

**Proceedings of the Second Session of the Assam Legislative  
Assembly assembled after the Third General Election  
under the Sovereign Democratic Republican  
Constitution of India**

The Assembly met in the Assembly Chamber, Shillong at 10 A.M. on  
Thursday, the 21st June 1962.

**P R E S E N T**

Shri Mahendra Mohan Choudhury, B.L., Speaker in the Chair, eight  
Ministers, two Ministers of State, three Deputy Ministers and sixty-one  
Members.

**QUESTIONS AND ANSWERS**

**STARRED QUESTIONS**

(To which oral answers were given)

*Re* : **Conversion of Aided Colleges**

**Shri LAKSHMI PRASAD GOSWAMI (Laharighat)** asked :

\*18. Will the Minister-in-charge of Education be pleased to state—

(a) If there is any proposal for conversion of some of the existing  
Government aided colleges to full-fledged Government  
Colleges ?

(b) If so, which are these Colleges ?

**Shri DEV KANT BAROOAH (Minister, Education)** replied :

18. (a)—The question is under consideration.

(b)—The names have not been considered yet.

**Shri LAKSHMI PRASAD GOSWAMI (Laharighat)**: Sir, what will  
be the criterion of the said decision ?

**Shri DEV KANT BAROOAH (Minister, Education)**: Sir, as I have  
already said that the question is under consideration, the question of criterion  
is also included there.

(Starred question No.13 standing in the name of Shri Mal Chandra  
Pegu was not put and answered as the Member was absent).

**Re : Roads in the Jorhat Subdivision**

**Shri DULAL CHANDRA BARUA (Jorhat)** asked :

\*20. Will the Minister, Public Works Department (Roads and Buildings) be pleased to state—

- (a) Why there has been undue discrimination in the selection of roads for the development and proper maintenance in Jorhat Subdivision during the 3rd Plan Period ?
- (b) Whether it is a fact that the Mohbandha road, Phukanar Ali Road, Barua Ali in Khangia Mouza, Bhaghamaria road in Charigaon Mouza and Roseswas Barua road in Hatigar Mouza were not included for proper development during the 3rd Plan Period ?
- (c) If so, whether Government propose to take up those roads immediately ?

**Shri GIRINDRA NATH GOGOI [Minister of State, Public Works Department (Roads and Buildings) Wing]** replied :

20. (a)—The selection of new roads under 3rd Five-Year Plan in Jorhat Subdivision was made on the recommendation of the Sub-Committee consisting of the M. L. As of that Subdivision. The Sub-Committee was formed in accordance with the decision of the Assam Roads Communication Board held in February/March, 1961 for selection of roads under 3rd Plan.

(b)—Barua Ali and Bhaghamaria roads were recommended by the Sub-Committee for Jorhat Constituency. But due to limited funds and low priority accorded, these roads could not be accommodated in the final list of selected projects. Other roads were not recommended by the Sub-Committee and hence these could not be taken into consideration for selection.

(c)—This will be examined when new schemes are considered for implementation.

**Shri DULAL CHANDRA BARUA (Jorhat)** : Sir, on what basis these priorities are fixed ?

**Shri GIRINDRA NATH GOGOI (Minister of State, P. W. D.)** : According to the Sub-Committee's report.

**Shri DULAL CHANDRA BARUA** : When will this consideration take place ?

**Shri GIRINDRA NATH GOGOI** : This would be examined when new schemes are considered and not immediately as proposed,

## UNSTARRED QUESTIONS

(To which answers were laid on the table)

**Re: Charkholabandha Veterinary Dispensary****Shri TAJUDDIN AHMED (Tarabari)** asked :

56. Will the Minister, Veterinary be pleased to state—

(a) What is the present state of Charkholabandha Veterinary Dispensary ?

(b) When the construction of the building will be started ?

**Shri MOINUL HAQUE CHOUDHURY (Minister, Veterinary)** replied :

56. (a)—Government have decided to locate a Veterinary Dispensary at Charkholabandha.

(b)—The work is expected to be started soon after the plans and estimates are received and approved.

