू तथा अन्य अधिकारियों का पाकिट भर रहा है। अगर इसी तरह का रवैया इस बगान में चलता रहे तो हमें कोई शक नहीं है कि बगान को घाटा होता ही रहेगा और यहां तक कि बगान विलकुल नष्ट हो जायेगा।

**Mr. SPEAKER :** आप दस मिनट बोल चुके हैं। आप अपने point का मुस्तसर बयान करें। इस तरह के लंबे भाषण का मौका नहीं रहता है।

**Shri BISWANATH UPADHYAYA (Patharkandi):** अध्यक्ष महोदय ! जो सब सेबड़ी बात मैं कहना चाहता हूं, वह यह है कि कंपनी की ओर से जिन श्रमिकों को जमीन दी जा रही थी वे अब वहां से निकाले जा रहे हैं। बगान के श्रमिकों को निकाल कर दूसरे लोगों को जमीन दी जा रही है। आपको अचरज होगा कि बगान के अधिकारी इस तरह जमीन का बंटवारा करके भी पैसा कमाने का रास्ता निकाल रहे हैं। वे लोगों को जमीन देते हैं और उनसे हर बिघा जमीन के लिये दो-दो-तीन-तीन सौ रुपये की सलामी ले रहे हैं। मैं जानना चाहता हूं कि किसके हुक्म से ये सब हो रहे हैं? मैं यह भी जानना चाहता हूं कि इस धांधलीवाजी को बन्द करने के लिये सरकार कौन सी कारवाई कर रही है? अध्यक्ष महोदय ! जो श्रमिक इस तरह बगान से निकाले जाते पर भी अपनी जमीन नहीं छोड़ रहे हैं उनपर मुकद्दमा चलाया जा रहा है। मुकद्दमा भी कौन लड़ रहा है। बगान के अधिकारी नहीं ! बल्कि बाहर के ठेकेदार। इस तरह बगान के गरीब श्रमिकों को बहुत परेशान किया जा रहा है। मैं चाहता हूं कि इन सारी बातों की जल्द-से-जल्द कोई जांच हो, और जो दोषी हैं उनपर उचित कारवाई की जाय।

और एक सवाल छटाई का है। आज इस बगान में बड़े जोरों के साथ छटाई चल रही है, और इसकी प्रतिक्रिया सारे काछाड़ के बगानों में हो रही है; और बगानों के लिये यह एक मिसालसा हो चुका है; और बगानों का कहना है कि सरकारी बगान में ही अगर छटाई हो सकती है तो हम भी छटाई क्यों नहीं करें।

इस छटाई का बहुत बुरा असर काछाड़ के बगानों और काम करके काछाड़ के श्रमिकों पर पड़ रहा है। आज काछाड़ में ८ हजार से भी ज्यादा श्रमिक छांटे जा चुके हैं। आज काछाड़ के श्रमिक यही सोच रहे हैं कि उनकी रोजी और रोटी का कोई ठिकाना नहीं है। हम चाहते हैं कि यह छटाई जल्द-से-जल्द बन्द हो। अगर इसी तरह से छटाई चलती रहे तो उसकी बहुत बड़ी प्रतिक्रिया होगी। यहां तक कि इस के विरुद्ध आन्दोलन करने के लिये भी कोई नहीं हिचकेगा। आज इसके खिलाफ आन्दोलन तक करने के लिये काछाड़ के श्रमिक तैयार हैं।

अध्यक्ष महोदय ! हम चाहते हैं कि इन सारी शिकायत और अभियोगों की पूरी-पूरी जांच हो। इसके लिये एक जांच कमेटी बनाई जाय। यह कमेटी इस बात की जांच करे कि इस बगान में क्यों घाटा हो रहा है। यह भी देखें कि वहां क्यों धांधली-वाजी (corruption) चल रही है। इस धांधलीवाजी के लिये कौन जिम्मेदार हैं। जो लोग धांधलीवाजी कर रहे हैं, जिन लोगों की वजह से बगान के नुकसान हो रहा है, उनलोगों पर सरकार उचित कारवाई करे। किन्तु बगान को किसी भी हालत में बन्द न होने दें। बगान को चलायें, और अगर न चला सकें तो हमें दें। हम सरकार को यह विश्वास दिलाते हैं कि श्रमिक सरकारी समिति (Labour Corporation Society) की ओर से हम यह बगान चलायेंगे।

**Shri KAMAKHYA PRASAD TRIPATHI (Minister, Labour):** Sir, I may inform the hon. Member that the arear wages in this garden have been paid. So I understand now there are no arears outstanding.

So far as the complaints against the management are concerned, we are aware that there are complaints against the management and we have already taken steps to ask the Deputy Commissioner to enquire into the complaints about corruption and other things which the hon. Member has indicated. So far as the charges which have been levelled against the management by the hon. Member are concerned, I am indicating that the Revenue Department have taken steps to enquire into them.

The other questions are with regard to retrenchment and the necessity of enquiring as to what should be done. The Government sometime back appointed an expert Committee consisting of Mr. Chaliha and another who went to the garden to see how far it could be made economical and what are the reasons of its being uneconomical. From the report it appears that the following suggestions have been made by the Committee for making the garden economical. The suggestions are:

- (1) Selling of the Tea Estate.

- (2) Abandon all bad areas and concentrate only on the good areas which comprised about 450 acres. For this purpose about 500 labourers would have to be retrenched. The garden was expected to become self-sufficient immediately after which new plantation might be taken up engaging more labour.
- (3) Abandon bad areas and take up extensive replantation simultaneously and retrench 200 labour force. This will require heavy investment without return for about five years.

These were the suggestions made by the Expert Committee in order to make the garden economical. The first suggestion was obviously to sell it out.

It is a garden with a gross acreage of 5000 acres, out of which 917 acres are brought under plantation. Out of this 917 acres, only 450 acres are found to be under real plantation, the rest being bad areas with about 40 per cent vacancies.

The production has been declining from 1949 onwards. In 1949 it was 5192 mds. and in 1957 it has fallen to 4285 mds. Continuously it has been declining.

So far as the profit and loss account is concerned, the garden has been continuously losing from 1951, except in 1953 and 1954 which were boom years which are not likely to return again. There is already an outstanding balance of Government loan of Rs.8,30,000 approximately against this tea garden. There is another small garden attached to it against which a balance of Rs.80,000 is outstanding on account of Government loan.

Therefore these are matters which amply indicate that the garden which has become uneconomic will go on becoming uneconomic more and more. For that reason Government have to take certain steps and what those steps should be will depend on the expert advice. I quite agree with the hon. Member that the deterioration of the garden might be due to some extent to the mismanagement by the management. One important factor is that most of the bushes are more than 60 years old with more than 40 per cent vacancies without replacement which has rendered the garden uneconomic. As a matter of fact a garden has to be replanted after 50-60 years. That means a heavy investment. I do not know whether anybody will come forward to invest such a huge amount. But unless

and until large scale replantion is carried out there is no chance of this garden becoming an economic concern. The Government of Assam is trying to find out ways and means how some of these tea gardens can be rehabilitated and made economic concerns. This matter has been under consideration of the Government of Assam for a long time. We have moved the Central Tea Board as well as the Government of India for certain measures. The Government of India has not come forward up till now to come to a decision with regard to the move we have made. It is for these reasons that difficulties have arisen. In Cachar itself the Union has come forward to the extent of acquiring two gardens on co-operative basis by reducing the wages so that the gardens may be worked. Now, the hon. Member has made suggestions about that also. I have no doubt that Government will consider all possible steps both as suggested by the hon. Member and by the Government of India as well as those suggested by the Expert Committee, to find out what steps may be taken under the circumstances. Obviously every investigation is being made as to how Government can help in the matter and whatever alternative steps may be taken, that also will be considered. So, I suggest Sir, that the matter would be considered with all sympathy and due care so that unnecessary sufferings of the workers may be avoided and some steps may be taken which will be to the good of the industry as well.

### The Assam Panchayat Bill, 1958

**Shri HARINARAYAN BARUA (Teok):** মাননীয় অধ্যক্ষ মহোদয়, মই সিদিনা কৈছিলো যে এই পঞ্চায়ত আইনখন যদি চৰকাৰে সোনকালে পুনয়ন নকৰে তেনেহলে পঞ্চায়ত স্থাপন ক্ষেত্ৰত বহুতখিনি বেমেজালিয়ে দেখা দিব। যিবিলাক পূৰ্বণি পঞ্চায়ত আছিল এই পঞ্চায়ত বিলাকে ব্লক পঞ্চায়ত হোৱাৰ কাৰণে পাব লগীয়া অৰ্থসাহায্য নোপোৱা হোৱাত গাঁৱৰ বাতায়তৰ পথ বিলাক, খোৱা পানীৰ পুখুৰী আদিৰ উন্নতি কৰিবলগীয়া কাম বিলাক অচল হৈছে আৰু আনফালে প্লাকেল বৰ্ডৰো পুঁজিৰ নাটনি হোৱাত গাওঁ অঞ্চলৰ বাস্তা-ঘাট, পুখুৰী, দলং আদি মেৰামত কৰিব নোৱাৰাত জনসাধাৰণৰ ভয়ঙ্কৰ অস্থবিধাৰ সৃষ্টি হৈছে। এই বিলাক অস্থবিধা চকুৰ আগত ৰাখি চৰকাৰে যাতে সোনকালে এই বিলখন আইনত পৰিণত কৰিব পাৰি তাৰে দিহা কৰিবলৈ Select Committee লৈ পঠোৱাৰ ব্যৱস্থা কৰিছে। নহলে আনফালে যদি তাকে নকৰি জনমত আহ্বানৰ কাৰণে এই বিল পঠোৱা হয় তেন্তে ক'মকৈ হলেও এই বিল আইনত পৰিণত কৰা কাৰ্য্যত এবছৰ কাল পিছুৱাই যাব। এনেদৰে পলম হলে পঞ্চায়ত বিলাকৰ কাৰ্য্য পৰিচালনা কৰাত ভীষণ অস্থবিধাৰ সৃষ্টি হ'ব। সেই নিমিত্তে মই সিদিনা কৈছিলো যে যদি এই আইনখন চৰকাৰে সোনকালে পুনয়ন নকৰে, তেন্তে গাঁৱৰ জনসাধাৰণে ক'ব যে চৰকাৰে পঞ্চায়ত আইনখন পূৰ্বৰ্তনৰ কাৰণে আশ্বাস দি আজি পৰ্য্যন্ত এই আইন কাৰ্য্যত পৰিণত নকৰিলে। সেই কাৰণে, অনতিপলমে আইনত পৰিণত কৰিবৰ উদ্দেশ্যে চৰকাৰে বিলখন যি দুই চাৰিটা আসোৱাই আছে তাৰ পৰিবৰ্তনৰ কাৰণে বাচনি কমিটিলৈ পঠোৱাটো বুদ্ধিসঙ্গত হৈছে। এই বিলখনত যিবিলাক ব্যৱস্থা কৰা হৈছে সেই বিলাক সকলো ফালৰ পৰা সকলো মানুহৰে প্ৰতিনিধিত্ব দিয়াবৰ কাৰণে বন্ধ কৰিছে অনুসূচীত জাতি, পিচপৰা জাতি (Back ward) আৰু জন-জাতীয় লোক সকলৰ প্ৰতিনিধিত্ব দিয়াৰ ব্যৱস্থাও ইয়াত হোৱা উচিত হ'ব বুলি মই বিবেচনা কৰো।

তাৰ পিচত শ্ৰীযুত পৰিবার ডেকাই কৈছে যে, চৰকাৰী মনোনয়ন তেখেতে সমৰ্থন নকৰে আৰু এই দৰে চৰকাৰী মনোনীত লোক সকল হৈছে তেখেতৰ মতে দেশদ্রোহী। মই কওঁ, শ্ৰীযুত ডেকাও দেখোন শিক্ষা বৰ্ডৰ এজন মনোনীত সদস্য। মই এই পঞ্চায়ত বিলৰ আলোচনা পূৰ্ণত এই কথাই কব খুজিছো যে চৰকাৰে পঞ্চায়ত আইনৰ ক্ষেত্ৰত মনোনয়নৰ পথ বহল কৰি ৰখা নাই। এই বিলখনে M.L.A. আৰু M. P. সকলক প্ৰতিনিধিত্ব কৰাৰ সুবিধা যুক পঞ্চায়ত আৰু ইউনিয়ন পঞ্চায়তত কৰিছে। ইয়াৰ বাহিৰেও, গ্রাম উন্নয়নৰ কাৰণে সমাজৰ মাজত যিবিলাক কাম কৰিব লাগিব তাৰ ভাৰ গাওঁ পঞ্চায়ত বা যুক পঞ্চায়তৰ সদস্য সকলৰ ওপৰত দিছে। এই পঞ্চায়তে গাওঁৰ সৰ্ব্বতোপুৰুষৰ উন্নতি, যেনে শিক্ষা, কৃষি, সামাজিক উন্নয়ন, স্বাস্থ্য, খোৱা পানী আদিৰ কাৰণে কাম কৰিব আৰু তানোপৰি গাঁৱলীয়া সমাজৰ মাজত ঘটা সৰুসুৰা অপৰাধ বিলাকো সমাজৰ মাজতে বিচাৰ কৰিবলৈ আদালত স্থাপনৰ ব্যৱস্থা কৰিছে।