**Re: Fixation of price of Paddy****Shri SARAT CHANDRA GOSWAMI (Kamalpur)** asked :

57. Will the Supply Minister be pleased to state—

(a) What is the price of paddy fixed by the Government for the months of April, May and June ?

(b) What is the outturn of rice per maund of paddy on the average ?

(c) What is the price of rice per maund fixed by the Government of the resultant rice in Mills ?

(d) What is the price of rice in the market at Gauhati, Shillong and Dibrugarh at present ?

**Shri RUPNATH BRAHMA (Minister, Supply)** replied :57. (a) to (c)—Three Statements *seriatim* are placed on the Library Table.

(d)—Gauhati—Rupees 23.50 nP. to Rs.24.25 nP. per maund.

Shillong—Rupees 24.00 nP. to 25.00 nP. per maund.

Dibrugarh—Rupees 21.75 nP. to 23.50 nP Per maund.

**Shri SARAT CHANDRA GOSWAMI (Kamalpur):** Sir, as regards (b) the hon'ble Minister has replied that statements are placed on the library table. Here the Minister has been pleased to state that the *ex-mill* retail price of rice at Gauhati is Rs.17.55. Sir, here the retail market price is more than Rs.23 and what is the cause of such high price in the market?

**Shri RUPNATH BRAHMA (Minister, Supply):** Sir, the prices given here in the reply are wholesale prices and not retail prices.

**Shri SARBESWAR BORDOLOI (Titabor)** Sir, it has been replied that there are two prices in the market, one is in answer to (b) and the other is in answer to (c). So, Sir, why these two prices are existing in the market?

**Shri RUPNATH BRAHMA:** Sir, I can't follow.

**Shri SARBESWAR BORDOLOI:** Sir, in answer to (b), it is stated that the *ex-mill* price of rice is Rs 16.99 and in (c) Rs.19.36 and that the market price of rice at Gauhati is Rs 24.25. These prices are also fixed by the Government and these are also the market prices; so, why would there be so much differences?

**Shri RUPNATH BRAHMA (Minister, Supply):** It varies from place to place. Here in the reply, I have given the market prices for Gauhati, Shillong and Dibrugarh and on retail price, we have no control.

**Shri MAHAMMAD UMARUDDIN (Dhubri):** Sir, are the prices mentioned in (d) not controlled prices and if so, whether Government cannot enforce them?

**Shri RUPNATH BRAHMA :** These are wholesale market prices.

**Shri MAHAMMAD UMARUDDIN :** I want to know whether this is controlled price and how can there be two prices?

**Mr. SPEAKER :** There is variation from quality to quality.

**Shri RUPNATH BRAHMA:** It differs from place to place. Sir There is transport charge also and these things are also taken into consideration in fixing prices.

**Shri MOTIRAM BORA (Nowgong):** Do not Government consider these prices to be high prices?

**Mr. SPEAKER:** These are control prices and how can the non'ble Minister help?

**Shri KHOGENDRA NATH BARBARUAH (Amguri):** On what basis the prices are fixed by the Government? It appears that the price of paddy is very low.

**Shri RUPNATH BRAHMA (Minister, Supply):** I have already stated, Sir, that the figures all relate to wholesale prices.

**Mr. SPEAKER:** Shri Barbarua's question is on what basis the prices are fixed? The prices of paddy at Gauhati, as given in the reply are between Rs.8.75 and Rs.9.25 whereas the prices of rice are Rs.16.99 and 17.79. Why this disparity? In short his question is that the price of paddy is considered to be lower, proportionate to the price of rice.

**Shri RUPNATH BRAHMA (Minister, Supply):** The prices are from Rs.23.69 to Rs.24.77 Sir.

**Shri BISWADEV SARMA (Balipara):** Sir, in answer to (d), Shillong price of rice is given as Rs.24.00 per maund. May I know from the hon'ble Minister from whom we can get rice at this price, from which dealer at Shillong.