তাৰ পিচত, শ্ৰীযুত বৰবৰুৱা ডাঙৰীয়াই আপত্তি তুলিছে যে আদালতৰ সদস্য সকলক D. C. এ nominate বা বাচনি নিদি নিৰ্বাচনত আহিবলৈ দিব লাগে। এনে কৰিলে, বৰ্তমানৰ অভিজ্ঞতাৰ পৰা দেখা যায় যে 'জোৰ যাব মূলুক তাৰ'হে হব কাৰণ নিৰ্বাচনৰ সময়ত ভয় দেখুৱালে সমাজ বিৰোধী লোক সকলৰ 'চৰদাৰ' সকলৰ উদ্দেশ্য সিদ্ধি হব। আৰু অসম চৰিত্ৰ লোকৰ সমাবেশত আদালতৰ বাতাবৰণ পৰিবৰ্তন হৈ যাব আৰু গাঁৱলীয়া সবল ৰাইজৰ উন্নতিৰ পথত এহাতে বাধা পৰিব আৰু আনহাতে পঞ্চায়ত আইনৰ মূল উদ্দেশ্য বাৰ্ণ হব। সেই কাৰণে মই D. C. বা S. D. O. ই সজ চৰিত্ৰৰ ৫জন সদস্যক নিৰ্বাচিত কৰা কথাটো সমৰ্থন কৰিছো আৰু শ্ৰীযুত বৰবৰুৱাদেৱৰ উক্তিৰ বিৰোধীতা কৰিছো। তাৰ পিচতে শ্ৰীযুত পৰিবার ডেকা ডাঙৰীয়া হতাশ হৈ গৈছে যেন অনুমান হৈছে; কাৰণ তেখেতে ভাবিছিল যে এই বাৰ অধিবেশনৰ পৰা ঘূৰি যাওঁতে পঞ্চায়ত বিলখন আইনত পৰিণত কৰি আনন্দ মনোৰে যাব পাৰিব। কিন্তু যেতিয়া দেখিলে যে বিলখন বাচনি কমিটিলৈহে পঠোৱা হব, তেতিয়া তেখেতে আৰু তেখেতৰ লগৰীয়া দুই এজনে কংগ্ৰেছ আৰু কৰ্দুপক্ষক তীব্ৰভাৱে সমালোচনা কৰিছে যে এই কংগ্ৰেছেই এদিন কৈছিল, বামৰাজ্য প্ৰতিষ্ঠা কৰিব বুলি; কিন্তু সেই বামৰাজ্য আজিকোপতি হৈ নুঠিল। বামৰাজ্য প্ৰতিষ্ঠা নকৰাৰ কথাতো তেখেত সকলে ব্যঙ্গৰ সুবেৰেহে সমালোচনা কৰিছে। তেখেতে ভাবি চোৱা নাই যে বামৰাজ্য জনসাধাৰণেহে প্ৰতিষ্ঠা কৰিব পাৰে, অৱকাশ নকৰে। চৰকাৰে মাত্ৰ বামৰাজ্য প্ৰতিষ্ঠা কৰাত সহায়হে কৰিব পাৰে। এখন পচাইনৰ দ্বাৰা কেতিয়াও বামৰাজ্য প্ৰতিষ্ঠা হব নোৱাৰে। যিবিলাক লোকে দেশৰ স্বাধীনতাৰ কাৰণে সৰ্বস্ব ত্যাগ কৰি যুদ্ধ কৰিছিল সেই সকল লোকে দেশখন ধ্বংস কৰিবলৈ চৰকাৰ গঠন কৰা নাই। দেশৰ কিম্বা জনসাধাৰণৰ সুখ সুবিধা কৰিবলৈহে চৰকাৰে হাতত লৈছে। এনেদৰে এইদৰে তেখেত সকলে কংগ্ৰেছী সকলৰ ব্যঙ্গ কথাটো সহ্য কৰা বৰ টান। তেখেত সকলে বুজা উচিত যে এওঁবিলাকৰ অন্তৰতো দেশপ্ৰেম আছে। যিখন পঞ্চায়ত বিল এই সদনত উত্থাপন কৰা হৈছে তাত যদি চৰকাৰৰ অসৎ অভিপ্ৰায় থাকিলহে, তেন্তে তেতিয়াহলে বাচনি কমিটিলৈ নপঠিয়াই এই অধিবেশনতে আইনত পৰিণত কৰিব পাৰিলেহেঁতেন। কিন্তু বাচনি কমিটিলৈ পঠোৱাৰ উদ্দেশ্য হৈছে তাত বি পুঁটি-মাটি বৈ গৈছে সেইবোৰ আঁতৰাই যাতে এখন নিখুঁত আইন বচনা কৰিব পাৰি সেই উদ্দেশ্যই ইয়াক বাচনি কমিটি লৈ পঠোৱাৰ ব্যৱস্থা কৰা হৈছে আৰু তাত আপত্তি কৰাৰ কোনো কাৰণ নেদেখো।

আনৰ শ্ৰীবৰবৰুৱা ডাঙৰীয়াই ব্যঙ্গ কৰি কৈছে যে গাওঁ পঞ্চায়তৰ সভাৰ জাননী দিয়া হব চোল কোবাই আৰু পৰামৰ্শ দিছে লিখিত জাননী দিবৰ কাৰণে। অধ্যক্ষ মহোদয়, গাঁৱৰ মানুহক একগোট কৰিবলৈ এজন বাৰিষক থাকে—তেৱেই গাঁৱৰ ৰাইজক গোটাই আনে। এইটো এটা পুৰণিকলীয়া প্ৰথা। সেইবাবে চোল কোবাই সকলোকে নাই দিয়াৰ দিহা কৰিছে কাৰণ চোলৰ মাত শুনিলে সকলো ঘৰৰ ভিতৰৰ পৰা



ওলাই আহে আৰু নোল বজোৱাৰ উদ্দেশ্যটো কি বুজি পায়। ইয়াত যদি কিবা আপত্তি আছে তেনেহলে তাক ব্যঙ্গ স্বৰূপত আলোচনা নকৰি সজ্ঞাবে কৰা হৈ উচিত। এই বিল সদনত উত্থাপন কৰিহে সূচিস্থিত পৰামৰ্শ আশা কৰিহে—ব্যঙ্গ কৰিবৰ বাবে নহয়।

আমাৰ শ্ৰীভট্টাচাৰ্য ডাঃবীয়াই তেখেতৰ সমালোচনাত চিন্তাধাৰাৰ পৰিচয় দিছে। তেখেতে এই পঞ্চায়ত আইন ভালকৈ অধ্যয়ন কৰিছে। তেখেতে কৈছে যে পঞ্চায়ত সভাত ডেপুটী কমিচনাৰ বা মহকমাধিপতিৰ সভাপতিত্ব কৰিবলৈ দিয়া উচিত হোৱা নাই। সেইটো অৱশ্যে এটা মতামতৰ কথা। তেখেতে আৰু এটা ভয় কৰিছে যে গণ-তন্ত্ৰৰ ভিতৰত তেনেকুৱা বিষয়ক ঠাই দিলে গণতন্ত্ৰ থাকিব নে নোপাকে। ইয়াত ভয় কৰিবলৈ বিশেষ একো নাই, কাৰণ সভাপতিৰ অনুপস্থিতিত সদস্য সকলে এজন উপ-সভাপতি নিৰ্বাচিত কৰি কাম চলাব পাৰে।

**Mr. SPEAKER:** Order, order. In the first reading, the details of the Bill may not be discussed. This is not the time and place to discuss the details of the Bill. That can be discussed only at a later stage, more particularly in view of the fact that the Bill is going to a Select Committee which will be the proper forum for discussion of this Bill in details. So the hon. Member may make only a general observation of the Bill rather than going into the details of the Bill now.

**Shri HARINARAYAN BARUA (Teok):** বাক, মই সেই কথা সিমানতে এৰিলো। মোৰ কথা হৈছে, উপ-সভাপতিয়েই সেই ক্ষমতা প্ৰয়োগ কৰিব পাৰিব। সেই কাৰণে মই তেখেতক অনুৰোধ কৰিছো যাতে বিলখন জনমতৰ কাৰণে পঠাবলৈ জোৰ নকৰে।

ইংৰাজী ১৯৪৯ চনতে আমাৰ পুৰণি পঞ্চায়ত প্ৰতিষ্ঠা কৰা হৈছিল। সেই পঞ্চায়ত পুঁজিৰ অভাৱত অচল হৈ গল। এতিয়া পঞ্চায়ত আইন প্ৰবৰ্ত্তন হোৱাৰ লগে লগেই লোকেলবোৰ্ড কৰ্মচাৰী সকল আৰু Rural পঞ্চায়তৰ কাৰ্য্যকাৰক সকল অস্থবিধাত পৰিব। গতিকে তেওঁলোকক কেনেকৈ সহায় কৰিব পাৰি সেই বিষয়ে চিন্তা কৰাটো চৰকাৰৰ প্ৰয়োজন হৈ পৰিছে। মই আৰু এটা কথাত পঞ্চায়ত বিভাগৰ মন্ত্ৰী আৰু মুখ্য মন্ত্ৰীক অনুৰোধ কৰো যে যিবিলাক পঞ্চায়তে পুঁজিৰ সাহায্য পোৱা নাই সেইবোৰক অতিশীঘ্ৰে সাহায্য দিয়াৰ ব্যৱস্থা কৰা উচিত। পঞ্চায়তৰ কামত সহায় কৰিবলৈ স্বায়ত্ব শাসন বিভাগৰ পৰা যি পুঁজি দি সহায় কৰিবলৈ চৰকাৰে স্থিৰ কৰিছে, সেইটো যথেষ্ট হৈছে নে নাই সন্দেহ। গাঁৱৰ কিছুমান বাস্তা পঞ্চায়তে পৰিচালনা কৰে আৰু কিছুমান বাস্তা লোকেলবোৰ্ডে কৰে। কিন্তু পুঁজিৰ অভাৱত সেই বাস্তাবোৰৰ কাম অচল হৈ পৰিছে। সেই কাৰণে লোকেল বোৰ্ডক যি পুঁজি মঞ্জুৰ কৰিবলৈ চৰকাৰে স্থিৰ কৰিছে সেই টকা যাতে গাঁৱলীয়া বাস্তা মেৰামত কৰাত ব্যয় কৰে তালৈ চকু দিব লাগে। আৰু ব্লক পঞ্চায়ত তৈয়াৰ নহয়মানে পুৰণি পঞ্চায়ত সমূহক কাম পৰিচালনা কৰিবলৈ আৰ্থিক সাহায্য দিয়াৰ দিহা কৰিব লাগে।

**Shri MOHI KANTA DAS (Barchalla):** Sir, I think the discussion of the hon. Member is outside the point; he is not discussing the principles of the Bill, but seems to be going into details.

**Mr. SPEAKER:** Yes, I also wonder whether the hon. Member is correct in bringing in these things because Rule 73 of the Assembly Rules it says like this, "On the day on which any such motion is made, or on any subsequent day to which the discussion is postponed, the principle of the Bill and its general provisions may be discussed, but the details of the Bill shall not be discussed further than is necessary to explain its principles." So, I would request the hon. Member not to go into details at this stage.

**Shri HARINARAYAN BARUA (Teok):** অধ্যক্ষ মহোদয়, মই সেই Point লৈকে মানলৈ চেষ্টা কৰিছো। মই আগৰে পৰা কৈছো যে চৰকাৰে এই বিলখন Select Committee লৈ দিয়াৰ সিদ্ধান্ত কৰিছে কিন্তু আমাৰ ভটাচাৰ্জী ডাঃবীয়াই জনমতৰ কাৰণে দিবলৈ জোর কৰিছে। মই এই কাৰণ বিলাককে দেখুৱাই কৈছো যে আমাৰ বাইজৰ মঙ্গলৰ অৰ্থে, গাঁৱৰ সুবিধাৰ কাৰণে আৰু পঞ্চায়ত সোনকালে গঠন হ'বৰ কাৰণে তেখেত সকলে এই জনমতলৈ দিয়া প্ৰস্তাৱটো উঠাই লবলৈ অনুৰোধ কৰি মই মূল প্ৰস্তাৱটো গমৰ্ধন কৰিছো।

**\*Shri HARESWAR GOSWAMI (Rampur):** Mr. Speaker, Sir, we are thankful that at long last the Government have considered it fit to bring in a comprehensive legislative about the Panchayats. There is no two opinions in this House that we should develop our Panchayats and that we should have a Panchayat Raj in our State. Therefore so far as the question of decentralisation of powers is concerned, there is also no two opinions in this House. We do not want that all powers should rest either in Delhi or at Shillong, but that the people should have the test of administering the affairs in their own way. And so far as this broader principle that the people should be given not only the power but also the finance to implement their plans is concerned, nobody is in conflict. Sir, it is unfortunate that this Bill could not be brought in earlier. To-day the question before the House is not what the provision of the Bill should or should not be but whether we can do justice to the Bill by sending it to the Select Committee as proposed by the hon. Minister in charge of the Bill or we should send it to the public at large to get their opinion on the various provisions of the Bill so that in drafting the Bill and enacting it into law, we may have the support of the people at large to the Bill. Sir, I have always been against the practice of hurried legislation. There are certain matters, emergent matters, where it may be necessary to have a legislation all on a sudden. But there are other matters which are not emergent, matters where we have to consider every pros and cons over the various aspects of the

matter coolly and elaborately and then to legislate. It has been our sad experience that because we hastily pass a Bill through this House, very often we have to come within six months, even before the assent of the Governor or the president, as the case may be, is obtained, with an amendment. I know we are living in a dynamic age; things are fast moving and we cannot take a thing as sacrosanct and say, "Well this is the last word on the matter and there is no change in it." Even then it is necessary to consider all aspects of the matter before this House, puts its seal of approval on the Bill. Sir, this Bill, we thought, would be introduced in the last session of the Assembly, but unfortunately this was not done. It took four months to draft the Bill. If the drafting of the Bill can take four months, it is quite conceivable that the representatives of the people will require some more time to consider the various aspects of the Bill. Secondly, Sir, it is not only a question of my personal opinion or the personal opinion of some of the members who would adorn the Select Committee, that this Bill contains provisions of very far-reaching importance. This Bill is supposed to affect the very structure of our society; it will also affect to a degree the structure of administration; this Bill is supposed to give a fillip to the developmental activities by obtaining the direct participation of the people in various matters. We also want to introduce judicial changes in the structure of the society; we want to give power to the other Panchayat Adalats to try cases. So far as these principles are concerned, these are very laudable principles. But when discussing these principles we have to look to the development of our society in what stage of development our society is at the present moment, and how best we can implement these laudable principles in our daily life. Sir, as I have already stated these are very important matter, this is not only my own opinion, but the opinion of every hon. Member of this House as I think. These are very important because all of us are affected by the provisions in the Bill. I therefore would support the motion brought forward by my Friend, Shri Bhattacharyya. Because I want to have the opinion of all shades of people. Now it may be contended by the Hon'ble. Minister in charge that within 20th October, the time when we submit the report of the Select Committee, we shall examine the various groups of people, the Panchayats, the Local Boards and other organized opinions of the State. But Sir, in my opinion by that we shall not be able to discharge our duties properly; it will not be possible, knowing as I do

how we move, to have the opinion of all these people in this manner. Then Sir, I know before the first of April we are not going to implement this Bill. And I oppose also for another reason. If we want to implement this Bill, well, let it be from the beginning of the financial year. Why should it be implemented in the middle of the financial year? We have of course to put a dead line, but the dead line should not be from the middle of the financial year. I think we have enough time to consider the opinion of various shades of public opinion in our State. Sir, I am definitely of the opinion that in the matter of Panchayats we should not indulge in party politics we should have the panchayats comprised of all shades of political opinion and the primary panchayats should be decentralised so that the entire people inside the panchayats may be activated and inspired to take active interest in the matter of implementation of our Developmental activities. If that be our objective, then, Sir, I would suggest that all the political parties and various other organised bodies of the people should get an opportunity of expressing their opinion on various aspect of the Bill. We have agreed to a panchayat system of Government. We want also that there should be decentralization of power. We have the experience of seeing that because these panchayats were not given enough finance they could not discharge their duties effectively. Therefore, we have to see how best we can give them finance to carry on various activities that we have enumerated in the Bill. So, Sir, if we accept this fundamental then I would request the Government not to be very strict or not to be obstinate—if I may use this word—that we must have the block panchayat and that we must abolish the rural panchayat. Sir, this fundamental change, namely, whether we can carry on our activities through the rural panchayat better or through the proposed block panchayat better, requires deep consideration. So far as block panchayat is concerned, we have to remember also that if the size of this block panchayat becomes too big then also it may not be possible for us to carry on the activities properly. Secondly, it may not be possible to generate that amount of public enthusiasm which we all want to do through this Bill. Therefore, Sir, let us not be very strict that we should have the block panchayat as the only organ for our activities. I would personally suggest that it should go to the public for their opinion. If, however, the Government insist that it should go to the Select Committee, then I would request the Government that let them not be very strict about this matter that we must have block panchayat. Rather I would

like the Government to consider whether the existing rural panchayats as they are will be able to serve the purpose of the Bill better. That is to be examined.

Secondly, regarding the method of election, my Friend Shri Harinarayan Baruah has just now cast a reflection on the people. I do not think our people deserve that reflection. Whether it is Gaon Panchayat or any other kind of panchayat. We must have some amount of confidence in our people. We take it that although our people may not be literate enough they have commonsense and have love for our country. He said that those people who are not liked by the people and those people who indulge in various unfair activities can easily find place in the Panchayat. I am sorry to say that if that can be said about election of our people to the Gaon Panchayat then it can be said that similar sort of people can also be elected to other bodies. So, that reflection on our people sounds really unfair. Whether it is Gaon Panchayat or Block Panchayat or Union Panchayat, everywhere we must have some amount of confidence in the people. Of course it may be said that there are some people who may not be to our liking, but it cannot be said that because they are not to our liking they will bring disruption in the panchayat or they will stop the progress of the panchayat. It has been our experience that very often of course we do not like some representatives to come to the Panchayat or we do not like somebody to be the president of the Panchayat, and thus we create complication. I will request, as I requested on an earlier occasion, that in the matter of Panchayat let us shake off our political opinion, let us feel that we belong to the society and whoever is selected by the people, we have a duty to give him a fair chance of working in the Panchayat. I personally feel that in the Block Panchayat which is going to be a very vital organ of our people it is necessary that there should be representatives of the people selected directly by the people. If we for all time insist on indirect election then, Sir, the enthusiasm that we want to create will not be forthcoming. If it is decided that it is necessary to have that type of representatives then I may also suggest why should we not have the single transferable system of voting in this Panchayat and then have proportionate representation. These things can be discussed if this Bill will be sent to the public for their opinion before this is sent to the Select Committee. We have given a good-bye to indirect election in the matter of election to the Assembly and in the matter of election to the Lok Sabha. But today we want to bring in indirect election to this vital organ of our society, that is, the Block

Panchayat. If we go to do so then I think it will be wrong in this matter. So, on this point the opinion of the public is to be taken so far as the Panchayat courts, or Panchayat Adalats are concerned there is going to be a vital change also. So, I repeat a warning that if we maintain our party feelings in this Panchayat court or Adalat then I am of opinion that this court or Adalat will not be able to discharge its function fairly. We want justice to be squarely given to all the people. From the little experience that I have, I say that if the party system is maintained in the election to this Panchayat then there will be possibility of having a bias mind and that will always lead to chaos which we do not want.

Mr. Bhattacharyya has eloquently said that when we have given good-bye to that Deputy Commissioner and such other officer to be the *ex-officio* Chairman of the Local Board and Municipality why should we now bring them again here. It is not necessary. My Friend Shri Harinarayan Baruah said that we will elect a Vice-President who will exercise power on behalf of the Deputy Commissioner. Why should we bring the Deputy Commissioner to our panchayat activities. He is a very overworked person. We should not bring him here to interfere in such of our affairs. Here there is a provision for bringing in.....

**\*Shri HARINARAYAN BARUAH (Teok) :** মই ডেপুটি কমিচনাৰ ইউনিয়ন পঞ্চায়তৰ প্ৰেচিডেন্ট থাকিব লাগে বুলি কোৱা নাই এটা explanation হৈ দিছো।

**\*Shri HARESWAR GOSWAMI (Rampur) :** I have also not said so.

Then, regarding certain officers to be nominated although they will not have any voting power even then if these officers are taken in Block Panchayat or Union Panchayat they may be brought in as experts only when expert advice is necessary on certain points. They may be called in only for such purposes but Government should not have any power to send these officers to every committee of these panchayats. Whenever a Block Panchayat or the Union Panchayat will consider it necessary that the services of the agricultural officer is required, the services of the agricultural officers may be called in. So also if the services of the Executive Engineer of the Public Works Department, Roads and Buildings or the Executive Engineer, Embankment and Drainage is required he may be called in. For that purpose these officers need not be nominated by the Government. Besides, the services of all these officers will not be required at all in a particular

sitting, but if they are nominated to be there they will be there whether they are required or not. That is the experience of our committees, whenever we ask some officers to come they come and stay till the end of the meeting. In nominating these officers we would consider the expenditure involved and the time spent by these officers leaving their routine work. Many of them have to come from distance, this involves expenditure of money in T. A. and this is one instance of misusing Government officers. So, I suggest that in this matter what is necessary is that such officers should be called in only when expert advice is necessary and for such expert advice it is not necessary for the Government to keep them for all the time to be in the meetings of these Panchayats.

Then, Sir, so far as the Members of the Legislatures or Parliament, are concerned they have been given the position of *ex-officio* members. Now, if it is considered necessary that these people should be there, in my opinion, they should be *ex-officio* members with a right to vote because they must be effective members of these bodies but if it is felt that that is not necessary let them not be also *ex-officio* members.

Speaking about Union Panchayats, I do not know, after these Block Panchayats what is left to the Union Panchayats? It is stated that they will co-ordinate the activities of the Block Panchayats. My submission is that if Union Panchayats are to be kept they should be kept with certain powers and the Union Panchayats should be effective also, and if it is only for decoration they should not be kept at all.

Lastly, as I said, we quite appreciate the anxiety of the Government to have the Panchayats in our State and the difficulties we are experiencing for the existence of the Local Boards and the Panchayats side by side. As we cannot implement this Bill before 1st of April, my submission is that Local Boards should be allowed to continue the status they are maintaining to-day till then, because they are to be abolished we should not obstruct their working. That will be a wrong approach.

Then I submit that this Bill being a very important Bill on which we want to be guided by various opinions of the public and public institutions, this Bill should be circulated for eliciting public opinion and we will lose nothing thereby.

With these words, I support the motion moved by my Friend, Shri Bhattacharyya.

**Shri HARINARAYAN BARUAH (Teok):** মাননীয় অধ্যক্ষ মহোদয়, মই কোৱা কেইটামান কথাৰ বিৰোধী দলৰ নেতা শ্ৰীযুত গোস্বামীয়ে অশুদ্ধ ব্যাখ্যা দিছে। মই কোৱা নাছিলো যে, জনসাধাৰণৰ কামত আমাৰ আস্থা নাই বা জনসাধাৰণৰ সমৰ্থন লৈ আমি সদনলৈ অহা নাই। জনসাধাৰণৰ ওপৰত আমাৰ সম্পূৰ্ণ আস্থা আছে আৰু পঞ্চায়তৰ ক্ষেত্ৰতো নিৰ্বাচনৰ সময়ত ঘটা ঘটনাৰ দুই এটালৈ লক্ষ্য কৰিহে উদাহৰণ স্বৰূপে সমাজ বিৰোধী লোকৰ কথা কৈছো। আৰু সেই দেখা ঘটনাবিলাকৰ পৰাই এই কথা কৈছো যে D. C. এ আদালতৰ সদস্য বিলাক বাচি দিব লাগে নহলে, নিৰ্বাচনৰ ঘটনাচক্ৰত পৰি এনেও হব পাৰে যে কোনো ক্ষেত্ৰত সমাজ বিৰোধী লোকহে নিৰ্বাচিত হব পাৰে। সেই কাৰণে যাতে সজ চৰিত্ৰবান লোকহে এই আদালতলৈ সদস্য হিচাবে আহিব পাৰে তাৰ কাৰণেই D. C. এ এইবিলাক সদস্য বাচি দিব লাগে বুলি কৈছিলো—অন্য কাৰণে নহয়; কিন্তু তাকে শ্ৰীযুত গোস্বামীয়ে অন্য লাইনত অশুদ্ধ ব্যাখ্যা দিছে।

পঞ্চায়তলৈ নিৰ্বাচিত হৈ অহা ক্ষেত্ৰতো যাতে সজ-চৰিত্ৰবান মানুহেই নিৰ্বাচিত হব পাৰে তাৰ সতৰ্কতাৰ কাৰণেহে মই ইঙ্গিত দিছো। মই দুই এটা তেনে ঘটনা ঘটা দেখিছো। ইয়াৰ দ্বাৰাই মই কোৱা নাই যে বাইজে চৰিত্ৰহীন বা সমাজ বিৰোধী লোককহে নিৰ্বাচিত কৰে।

**Shri FAKHRUDDIN ALI AHMED (Minister, Local Self-Government):** Mr. Speaker, Sir, I am obliged to the hon. Members who have taken part in the discussion of the motion which has been moved by my colleague, Shri Hazarika. I have closely followed the observations and criticisms made by the hon. Members of the provisions of the Panchayat Bill. We feel that the matter under discussion is of very far reaching consequences and I am glad that this view has been supported by all hon. Members who have participated in the discussion.

I agree with the hon. Member from Gauhati, that the Panchayat is not a new institution so far as this State or for that matter India is concerned. I also agree with him that such institutions may have been known by different denominations in different places at different times but such institutions did exist all over the world for a very long time particularly in Egypt and Greece, in the medieval and in primitive period of history. But we have to remember one thing. Though these institutions may not be new, but the works which to-day we want to assign to these institutions known as Panchayats is of different and complicated nature necessarily because of the progress, development and scientific discoveries the life we live under the present time has become complicated. Therefore, these Panchayats may not be performing the same duties and function as had been done by similar institutions in the old days. We do not want to take



any credit by saying that what we have produced is something novel and new. More over such an attitude can not be helpful. What we claim is that we have brought forward this legislation with some ideal and objective. Therefore, I appeal to the hon. Members, to whatever party they may belong, to consider the legislation under discussion, to offer criticisms, and to give the suggestions not with any subjective but objective considerations. I mean, Sir, that in a matter of this nature we should offer criticism and give suggestions, not with intent to serve the party politics or to secure any advantage for the parties, but we must be guided by the sole objective that this legislation is primarily intended to integrate all the varieties of the people living in our country and make them share the responsibility of developing ourselves and improving conditions of life in all spheres. I want to say this, Sir, particularly because there has been criticisms and uncalled for observations against our officers who have often been characterised as bureaucrats. I feel, Sir, when we proceed with the objective of integrating our people and when we want cultivators from a village or a labourers from the factory to grow and develop their Government in the State, such development and progress cannot proceed on proper lines and be maintained unless and until the responsibilities among all categories of persons who are to do this job are equally shared, and they are brought together to devote their time and energy jointly and in co-operation in the task of the development. The Mehta Committee conceived of the problem before them with the objective I have referred to. Following the principle enunciated or the suggestions given by the Mehta Committee we have entrusted with our officers certain function and responsibilities in this legislation. And, therefore, I want to appeal to the Members not to continue to think in the same manner and in the same fashion as we used to think about them under the British regime. It may be fortunate or unfortunate for some person to serve the people and to be described as Government because they get remuneration for such service but to show them this kind of apathy is really very uncharitable. I feel that in the task which lies ahead all of us to-day, it is no less the concern, responsibility or duty of Government servants, as citizens of India also to see that our country progresses and the all round development goes on. This is how I look upto Government servants. Further we must get rid of the idea that our Government servants serve to any bureaucratic regime or carry out the policy of a foreign Government. We must realise that to-day throughout India, we have a democratic system of Government, where the party, which has been put in power by

free exercise of the will of the people, carries on the administration. I make bold to say that no Government officer to-day, whatever may be his position, whatever may be the post he holds, will have the audacity not to carry out the orders of the party in power or not to implement the policy which is laid down by the Government.

Sir, I feel that for the efficient administration of any country a permanent service is a necessity—a service on the quality and experience of which all legislators, all Ministers, who hold office to-day and will hold office in future, will have to depend. They must get the best set of the experience of these officers for day-to-day administration. Sir, the argument that Government officers should not be responsible along with non-officials, when advanced by people not belonging to the way of thinking of my Friend the hon. Member from Gauhati, I can understand, but I feel that he cannot advance such an argument that in any particular sphere we should not be guided by the opinion of officers. Sir, from the experience I have of Russia and the few institutions I have seen there, apart from the fact that their is only one-party Government those who do not belong to the Communist Party cannot even hold any high office in any department. How the collective farming or State farm in the villages in Soviet Union are encouraged? The village or the community in any particular area may elect the members, but the activities of the members have to be guided in day-to-day administration by trained officers who have been drawn specially for this purpose and who do not always belong to that village or area. Such is the state of affairs find in a country in the ideology of which my Friend believes. And, therefore, I was really amazed when I heard him objecting to the provision of appointing Executive Officers in Block Panchayat and of the Deputy Commissioner being Chairman of the Union Panchayat. Here we do not have one-party system. Everyone is entitled to apply and candidates are selected on merit and given appointment to serve the Government and the country.

Now, Sir, consider the practice in England. I can say this from my experience that the permanent service in England is the pivot of administration of the country and it efficiently carries out the policy of Government, whether it be a Conservative Government, Liberal Government or Labour Government. They are dedicated to the task of carrying out the orders and policy of Government. I personally feel such dedication to service can be a great asset to any country. I would like our officers also to function in similar

manner. They must be concerned only to carry out and implement the policy of the Party in power. They should have nothing to do with one party or the other. They have to see that the administration of the country is run efficiently. Now if they are to serve in this manner is it not equally our duty to see that we do not distrust our officers or create a kind of barrier between the people and our Government servants? If they have to be associated in some form or other, let us be bold enough to bring about co-operation between our officers and the people. I believe, in this way lies the success of all our development programmes. To-day the Congress Party is in power and the Government officers are called upon to implement the policy and the programmes of the Congress Party. But, Sir, we should not ignore the fact that our Government officers will equally be free to implement the policy and programmes of other parties if and when such parties come into power.

Secondly, I also want to make it clear that to-day we have not come forward with any claim that the provisions suggested in the Assam Panchayat Bill are sacrosanct and replete with such wisdom that they can not be altered. We are prepared to accept suggestions and invite criticisms from hon. Members whether they belong to the Treasury benches or belong to the Opposition. Sir, I can assure the hon. Members of this House that we shall take into consideration all kinds of views which have been expressed before the House because a legislation of this nature will have a far reaching effect. I also do not believe in rigidity. To-day the whole world is changing so fast and the circumstances are changing so suddenly that we have to adjust ourselves accordingly. We have therefore to make such provisions as are likely to help adaptation according to the circumstances and according to the requirement of the time. Further, let there be no doubt so that today what we provide is without a flaw or defect we can only claim that we have made an effort to make provisions as practicable as possible. If there is any flaw or defect in this provision they can be removed as we gain experience and know where the defects lie.

So far as the motion for reference of the Bill to Select Committee is concerned, the main objections which has been raised by my hon. Friend from Gauhati and the Leader of the Opposition is that the Bill should be referred to elicit public opinion. Sir, I shall deal with this aspect of the question after the various points which have been raised by my hon. Friends I have been dealt with.

The hon. Members will please excuse me if I deal with such criticism as has been made by my hon. Friend Shri Gaurishankar Bhattacharyya because most of my hon. Friends, who have followed Shri Bhattacharyya, have raised similar objections. My replies to the points raised by my hon. Friend from Gauhati will cover most of the criticisms made by other Members.

So far as the observation and suggestions made by my Party Members are concerned, I shall keep them in view if I have no time to deal with them separately.

It has been stated by my hon. Friend from Gauhati that the statement of objects and reasons in the Bill have not been followed up in the main provision of the Bill. My submission is this that this is entirely incorrect. The correct position is that the principles outlined in the statement of objects and reasons have been fully incorporated in the provisions. I shall show this in dealing with the various objections raised by him. In this connection my hon. Friend has also stated that the Balwantray Mehta Committee has only studied one aspect of the programme. He went on to say that the Balwantray Mehta Committee was appointed with the only object of making an enquiry and submitting a report on the working of Community Project and National Extension Service blocks. Therefore, he maintains that the suggestions we have taken from the Mehta Committee's Report for incorporation in the Assam Panchayat Bill, are not steps in the right direction and therefore provisions in the Assam Panchayat Bill will not serve the purpose for which the Bill has been introduced. Sir, my submission is that this view is also incorrect. I shall show presently that the Mehta Committee's Report not only dealt with this aspect of the question which has been refused to by my Friend but also dealt with other aspects of the questions which have been provided in this Bill. Moreover the arguments, I submit, advanced by my hon. Friend are fallacious because community development essentially represents all aspects of rural development. It is only in respect of fund allocations under the Community Development programme that this programme can be considered in a way separate. Extension work is basically all-embrasive in character and it was only after taking into account all aspects of the problems of rural development that the Balwantray Mehta Committee formulated its views. In fact, the Committee viewed the problems of rural development in its entirety and only after such examination of the overall problems did they come to definite views. At page 6 of the Report (paras. 2-5), it has

been stated, "We have to consider whether the time has not arrived to replace all those bodies (dealing with rural development programmes) by a single representative and vigorous democratic institution to take charge of all aspects of development work in the rural areas."

Sir, I submit, in dealing with the District Boards also, the matter was placed before the Mehta Committee. Therefore, it would be wrong to say that the Mehta Committee only considered one aspect of the matter.

Now, the next objection which has been raised by my hon. Friend Shri Gaurishankar Bhattacharyya, is that the democratic aspect of the work done by Local Boards and Village Panchayats has been ignored and that there was that lack of balance in the Bill. This also, in my submission, is not correct. The whole basis of democratic decentralisation as envisaged in the Bill is through the agency of the Village Panchayats and it would be the Village Panchayats representatives who would constitute a Block Panchayat. Now, if my Friend will be pleased to look carefully at the provisions of the Bill he will find that actually the Village Panchayat is the pivot through which decentralisation is aimed at. These Village Panchayats will be elected by all those people living in the village. If the village consists of say, 2500 people, it is those people who will elect their representatives to form the Panchayat as well as the Chairman, the Vice Chairman, etc., and the actual work will have to be done through this body. The entire work, which is most important so far this Government is concerned, will thus be executed through the representatives and responsible people living in the village itself. None of my Friends, either the Leader of the Opposition or the hon. Member from Gauhati have attacked the provision providing for constitution, duties and the function of the Gaon Panchayats.

It has been specifically recommended by the Mehta Committee that the main agency for execution of developmental work should be at the village level. My Friend, the Leader of the Opposition, has stated that he does not like the idea of a village level.

**Shri HARESWAR GOSWAMI (Rampur):** No Sir, I did not said like that. What I said is that we have to examine whether it would not be profitable to have it done through another Rural Panchayat or a Block Panchayat.

**Shri FAKHRUDDIN ALI AHMED (Minister, L.S.-G.) :** But what we have to consider is this. Today when we have accepted the policy of decentralisation, first of all we have to make up our mind to what level we are going to decentralise? Whether we are going to decentralise to the level of a subdivision or to the last level of a village. Now, these are important matters which have to be taken into consideration. Government have given their utmost consideration to this aspect of the question and they have placed the suggestion that the most practical thing will be that we should go somewhere lower than the present subdivisional level but we should not decentralise to the village level. In this connection we have completely followed what has been recommended by the Mehta Committee. Today we may go upto a level composing of several village and call that level Block Panchayat or by some other name with the name we are not concerned. What we are concerned with is this: how should be composed of a body of the village. I feel these matters involving the cost of decentralisation can be properly discussed in the Select Committee and it is not necessary that the matter should be circulated for eliciting public opinion because here the only fundamental question involved is to what level we want to decentralise. We have suggested a certain level and this has been incorporated in the Bill. We can decide in the Select Committee where also we can have the advantage of the opinions given by many other persons, as to what level we can go for decentralisation and what should be the nomenclature of that Government, be a Village Panchayat or Block Panchayat or someother Panchayat. As I have said, we are not concerned with the name.

**Shri HARESWAR GOSWAMI (Rampur) :** Our difficulty is because of the Statement of Objects and Reasons: practically speaking so far as these things are concerned Sir, we cannot change them.

**Shri FAKHRUDDIN ALI AHMED :** Sir, as I have submitted, a question of principle is forwarded so far as the decision of decentralisation is concerned and not at the level we want is decentralisation the name we give to such level. Now the reason why we have suggested decentralisation upto Block Panchayat level and these hon. Members can consider in the Select Committee, as follows. It has been specifically recommended by the Mehta Committee that the main agency for execution of developmental works should be at the village level. The recommendation of the Mehta Committee is that there should be a Union Zilla Panchayat mainly for purpose of consideration of

between these Panchayats. The present Bill also envisages Zilla Panchayats at district or subdivisional level as recommended by the Mehta Committee. Hon. Members will find it at page 19, paragraph 2.38 where it is said "To ensure the necessary co-ordination between the panchayat samitis, we suggest a zilla parishad of which the members will be the presidents of the panchayat samitis, all members of the State Legislature and of the Parliament representing a part or whole of a district whose constituencies lie within the district and district level officers of the medical, public health, agriculture, veterinary, public health engineering, education, backward classes welfare, public works and other developmental departments. The Collector will be the chairman of this parishad and one of his officers will be the secretary." We have been criticised for the provision appointing D. C. as chairman of the Zilla Parishad. My submission is that we have gone a little further than what has been recommended by the Mehta Committee according to which such a revenue officer may be appointed as chairman of the Zilla Panchayat. But we have made a provision of appointing the D. C. and not any Revenue Officers, as Chairman of our Union Panchayat which is more or less similar.....

**Shri GAURISANKAR BHATTACHARYYA (Gauhati) :**  
That is a Zilla Panchayat.

**Shri FAKHRUDDIN ALI AHMED (Minister, Local Self-Government) :** I request my Friend to have patience and I shall substantiate all my arguments. Now, Sir, we have suggested that a Collector or a Deputy Commissioner will be the chairman of a Zilla Panchayat and one of his officers will be the secretary. The Zilla Panchayat will co-ordinate and consolidate the work of the Block Panchayats and consider where grants for special purposes are needed or demanded by Panchayat Samitis. These also will be consolidated and forwarded to the Government by the Parishad. It will also generally supervise the activities of the Panchayat Samitis. This is what Mehta Committee has said at page 20 paragraph 2.41 "We do not contemplate that this parishad will have executive functions; that way lies danger to the initiative and, therefore the effectiveness of the Panchayat Samitis. Nor do we consider that the district level officers on the panchayat samitis should be members of the Parishad without the power to vote. The time is long past when we could think of the officers' interest in the rural development as something different from or contrary to that of the non-officials". I would request the hon. Members to bear in mind the last sentence of the quotation. It is clear from this that the Mehta Committee

has envisaged the subdivisional or district body as primarily a co-ordinating unit and not the executive unit more-or-less on the lines of the present functions of Subdivisional Development Boards. In our Bill, however, the role of the Union Panchayat has been made much more definite and more specific as will be seen in clause 40 and clause 40(a) of the Bill. The powers given to the Union Panchayat are fairly considerable as contained in these two sections. The organisation of the Union Panchayat has been exactly as recommended by the Mehta Committee and there has been no divergence from the pattern laid down.

The next criticism made by Shri Bhattacharyya was in respect of the Village Panchayat which, he said, would only be an order-carrying authority. This is also based on a misunderstanding of the concepts underlying the Bill. I do not understand wherefrom he got this idea. The Gaon Panchayats have been given extensive functions together with extensive powers of taxation. It is, however, recognised that most of these bodies would be largely dependent on financial assistance from Government or the Block Panchayat. This assistance would be fully ensured by the fact that the Block Panchayat will only consist of the presidents of Gaon Panchayats, besides one or two people from the co-operatives in the area. Thus, a very close link is built up between the Block and the Gaon Panchayats and both should be viewed as part of one body, the Block Panchayat taking more of the policy decisions while the Gaon Panchayat executing the same. So it will not be an imposition from the above. In fact we have considered about this matter and we felt that in a Bill of this nature it is desirable that there should be co-ordination between the Gaon Panchayat and the Block Panchayat. My Friend has also attacked the provision of indirect election for Block Panchayats. Now, so far as the Block Panchayat is concerned the reason is obvious. If we have direct election to the Block Panchayat, the result may be that some other persons of different views may capture the Block Panchayat, and it would be difficult for them to execute the work if the people of Gaon Panchayat are not of the same view. In order to have some sort of unity among the bodies which will initiate and carry out the programmes it is suggested that it is the Chairman of the Gaon Panchayat who would be associated with the Block Panchayat (interruptions from the Opposition).

**Mr. SPEAKER :** Order, order, let the Minister speak.

**Shri FAKHRUDDIN ALI AHMED (Minister, Local Self-Government) :** My submission before the hon. Members is that the Mehta Committee is also in favour of indirect election so far as the Block Panchayat is



concerned. Having regard to the circumstances prevailing in Assam it will be much better to provide for indirect election for the Block Panchayat. It cannot be said that what has been adopted by other States like Bombay or U. P. we should also literally follow them. The Mehta Committee also accepted the principle of indirect election *i.e.*, from Gaon Panchayat to Block Panchayat that principle has been accepted. (Interruptions).

**Shri GAURISANKAR BHATTACHARYYA (Gauhati):**  
I want a clarification, Sir.

**Mr. SPEAKER:** Clarification cannot be converted into interruptions.

**Shri FAKHRUDDIN ALI AHMED (Minister, Local Self-Government):** After all the President of the Gaon Panchayat will be representatives of the village. He will be representing his area. He is not a foreign person—he is not a person who will be foisted on the Block Panchayat by the Government. So I do not see any reason why we should be suspicious, why we should feel that the Chairman of the Gaon Panchayat will not be able to discharge the duties in the interest of the Gaon Panchayats of which he will be a member. I have mentioned before that the Gaon Panchayat has been given extensive functions together with extensive powers of taxation. It has been criticised that we have given both functions to two bodies, but as a matter of fact we have not given them the concurrent jurisdiction.

It is recognised that most of these bodies will have to depend on the financial assistance from the Government, and as a matter of fact we have given a portion of the land revenue to them, in addition to the local rates.

**Shri GAURISANKAR BHATTACHARYYA (Gauhati):**  
The Local Boards were getting the local rates.

**Shri FAKHRUDDIN ALI AHMED:** Yes, but in addition to that we shall now give them a portion of the land revenue.

The Gaon Panchayat will not be the order-carrying body. There is no harm if the Gaon Panchayat carry out the suggestions of the Block Panchayat which is adorned and guided by the representatives of the people of that area and there would also be no official interference. As the main executing agency at the village level, the Gaon Panchayat would have a very clear and definite role to play, quite apart from the funds that they

would spend from their own taxation resources. There is no reason to feel that under the new Bill the Gaon Panchayat will not be reactivated. In fact, it is felt that with the close link that will exist with the Block Panchayat and in view of the fact that the Gaon Panchayat will be the execution agency for most of the schemes, the role of the Gaon Panchayat in the development programme will become far more important and essential than it has been hitherto.

**Shri GAURISANKAR BHATTACHARYYA (Gauhati):** That is why I said Gram Panchayats will simply be carrying the orders of the Block Panchayats.

**Shri FAKHRUDDIN ALI AHMED (Minister, Local Self-Government):** So far as orders are concerned, these relate to policy. The policy will be laid down by the Block Panchayats. I do not see how this can be objected to. If in the Select Committee any of my Friends can point out any objectionable feeling with regard to this, we shall be only too glad to remove such defects.

Then my Friend also criticised the provision of indirect election to the Block Panchayat on the ground that this will give rise to village factionalism. His argument is that if you have indirect election then this will encourage village factionalism.

**Shri GAURISANKAR BHATTACHARYYA:** On this particular point, I would like to correct myself. I was a little wrong when I said that there would be indirect election, but as a matter of fact there would be no election.

**Shri FAKHRUDDIN ALI AHMED:** My submission is that I find it difficult to follow this argument.

**Mr SPEAKER:** I would request hon. Members not to convert this debate into a dialogue (*laughter*).

**Shri FAKHRUDDIN ALI AHMED:** The gist of my Friend Shri Bhattacharyya's argument seems to be that there should be complete decentralisation on the one hand and on the other hand he comments that the setting up of these Panchayats should not encourage as growth of village factionalism. This reflects a lack of faith in the capacity of our people. The Mehta Committee's views in this regard may be seen at page 7-8 of the report. As regards the indirect election to the Block Panchayat, the Mehta Committee has felt, "There is no reason to believe that these bodies will

become centres of factionalism." In para 2.42 (p.20) the Committee has said, "It has been suggested that this indirect election may lead to party politics of a bitter nature..... We are not impressed by this argument." Nor do we see how direct elections, either to the Panchayat Samiti or to the Zilla Parishad, can guard against the danger of active politics withering the chances of community development." The Mehta Committee therefore has gone into this question very carefully and has given the above view. There cannot be any doubt, that by means of indirect elections from the Gaon to the Block Panchayats, closer harmony can be expected than if these two bodies were separated as distinct units. Even at present, there is often conflict in jurisdictions and exercise of authority by the rural Panchayat and the Gaon Panchayat. This would naturally be avoided if the Block Panchayat consisted of the Gaon Panchayat presidents only, as envisaged in this Bill. We thought that when we form the Block Panchayats and Gram Panchayats those people, who will be elected to these bodies will be able to take part in the deliberations of the Block Panchayats which will decide the policy and what work will have to be done in these particular areas.

Then my Friend said that we have taken certain aspects of the Mehta Committee Report into account but have avoided the basic concept of decentralisation. This is not correct at all. In fact, the pattern of rural organisation as envisaged in the Mehta Committee report has been fully followed in the present Bill. The only slight divergence has been in respect of the powers to the Union Panchayat where the State Government has gone beyond the recommendation of the Committee and has suggested more powers to the Union Panchayat than the Mehta Committee has recommended for the Zilla Parishad. I stand by this concession sought to be given to the Union Panchayats, and if my hon. Friends in the Select Committee can convince that this is not quite a helpful concession, I will revert back to the recommendation of the Mehta Committee in this respect.

In fact not a single clause in the Bill, apart from the one I have just mentioned, is in divergence from the Mehta Committee's report. Possibly my Friend, Bhattacharyya, has felt that there is too much officialdom because of the fact that the Chief Executive Officer of the Block Panchayat is an official. This is also, however, recommended by the Mehta Committee. Mehta Committee has recommended that all block officers should be under the operational control of the Block Panchayat exactly the same pattern as envisaged in this Bill.

The basic recommendations of the Mehta Committee have thus been followed in the drafting of this Bill in every detail. The powers given to Gaon and Block Panchayats, as mentioned at schedules 'A' and 'B' are extremely comprehensive and cannot be added to.

**Mr. SPEAKER:** How long the hon. Minister will take ?

**Shri FAKHRUDDIN ALI AHMED (Minister, Local Self-Government):** I will take another 15 minutes, Sir.

**Mr. SPEAKER:** Then let the hon. Minister finish his speech before the House breaks for lunch.

**Shri FAKHRUDDIN ALI AHMED:** The Block Panchayat will also have full operational control over the block staff, both the staff of G. D. Department and the staff of other Development Departments. Against this background it is difficult to conceive how decentralisation could have been more effective and complete. The present Bill does not envisage delegation of powers. It envisages as much decentralisation as is possible to be exercised at the block and correspondingly the Gaon level.

Then there has been criticisms on the point as to why officials be members of the Block Panchayats and Rural Panchayats, why should the Collectors be the Chairman of Union Panchayats and enjoy certain powers. Now, so far as Gram Panchayats and the Block Panchayats are concerned, the hon. Members will realise that they have been made only *ex-officio* members with no right to vote. I entirely agree with the Leader of the Opposition when he says that all types of Government officers was not be brought in when the function of only one particular individual is necessary in dealing with a certain aspect of the question. Now, Sir, here in these Gram Panchayats and Block Panchayats we shall keep in mind the hon. Member's view, and we shall nominate only such Government servants whose presence in the Gaon Panchayat be necessary in the interest of the administration. I may say that it may become necessary for us to make the district agricultural officer as a member of the Gaon Panchayat. Similarly, one who is in charge of the Veterinary Department in the area may be made a member of the Gaon Panchayat or Block Panchayat and again some who are in charge of the Medical Department may also be made members of the Gaon or Block Panchayat. I personally feel that their presence as experts of their departments without the power of voting will add

to the efficiency of the administration of the Block Panchayat and will not in any way interfere with the power or authority which has been vested with the Gaon Panchayat or the Block Panchayat. In this case we have strictly followed what has been suggested by the Mehta Committee. Hon. Members will find that the Mehta Committee even goes to the extent of saying that those officers should be given the right to vote. But we have not given the right to vote in our case to those Government officers. We are going to make the Government officers as ex-officio members of the Block Panchayats without any right to vote. Of course this is entirely a matter of opinion and I shall be guided by the opinion of the House. We also do not want that our village folk in their discussion and deliberation in the Block Panchayat be in any way led or influenced by the members of the Legislature or Parliament. There is a feeling that while Members of the Assembly or Parliament may be necessary for the purpose of giving them advice and guidance, those people in the Block Panchayat may be left free to take their own course of action without being interfered by the Members of the Assembly or Parliament. This is a matter which can only be discussed in the Select Committee.

So far as the vesting of power with the Collector is concerned, I may refer to paragraph 2.26 of the Mehta Committee's report which runs as: a certain amount of control will inevitably have to be retained by the Government, e.g., the power of superseding a panchayat samity in the public interest. It may also be necessary that the Collector should be vested with certain powers to suspend a resolution of a panchayat samity when he apprehends a breach of the peace or where the action proposed to be taken by the panchayat samity is *ultra vires* of the Constitution or contrary to the law of the land.

"The panchayat samity will have an elected chairman. But during the first two years after its creation the panchayat samity may have the subdivisional officer, prant officer or revenue divisional officer as the chairman. This suggestion is made merely to ensure that the administrative machinery of the block is assembled and set in motion by a person with administrative experience."

So, Sir, in this case there is no question of interference by any foreign authority or power in our panchayat activities. But here only the experience of our Government officers should be placed at the disposal of this samity so that the administration may run efficiently.

A question has been raised why the power of selection of executive officers should not be given to the panchayat. My submission is that it will be difficult for the Block Panchayat to select officers for the work. Unless and until we give them some experienced officers it will be difficult to make any progress in the development work. I should like to take the hon. Members into confidence and till then what we propose to do in future in this respect. So far as the appointment of Block executive officers are concerned they will be recruited through the Assam Public Service Commission. After the selection of such officers they will be given some training in development programme and other spheres of executive work. Their services will be borrowed by the panchayat after they have remained the training, for three to four years. I feel, Sir, that today many of the Community and Extension blocks have failed for want of officers with training and experience. Therefore, we think that only officers with training and experience should be posted to carry out the development programme under the Block Panchayat. There is no reason why the block officers should interfere with the posting of the Block Panchayat. Such officers will only carry on the policy of the block panchayat. We know from our experience how the officers function in the advisory and such other committees. Let us take the instance of the Shillong Municipality where the Deputy Commissioner is the Chairman but he does not exercise any authority. He does not interfere with the decision of the members of the Board.

So far as the provision of appointing Deputy Commissioner as Chairman of the main Board is concerned, we keep an open mind and shall discuss the matter in the Select Committee. If the Select Committee thinks that the Deputy Commissioner should not be the Chairman of the Block or Union Panchayat, Government will not stand in the way. We will accept the advice and make necessary amendment, according to the wishes of the members of the Select Committee.

As I have already stated that in paragraph 238 of the Mehta Committee Report it has been specifically stated that the Chairman of the Union Panchayat should be the Deputy Commissioner.

Then as regards representation of scheduled castes, scheduled tribes and women, we want to keep an open mind and it is for the hon. Members to consider how far representations of special interests should be given and whether it should be given in Union Panchayats only or should be extended to the

Gram Panchayats or to the lowest, namely, Village Panchayat also. These are matters which may be considered in the Select Committee. We have no objection if all feel that women, scheduled castes and scheduled tribes should be given representation in all these three panchayats.

So far as the provision of appointing executive officer is concerned it has been criticised by my Friend, the hon. Member from Gauhati. I would request him to look at para 2.23 at page 14 of the recommendations of the Mehta Committee. It is observed therein that they have incorporated the recommendation of the Committee of Local Bodies which was made at the 1954 Conference of the Local Self-Government Ministers. The recommendation is as follows:

“ For improving the standards of administration in local bodies there is a very good case for separating as far as possible, their purely executive functions from their deliberative or policy making functions. The latter category of functions should appropriately be the sphere of the electing wing of the local bodies. Once policies and decisions have been adopted, however, their implementation and execution should be left to the principal executive officer who must be made primarily and directly responsible for this part of the work. As a necessary corollary to this principle, the more important executive posts in the local bodies should be centralised on a Statewise basis and should be made transferable.” So my submission is that by providing in the Bill that the executive officer should discharge the executive functions of Block Panchayat, the Government have not gone further than what has been laid down by this Conference on the basis of the experience gathered by the Local Boards all over India.

One last objection raised by the same Member is that many provisions have been made which have left to the Government powers for rule making. My submission is that if the hon. Member will please look into all these things in the Bill he will see that only such rule making powers have been left to the Government or to the Block Panchayat or to the Union Panchayat as are necessary for framing rules of procedures. My Friend criticised this aspect but I did not hear from him in course of his speech lasting for more than 1½ hours instance where powers other than what have been mentioned have been given to Government.

So far as criticisms made by him are concerned, I have finished.

One of the objections raised by my Friend, the Leader of the Opposition, is that we have to consider whether decentralisation should be to the level of Block Panchayats as we have provided in this Bill or should be to some other level. There are several paras dealing with this aspect in the Mehta Committee's Report but I do not want to take more time of the House by stating them. They have laid stress on the point that under the present circumstances the Block Panchayat should form the basis and should be first stage upto to which decentralisation should go. In the whole State of Assam from the point of community development and extension services blocks, this level will be helpful we have accepted the recommendation of the Mehta Committee and we thought that so far as this State is concerned to deviate from the recommendation will not serve the purpose.

Now, I come to the first and last point that instead of referring this Bill to Select Committee it should be circulated for eliciting public opinion. My submission is that this important matter is already long delayed and there should not be any further delay. This was the opinion of the hon. Members also. I am indeed sorry that the Bill could not be introduced by the Government earlier. We entirely take the blame for this delay, but we assure the hon. Members that if that delay took place it was not due to the feeling of the Government that we were opposed to decentralisation but it was mainly due to administrative difficulties which stood in our way. There is no reason that we should make any further delay. I have already said that what we have provided in the Bill is not perfect and there may be enough scope for improvement in the light of our future experience.

My Friend has said that this Bill will not come into operation before the 1st April, 1959. I can tell him that if we refer the Bill for eliciting public opinion it will go beyond the 1st April, 1959. The Select Committee will meet at the end of October, 1958 and there may be another Session of the Assembly in November in which it is likely that the report of the Select Committee will come up for discussion. In any case this legislation cannot come into operation before 1st April 1959. Therefore, we do not think it is necessary to send this Bill for eliciting public opinion.

Secondly Sir, I would have accepted the suggestion of my hon. Friend, but I am not doing it for the simple reason that an expert committee like Mehta Committee has gone into this question deeply, has taken public opinion all over



the country including the State of Assam, and has formulated certain recommendations, on the basis of which this Bill has been placed before the hon Members. To-day it cannot be said that we have not taken the advantage of the experience of anybody that we are initiating a legislation about which no one has said anything. We have derived certain benefit from the advice of the Mehta Committee, whatever may be its worth. It may be that my Friends opposite do not agree with many of the recommendations of the Mehta Committee; but so far as we are concerned, we consider that the report of that committee contains very valuable suggestions and advice. We have gone through them and benefited from their opinion and advice and on this basis we have placed a skeleton which can be considered by the Select Committee. There will no bar for representative institutions and members to go before the Select Committee and give their opinion. They will be entitled to do that and we shall certainly take their suggestions into consideration.

Then, Sir, from the nature of criticisms levelled against this Bill by hon. Members of the Opposition, who want this Bill to be circulated for eliciting public opinion, it is apparent that criticisms are not such as are actually directed against the fundamental principles incorporated in this Bill. Their criticisms are directed against those provisions which are not to their liking, e.g., they want the Deputy Commissioner to be eliminated and a Chairman should be appointed from amongst the non-officials, that ex-officio officers should not be there, that instead of decentralisation to the level of Block Panchayat they want decentralisation at some other level of which, however, we have not been given any indication. But, Sir, in spite of this, I feel that there is no such difference of opinion between us and the Opposition on principle for which the Bill should now be sent for eliciting public opinion. I seek the co-operation of all the hon. Members and appeal to them not to stand in the way of early passing of this legislation and not to take an attitude which will delay the passing of this important measure. I hope they will withdraw their motion and will give their co-operation and suggestions to the Select Committee. We want the Select Committee to examine the Bill deeply and thoroughly and it is for this reason that we have not rushed the Bill and the Select Committee starts during this Session. Ample time has been left to the Select Committee so that it may sit and deliberate and rectify any omission or remove any defect in the Bill. In view of this, Sir, I hope the hon.

Member will withdraw his motion for circulating the Bill for eliciting public opinion and will support the motion which has been moved by my hon. colleague Shri Hazarika.

**Mr. SPEAKER:** Is the hon. Member going to withdraw his motion?

**Shri GAURISANKAR BHATTACHARYA (Gauhati):**  
No, Sir.

**Mr. SPEAKER:** I shall put the amendment first.

The question is that the Assam Panchayat Bill, 1958 be circulated for eliciting public opinion thereon by 31st October 1958

The House divided.

**Mr. SPEAKER:** The result of the division is as follows:—

Ayes.

Noes.

10.

53.

The motion is therefore negatived.

**Mr. SPEAKER:** Now, the question is that the Assam Panchayat Bill, 1958, be referred to a Select Committee consisting of the following members:—

1. Minister-in-Charge.
2. Shri Siddhinath Sarma.
3. Shri Ram Nath Das.
4. Shri Mohi Kanta Das.
5. Shri Dandeswar Hazarika.
6. Mrs. Jyotsna Chanda.
7. Shri Omeo Kumar Das.
8. Shri Mahendra Mohan Choudhury.
9. Shri Fakhruddin Ali Ahmed.
10. Shri Baikuntha Nath Das.
11. Shri Ramnath Sarma.

12. Shri Hareswar Goswami.
13. Shri Gourishankar Bhattacharyya.
14. Shri K. N. Barbaruah.
15. Shri Hiralal Patwari.

Five members will form the quorum.

The Select Committee is to submit the report by 21st October, 1958.

(The Motion was adopted)

### Adjournment

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

### AFTER LUNCH

#### The Assam Weights and Measures (Enforcement) Bill, 1958

**M. MOINUL HAQUE CHAUDHURY** (Minister, Agriculture): Mr. Deputy Speaker, Sir, I beg to move that the Assam Weights and Measures (Enforcement) Bill, 1958 as reported by the Select Committee be taken into consideration clause by clause.

Sir, as there is no amendment, I beg to move that the Bill be passed.

**Mr. DEPUTY SPEAKER**: I put the question. The question is that the Assam Weights and Measures (Enforcement) Bill, 1958 be passed.

(The question was adopted)

#### The Assam Land (Requisition and Acquisition) (Amendment) Bill, 1958

**Shri KAMAKHYA PRASAD TRIPATHI**: Mr. Deputy Speaker, Sir, I beg to move that the Assam Land (Requisition and Acquisition (Amendment) Bill, 1958, be taken into consideration.

As there is no amendment, I beg to move that the Bill be passed.

**Mr. DEPUTY SPEAKER :** I put the question. The question is that the Assam Land (Requisition and Acquisition) (Amendment) Bill, 1958, be passed.

(The question was adopted)

**The Assam Ganja and Bhang Prohibition Bill, 1958**

**Shri KAMAKHYA PRASAD TRIPATHI :** Mr. Deputy Speaker, Sir, I beg to move that the Assam Ganja and Bhang Prohibition Bill, 1958, be taken into consideration clause by clause.

**Mr. DEPUTY SPEAKER :** The mover of amendment to this Bill is absent. The hon. Minister may move for passing of the Bill.

**Shri KAMAKHYA PRASAD TRIPATHI :** Mr. Deputy Speaker, Sir, I beg to move that the Assam Ganja and Bhang Prohibition Bill, 1958, be passed.

**Mr. DEPUTY SPEAKER :** The Motion moved is that the Assam Ganja and Bhang Prohibition Bill, 1958, be passed.

(The question was adopted.)

**The Assam Requisition and Control of Vehicles (Amendment) Bill, 1958**

**Shri KAMAKHYA PRASAD TRIPATHI :** Mr. Deputy Speaker, Sir, I beg to move that the Assam Requisition and Control of Vehicles (Amendment) Bill, 1958, be taken into consideration.

As there are no amendments, I beg to move that the Bill be considered clause by clause.

**Mr. DEPUTY SPEAKER :** You may move that the Bill be passed.

**Shri KAMAKHYA PRASAD TRIPATHI :** I beg, Sir, to move that the Assam Requisition and Control of Vehicles (Amendment) Bill, 1958, be passed.

**Mr. DEPUTY SPEAKER:** The question is that the Assam Requisition and Control of Vehicles Bill, 1958 be passed.

(The question was adopted.)

**The Assam Basic Education (Amendment)  
Bill, 1958**

**Shri DEBESWAR SARMAH (Minister, Education):** Mr. Deputy Speaker, Sir, I beg to move that the Assam Basic Education (Amendment) Bill, 1958 be taken into consideration clause by clause.

**Mr. DEPUTY SPEAKER:** Motion moved is that the Assam Basic Education (Amendment) Bill, 1958 be taken into consideration clause by clause. There is an amendment standing in the name of Shri Ghanashyam Talukdar.

**\*Shri GHANASHYAM TALUKDAR (Sorbhog):** Mr. Deputy Speaker, Sir, I beg to move that the following explanation be substituted in clause 6 of the Bill.—

*“Explanation.—In case of a reconstituted School Board the term of five years shall be counted from the date of constituting the previous Board. So the reconstituted Board shall function only for the unexpired five years”.*

Sir, as you know the Assam Basic Education Act was passed in 1954 and the term of the Basic Education Board was five years. Now, for the reconstituted Board which will come into force the term of five years shall commence from the date of publication of the notification. As I said, Sir, the Basic Education Act was passed in 1954 and almost four years have already expired; now after one year there will be re-election as provided in the Act. But in the case of the reconstituted Board the term will be five years also—after that what will happen? After sometime a new Chairman will be appointed by Government. As such there will be no uniformity. My amendment seeks to make the term of the reconstituted Board should be counted from the date of constituting the previous Board. That is why I propose this amendment. I hope Government will see my point and accept my amendment.

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

**Mr. DEPUTY SPEAKER :** The Motion moved is that the following explanation be substituted in clause 6 of the Bill—

*Explanation.*—In case of a reconstituted School Board the term of five years shall be counted from the date of constituting the previous Board. So the reconstituted Board shall function only for the unexpired five years.

**Shri DEBESWAR SARMAH (Minister, Education):** Mr. Deputy Speaker, Sir, I oppose this amendment because it does not fit in with the scheme of things envisaged by this Bill. I, therefore, beg leave to move my amendment to clause 7.

**Mr. DEPUTY SPEAKER:** Mr. Talukdar, are you pressing your amendment ?

**Shri GHANASHYAM TALUKDAR:** Yes, Sir.

**Mr. DEPUTY SPEAKER:** Then I put the question.

(The amendment moved by Shri Talukdar was put as a question and lost).

**Shri DEBESWAR SARMAH:** Mr. Deputy Speaker, Sir, I beg to move that in clause 7 the word “reconstituted” occurring in the last but one line of the last paragraph the word, “new” shall be substituted and the word, “Board” occurring in the same line shall be substituted by the word, “Boards”. This is a simple amendment because somehow the mistake cropped in.

**Mr. DEPUTY SPEAKER:** The Motion moved is that in clause 7 the word, “reconstituted” occurring in the last but one line of the last paragraph the word, “new” shall be substituted and the word, “Board” occurring in the same line shall be substituted by the word, “Boards”.

**Mr. DEPUTY SPEAKER:** The question is that clause 7 as amended, be passed.

(The question was adopted).

**Shri DEBESWAR SARMAH:** Sir, I beg to move that the Assam Basic Education (Amendment) Bill, 1958 as amended, be passed.

**Mr. DEPUTY SPEAKER:** The question is that the Assam Basic Education (Amendment) Bill, 1958 as amended be passed.

(The question was adopted).

**Mr. DEPUTY SPEAKER:** The question is that clauses 2-5 of the Bill be passed.

(The question was adopted).

**Mr. DEPUTY SPEAKER:** The question is that clause 6 of the Bill be passed.

(The question was adopted).

**Mr. DEPUTY SPEAKER:** The question is that clause 7 of the Bill as amended be passed.

(The question was adopted).

**Mr. DEPUTY SPEAKER:** The question is that the Title and Preamble of the Bill do form part of the Bill.

(The question was adopted).

**Mr. DEPUTY SPEAKER:** Now the question is that the Assam Basic Education (Amendment) Bill, 1958 be passed.

(The question was adopted).

### **The Assam Speaker's Salaries and Allowances Bill, 1958**

**Shri FAKHRUDDIN ALI AMHED (Minister, Finance):** Sir, I beg to move that the Assam Speaker's Salaries and Allowances Bill, 1958 be taken into consideration.

**Mr. DEPUTY SPEAKER:** The question is that the Assam Speaker's Salaries and Allowances Bill, 1958 be taken into consideration.

(The question was adopted).

**Shri FAKHRUDDIN ALI AHMED:** I beg to move that the Assam Speaker's Salaries and Allowances Bill, 1958 be taken into consideration clause by clause.

**Mr. DEPUTY SPEAKER:** The question is that the Assam Speaker's Salaries and Allowances Bill, 1958 be taken into consideration clause by clause.

(The question was adopted).

**Shri FAKHRUDDIN ALI AHMED (Minister, Finance):** I beg to move that the Assam Speaker's Salaries and Allowances Bill, 1958 be passed.

**Mr. DEPUTY SPEAKER:** The question is that Assam Speaker's Salaries and Allowances Bill, 1958 be passed.

(The question was adopted).

**The Assam Appropriation (No. IV) Bill, 1958**

**Mr. DEPUTY SPEAKER:** There is a message from the Governor which reads as follows:—

“Under the provision of Article 207 (1) of the Constitution of India, I, Saiyid Fazl Ali, Governor of Assam, recommend the introduction in the Legislative Assembly of the Assam Appropriation (No. IV) Bill, 1958.

SAIYID FAZL ALI,  
Governor of Assam”.

**Mr. DEPUTY SPEAKER:** Then there is another message:—

“Under the provision of Article 207 (3) of the Constitution of India, I, Saiyid Fazl Ali, Governor of Assam, recommend that the Assam Appropriation (No. IV) Bill, 1958 be taken into consideration by the Assam Legislative Assembly.

SAIYID FAZL ALI,  
Governor of Assam”.

**Shri FAKHRUDDIN ALI AHMED:** Sir, I beg to introduce the Assam Appropriation (No. IV) Bill, 1958.

(The Secretary, Legislative Assembly read out the Title of the Bill).

**Shri FAKHRUDDIN ALI AHMED:** I beg to move that the Assam Appropriation (No. IV) Bill, 1958 be taken into consideration.

**Mr. DEPUTY SPEAKER:** The question is that the Assam Appropriation (No. IV) Bill, 1958 be taken into consideration.

(The question was adopted).



**Shri FAKHRUDDIN ALI AHMED (Minister, Finance) :** I beg to move that the Assam Appropriation (No. IV) Bill, 1958 be taken into consideration clause by clause.

**Mr. DEPUTY SPEAKER :** The question is that the Assam Appropriation (No. IV) Bill, 1958 be taken into consideration, Clause by Clause.

(The question was adopted)

**Shri FAKHRUDDIN ALI AHMED :** I beg to move that the Assam Appropriation (No. IV) Bill, 1958 be passed.

**Mr. DEPUTY SPEAKER :** The question is that the Assam Appropriation (No. IV) Bill, 1958 be passed.

(The question was adopted)

### **The Assam Appropriation (No. V) Bill, 1958**

**Mr. DEPUTY SPEAKER :** I will now read the messages from the Governor.

“Under the provision of Article 207 (1) of the Constitution of India, I, Saiyid Fazl Ali, Governor of Assam, recommend the introduction in the Assam Legislative Assembly of the Assam Appropriation (No. V) Bill, 1958.

SAIYID FAZL ALI,  
Governor of Assam”.

**Mr. DEPUTY SPEAKER :** There is another message.

“Under the provision of Article 207 (3) of the Constitution of India, I, Saiyid Fazl Ali, Governor of Assam, recommend that the Assam Appropriation (No. V) Bill, 1958 be taken into consideration by the Assam Legislative Assembly”.

SAIYID FAZL ALI,  
Governor of Assam”.

**Shri FAKHRUDDIN ALI AHMED :** I beg to introduce the Assam Appropriation (No. V) Bill, 1958.

(The Secretary, Legislative Assembly read out the Title of the Bill).

**Shri FAKHRUDDIN ALI AHMED :** I beg to move that the Assam Appropriation (No. V) Bill, 1958 be taken into consideration clause by clause.

**Mr. DEPUTY SPEAKER:** The question is that the Assam Appropriation (No. V) Bill, 1958 be taken into consideration clause by clause.

(The question was adopted)

**Shri FAKHRUDDIN ALI AHMED (Minister, Finance):** I beg to move that the Assam Appropriation (No. V) Bill, 1958 be passed.

**Mr. DEPUTY SPEAKER:** The question is that the Assam Appropriation (No. V) Bill, 1958 be passed.

(The question was adopted)

### **Presentation of the Report of the Committee on Government Assurances**

**Mr. DEPUTY SPEAKER:** Shri R. N. Das is absent. Is there any member of the Assurances Committee ?

(Shri Sarat Chandra Goswami stood up and he was asked to present the Report).

**Shri SARAT CHANDRA GOSWAMI (Kamlapur):** Sir, I beg to present the Report of the Committee on Government Assurances.

### **Presentation of the Report of the Committee on Subordinate Legislation**

**Mr. DEPUTY SPEAKER:** Shri Bhattacharyya is also absent. Will Mr. Talukdar who is a member of the said Committee please present the Report ?

**Shri GHANASHYAM TALUKDAR (Sorbhog):** Sir, I beg to present the Report of the Committee on Subordinate Legislation.

### **Discussion of the Report of the Public Accounts Committee on Appropriation Accounts, 1954-55 and Audit Report 1956, etc.**

**Shri NILMONEY BORTHAKUR (Dibrugarh):** We are grateful to the Public Accounts Committee for their Report on the Appropriation Accounts for financial years 1954-55 and 1955-56, and also on Finance Accounts for those two years. It is very gratifying to note that the Committee made some fitting observations and recommendations on the basis of these Accounts. Our attention is naturally drawn to certain recommendations which have been made on the generalities of these accounts and relating to the preparation of the Budget. It has been stated at page 97 of the Report.—

“After this the Committee made certain general observations regarding simplification of various heads of accounts in the general Budget. The Accountant General stated that the

growing number of misclassifications in the accounts was primarily due to multiplicity of accounts heads under the various sections such as General, Plains Tribal, Article 275 of the Constitution of India, Centrally assisted schemes and Centrally sponsored schemes. In this connection he further stated that in the Central Government Budget no such details are exhibited and that from 1958-59 (since changed to 1959-60) the expenditure would be exhibited under two groups only *viz.*, "Plan and Non-Plan". This simplification will not only avoid misclassifications but will also reduce the size of the Budget. After some more discussions on the subject the Committee recommended as follows.---

The present Budget is very voluminous and its size can be reduced considerably. At present there are five different categories under which the expenditure is shown under each Major Head, Minor and Detailed Head. These are: (1) Normal expenditure, (2) Normal State schemes exclusively for Plains Tribal Areas, (3) Developmental Schemes under Art. 275 of the Constitution of India (Second Plan), (4) Centrally assisted and Miscellaneous Departmental Schemes (Second Plan) and (5) Centrally sponsored schemes (Second Plan). The Committee understood that there was a suggestion to replace these five categories by two categories, *viz.*, Plan and Non-plan and that this suggestion was under consideration of the Finance Department. Further the Committee noticed details under the Primary units of appropriation, Pay of Establishment and Contingencies are too numerous which serve no useful purpose and these can be reasonably reduced. The Committee, therefore, suggests that this question may be examined in detail by the Finance Department".

In this connection, I want to place before the Government that the recommendation is very valuable. At present the Budget is prepared in such a way that it is not intelligible to those for whom it is meant and it has become unnecessarily unwieldy. We find that in the preparation of the Budget certain unnecessary details are given. For example, in the Establishment we find that the pay and allowances of each one of the cadre are given.

That is not necessary. The whole establishment charge can be grouped together and shown in the budget. Moreover the grouping of the Major heads under Plan and Non-plan will very much reduce the work and will be intelligible to most of the Members. We also find that the budget is

prepared scheme-wise and it is mostly based on guess. As the Report will show most of the schemes remained unimplemented and money was surrendered at the end of the year. That shows the schemes were prepared without proper scrutiny, sometimes it was a guess work and imaginary figures were put. That is a wrong method of budgetting. There was a huge surrender of money at the end of the year. We also find that Supplementary Demands were taken, but 10 per cent of it was not spent. We draw the attention of the Finance Minister, and if necessary for the sake of uniformity, there should be the same Head—Union Budget Head and the Union Government may be also consulted if necessary. Another glaring defect is the present system of budget provision under Article 275 of the Tribal Department. There is no Head. We have a Minister-in-charge of the Tribal Areas Department but we have no scope to probe into the expenditure incurred by Minister. The Minister-in-charge of the Tribal Areas Department is now simply a dole collector. He collects some money from the Agriculture, or Veterinary or Education Department and spend the money separately. For years this wrong system of budgetting on money under Article 275 transferred to the Tribal Areas Department whether under Education or Agriculture or Veterinary is going on. That will also give this House no chance of discussing the work of that Ministry under budget Heads. There is another point: the whole budget Head continues to be described as it was done during the British days. For example, 'Labour' has been put under the Head 'Miscellaneous'. Labour should be taken out from the Head 'Miscellaneous'. It should be simplified and it should conform to the requirements of the State, requirements of the present state of affairs. There should be some revision even in the Budget and Accounts Heads. The Public Accounts Committee point out some gross anomalies in course of their discussion of the Appropriation Accounts, for the two years 1954-55. These defects should be rectified. I am referring to page 75, it is stated that a sum of Rs.25,244 was defalcated by the Mauzadars, Chawkhat (Sibsagar). The reply by the Secretary, Revenue is "No definite rules are there but executive instructions were issued". Now, what is the procedure regarding the inspection of accounts of the Mauzadars by the Sub-Deputy Collectors? The Sub-Deputy Collector is not trained in accounts; he does not know A.B.C. of accounts. Here Government should take note of this. If necessary, the Sub-Deputy Collectors should be given training also in accounts. Rules should be made specifically for inspection and auditing of the accounts of the Mauzadars.

Then again we find at page 77 of this Report for the years 1953, 1954, 1956, under the Head—Land Revenue, we find the revised estimate for 1953-54 was Rs. 1,63,34,400, but the actuals was reduced by nearabout Rs.30 lakhs. Now this is also correct for the years 1954-55. Even the actuals fell short from the revised estimate. This fact ought to have been noted while preparing the budget. We find also the same thing for the years 1954-55 and 1955-56. No plausible explanation could be given for that. They are not in a position to know the actuals because they do not get the report in time. Some arrangements should be made to get the timely report from the different Revenue Officers. Now, about the gross negligence of the Department, we can quote the report of the Public Accounts Committee, Page 53. It refers to the case of loss on account of the sale of two unserviceable launches. They were purchased in November 1947 and February 1948. But as they became unserviceable, they had to be disposed of. The Secretary, Supply said that the launches submerged in high waters of the Brahmaputra. Of course it was sold in auction almost like that of scrap-iron. After that no arrangement was made to replenish this expenditure.

**\*M. MOINUL HAQUE CHOUDHURY (Minister, Parliamentary Affairs, etc.):** It was during the time when both of us were in the University (*laughter*).

**\*Shri NILMONEY BORTHAKUR (Dibrugarh):** Now, here the Committee observed that it exhibited utter callousness on the part of the Supply Department. The Department ought to have been careful about the public money. Then at page 54 with regard to the loss due to deterioration of stock of atta in storage, it is found that the Committee observed that the Supply Department did not take adequate action to protect Government interest. After about 5 months the Department got a report of deterioration. It was destroyed. But before destroying the atta, which was found to be surplus, further import was to be stopped, but no step was taken to stop the import of atta. Even it could have been utilised for cattle fodder, but no action was taken by the Department. Here the Department incurred a loss of several thousands of rupees.

Now, regarding Supplementary Grants at page 4 & 5 of

the report it is said that sometimes a number of Departments had come in for supplementary grants in the very first Session of the Assembly. That showed that the Departments did not frame their budget with reasonable foresight and did not make provision for schemes which are likely to come up for execution during the course of the budget year. There were huge savings. Again at the fag end of the year Supplementary Demands were placed and the Committee calculated that in a number of cases they could not spend, for example, in 1954-55, the savings were 33·1 per cent. for 1955, it was 84·5 per cent. or so. Now the Grants were voted by the Assembly but they could not be spent. That shows that the Grants were absolutely unnecessary. They could have been met from the savings. This throws a flood of light on the nature of preparation of the budget. I hope the Government will take into consideration the recommendations of the Committee and see that they are implemented as early as possible.

**Shri FAKHRUDDIN ALI AHMED (Finance Minister):**  
Mr. Deputy Speaker, Sir, I have listened with attention to the criticism made by my Friend from Dibrugarh. I entirely agree with him that so far as the supplementary demand is concerned, the approach is very defective and needs correction. I found it myself, before this Report came into my hand, that for the years 1955-56 and 1956-57, there was no justification for some of the departments to submit proposals to finance for supplementary demands and last of all to come to this House when there was adequate fund at the disposal of those department, for utilisation and, if necessary for reappropriation. I also entirely agree with him that such a rush for supplementary demands does not give us an accurate picture of accounts. I, therefore, would like to inform the House, that I have already sent a circular to all the departments and I have personally written letters to the Ministers concerned to supervise and see that no proposals for supplementary demands should be sent to the Finance Department unless and until they are sure that the money required by them cannot be met either by reappropriation or the supplementary demand in respect of any expenditure is such as has not been placed before the House before and for which the consent of the House has not been taken. I have also suggested that whenever any new item of expenditure becomes necessary, the department should place that before the House in the form of a token cut so that the House may have an opportunity of discussing the matter and according its approval to the expenditure. I have further suggested that I shall accept a proposal

for supplementary demand only when it is certified by the department that they have not the amount to meet the expenditure for which the supplementary grant is required. I also entirely agree with the hon. Members, observation that sometimes the departments came forward with supplementary demands just at the end of one financial year and the beginning of the next financial year. I submit, Sir, this is a tendency which must be checked, and I hope that with the instructions issued already, things will improve. I also have noticed that sometimes large amounts are taken through supplementary demands and then towards the close of the financial year bigger amounts are surrendered by the departments concerned. Sir, this is highly unsatisfactory and we shall try to see how these tendencies are checked and the huge amounts are not surrendered towards the end of the financial year. Of course, there will be certain surrenders which cannot be helped, but I hope all the departments will take necessary care and see that the money provided in the respective departmental budgets are spent by them before the close of the financial year.

Now, with regard to certain other criticism, which are more of less of detailed nature we shall look into these and shall try not to repeat the mistakes which have been committed, we shall keep in view the criticisms made on the floor of the House by the hon. Member and also the criticisms contained in the Report itself.

There is another matter to which I would like to refer, and that is about giving a separate head in the Budget so far as the expenditure in the Tribal Areas is concerned. Now, here we have certain difficulties and these difficulties are of a nature that some amounts spent in the Autonomous areas are also amounts of general nature which are spent for development and similar purposes in the State and as the provision whether it be under Agriculture, Madical or Public Health, is included in a State Budget, it becomes rather difficult for us to allocate these amounts separately under a separate head. But since the suggestion has been made by the hon. Member and also since representations about this matter have been made to me, I shall look into this matter and see how far without affecting the administrative and financial control I may meet the suggestion given by the hon. Member. It may be possible for us to provide a seperate head for expenditure by Tribal department so that it may be possible for the hon. Members to table cut motions and discuss working of the Tribal Areas department. I suppose that is what the

hon. Members desire so that they may have an opportunity to bring such matters to the notice of the Tribal Areas department as they think necessary in the interest of administration. So far as that objection is concerned, I shall see how that facility can be provided.

I suppose, these are the general criticisms which were made by my Friend Shri Borthakur. Of course, he specifically spoke about certain irregularities in the Supply department. He also spoke of certain irregularities committed by the Revenue department. Sir, these were committed so many years ago, but we shall look into these matters and keep in view the criticisms made by the hon. Member.

### Private Members Resolutions.

#### Further discussion on the Resolution to Shift the Destitute Home at Rupshi to Balajan in the district of Goalpara

**Mr. DEPUTY SPEAKER :** Now the resolution to be moved by Mr. Pradhani.

**\*Shri BIMALA PRASAD CHALIHA (Chief Minister) :** This resolution seems to have been moved by Mr. Pradhani.

**Mr. DEPUTY SPEAKER :** Then the Chief Minister may please reply.

**\*Shri BIMALA PRASAD CHALIHA (Chief Minister) :** Mr. Deputy Speaker, Sir, this particular Destitute Home at Rupshi is under the Relief and Rehabilitation department. Sir, it is not the Rupshi Destitute Home only, but as a matter of fact, almost all the Destitute Homes in the State are not in ideal conditions. Therefore, the present proposal is that we should have two Destitute Homes in the State under the Relief and Rehabilitation Department one at Nowgong and the other at Meherpur at Silchar, and constructions of these two Destitute Homes are now well under way. So the proposal now is that all the Destitute Homes will be closed down and the inmates will be transferred to these two Central Destitute Homes.

Therefore we expect, Sir, that the inmates of the Rupshi destitute home will be transferred to the new destitute home the construction of which is nearing completion at Nowgong, by the end of February, 1959. So, we have no



other proposal in our mind to transfer the Rupshi destitute home to Balajan, as suggested by the hon. Member while a new destitute home is under construction where there will be sufficient scope for giving the inmates training and other facilities necessary for them, to create a healthy living condition.

In view of what I have stated I hope the hon. Member will be pleased to withdraw his Resolution.

**Shri BHUBAN CHANDRA PRADHANI (Golakganj):**  
Sir, I beg leave of the House to withdraw my Resolution in view of what has been said by the Chief Minister.

(The Resolution with the leave of the House, was withdrawn.)

**Resolution to move the Government of Assam to take immediate steps to establish one technical School in the Lakhimpur District**

**Shri DEVENDRA NATH HAZARIKA (Saikhowa):**  
Sir, I beg to move that in view of industrial nature of the district of Lakhimpur and lack of facilities for technical education, this Assembly is of opinion that the Government of Assam do take immediate steps to establish one technical school in the District.

Sir, it is needless to emphasize that technical education is very essential today. The district of Lakhimpur is an industrial district and so the want of a technical school there has been felt very keenly. As the local youth cannot get any opportunity for such technical education they cannot find employment in different industries such as tea, petroleum and other industries managed by private parties. Now-a-days you may appreciate, Sir, that a large number of under matriculates have been produced and for their employment the scope is very limited. If we cannot make any provision to train them up and engage them properly it will perhaps be difficult for us to remove their unemployment condition. Moreover, Sir, in the district of Lakhimpur the employment facilities are ample for the technical persons but the local people there are being deprived of such employment as they have no technical education. The nearest technical school for the youth of this district is at Jorhat. So far as I could collect, the number of seats in this institute is 150 whereas this year the number of applicants for admission was above 500. So, in

this technical school at Jorhat. a large number of candidates could not be provided with seats. Therefore, I request the Government to come forward and establish one technical school in the district of Lakhimpur to remove unemployment condition which is a long felt one. In other districts also Sir, so far as I could collect, the number of seats is lesser than the number of candidates that are coming forward for such education.

In view of this fact, Sir, I request the Government to accept this Resolution and to establish one technical school as early as possible in my district.

Sir, while I am speaking about the district of Lakhimpur I am not speaking in a parochial sense. I am only pointing out the necessity that has been felt by the people there.

With these words, Sir, I request the Government to accept my Resolution.

**Mr. DEPUTY SPEAKER** The Resolution moved is:

“In view of industrial nature of the district of Lakhimpur and lack of facilities for technical education this, Assembly is of opinion that the Government of Assam do take immediate steps to establish one technical school in the District.”

**Shri RAMNATH SHARMA (Lumding)**: Sir, since we have completed our official business of the House I think we can conclude the House also.

**Shri HARESWAR GOSWAMI (Rampur)**: It appears that most of the Members are not present here and when we have completed our official business I have no objection to conclude the House.

**Shri BIMALA PRASAD CHALIHA (Chief Minister)**: Sir, it all depends upon the wishes of the hon. Members of the House. If the hon. Members desire to conclude the House now I have no objection.

### Prorogation

**Mr. DEPUTY SPEAKER** The question is whether the House should be prorogued now. (Several voice: Yes, Sir.)

Then I may read out the Governor's Message.

"In exercise of the powers conferred by Clause (2) (a) of Article 174 of the Constitution of India, as amended up-to-date, I, Saiyid Fazl Ali, hereby prorogue the Assam Legislative Assembly at the conclusion of its sitting on the 1st September, 1958.

Raj Bhavan,  
1st September, 1958.

SAIYID FAZL ALI,  
Governor of Assam."

The Assembly then prorogued sine die.

R. N. BARUA,

Secretary,  
Legislative Assembly,  
Assam.

Shillong,  
The 18th June, 1960.

2-2229

## AGENTS IN INDIA

1. Messrs. Thacker Spink & Co., Calcutta.
2. Messrs. W. Newman & Co., Calcutta.
3. Messrs. S. K. Lahiri & Co., Calcutta.
4. Messrs. R. Cambay & Co., 6 and 8/2, Hastings Street, Calcutta.
5. Messrs. D. B. Taraporevala Sons and Co., 103, Meadow Street, Fort, Post Box No.187, Bombay.
6. The Indian School Supply Depot, 309, Bow Bazar Street, Calcutta.
7. The City Book Company, Post Box No.283, Madras.
8. The Director, The Book Company, Limited, Book Sellers and Stationers, 4/4A, College Square, Calcutta.
9. The Manager, The Imperial Publishing Co., 99, Ry. Road, Lahore.
10. Messrs. Chapala Book Stall, Shillong.
11. Messrs. Sirbhumi Publishing Co., Calcutta
12. The Proprietor, 'Graduates Union,' Gauhati.
13. Mr. Banwarilal Jain (Book Seller), 1719/2002, Muti Katra, Agra (India).
14. Messrs. Law Book Society, 65/3, Harrison Road, Calcutta.
15. The Director, Benares Corporation, University Road, P.O. Lanka.
16. Messrs. Law Book Society, 4A, Wellington Street, Calcutta.
17. Messrs. Bodh Raj Marwah, Booksellers, Shop No.63, Pusa Colony Market, Delhi-Karol Bagh, New Delhi.
18. The Oxford Book and Stationery Co., Scindia House, New Delhi/17, Park Street, Calcutta.
19. Messrs Mokshada Pustakalaya, Publishers and Book Sellers, Gauhati.
20. Messrs Popular Book Depot (Regd.), Book-sellers, Publishers, etc., Lamington Road, Bombay-7.
21. Messrs R.H.U. Press Book Depot, Book-sellers, Publishers, etc., Banaras-5 (India).
22. The Manager, The Modern Book-Depot, G. S. Road Shillong.
23. The Manager, The Modern Book-Depot, Gauhati.
24. The Manager, The Modern Book-Depot, Calcutta.
25. The Manager, The Modern Book-Depot, Agra Cantonment.
26. Proprietor, B.S. Jain and Co., 71, Abupura Muzaffarnagar (U. P.), India.
27. Firma, K. L. Mukhopadhyay, 6/1A Bachharam Akur Lane, Calcutta-12, India.