**Mr. SPEAKER:** Is there any approved dealer in Shillong where from the consumers can get rice at the price fixed?

**Shri RUPNATH BRAHMA (Minister, Supply):** We have got approved dealers and from them, rice may be available.

**Shri RAMNATH DAS [Dergaon (Reserved for Scheduled Castes)]:** May I know from the hon'ble Minister whether the prices given in the reply are wholesale prices or retail ones?

**Shri RUPNATH BRAHMA:** They are all wholesale market prices.

**Shri RAMNATH DAS:** Suppose, Sir, I want to buy 2½ maunds of rice. Will the dealer charge wholesale price or retail prices?

**Shri RUPNATH BRAHMA:** That depends on availability of rice in the stock.

**Shri RAMNATH DAS:** Sir, in the reply, the Dibrugarh price is given as Rs.21.75 whereas Gauhati price is Rs.23.50. Why the price at Dibrugarh is so low, or lowest of all other districts and why there is so much difference prevailing between Dibrugarh and Gauhati?

**Shri RUPNATH BRAHMA:** That depends on the availability of paddy in the locality.

**Mr. SPEAKER:** The hon'ble Minister said that it is control price. Have you got control prices at variance from place to place?

**Shri RUPNATH BRAHMA (Minister, Supply):** Yes, Sir, prices vary from place to place according to the zones.

**Mr. SPEAKER:** The reply is that Dibrugarh zone commands lower prices than Gauhati zone.

**Shri SARAT CHANDRA SINGHA (Golakganj):** Sir, it has been stated in the reply that these are the market prices of rice for Gauhati, Shillong and Dibrugarh. Whether these market prices have been fixed by Government?

**Mr. SPEAKER:** He has already said that they are control price.

**Shri RAMNATH DAS [Dergaon (Reserved for Scheduled Castes)]:** The hon'ble Minister stated that the price of rice at Dibrugarh is lower because rice is more readily available there. Does he mean to say that Dibrugarh is more surplus area than Gauhati?

**Shri RUPNATH BRAHMA (Minister, Supply):** That is the wholesale price, paddy is available at Dibrugarh.

**Shri DEVENDRA NATH SARMA (Gauhati):** The price of rice in Gauhati has been at Rs.24.25 nP. May I know whether it is controlled price?

**Mr. SPEAKER:** Yes, he has already replied to it.

**Shri DEVENDRA NATH SARMA (Gauhati):** Whether it is wholesale or retail price?

**Shri RUPNATH BRAHMA:** Wholesale price.

**Shri DEVENDRA NATH SARMA (Gauhati):** What is there retail price?

**Shri RUPNATH BRAHMA:** I am not in a position to give the exact retail price. It is a new question.

**Seri DEVENDRA NATH BRAHMA:** Are there any controlled shops at Gauhati?

**Shri RUPNATH BRAHMA:** We have issued instructions to open fair price shops wherever they are necessary.

**Shri DEVENDRA NATH SARMA:** Whether they have been opened?

**Shri RUPNATH BRAHMA:** Yes, Sir, in many places.

**Shri MAHAMMAD UMARUDDIN (Dhubri):** Is Dibrugarh a surplus or a deficit area according to the zones fixed by Government?

**Shri RUPNATH BRAHMA:** In the Dibrugarh subdivision, there are areas which are surplus, but not the whole subdivision.

**Shri RAMNATH DAS:** In view of the disparity in the price between Gauhati and Dibrugarh, will Government take steps to equalise the prices in the plains districts?

**Mr. SPEAKER:** I think they will certainly take in to consideration your suggestion in due course.

**Shri RUPNATH BRAHMA (Minister, Supply):** Yes, Sir, we will look into it.

**Shri DEVENDRA NATH SARMA (Gauhati)**: The hon'ble Minister said that there are some fair price shops at Gauhati. May I know the retail price of rice in those shops?

**Shri RUPNATH BRAHMA (Minister, Supply)**: I cannot say off-hand. Retail prices were not sought in the question.

**Mr. SPEAKER**: Why not? The question in (d) was "what is the price of rice in the market at Gauhati, Shillong and Dibrugarh at present". That means both wholesale and retail prices.

**Shri RUPNATH BRAHMA**: Retail price differs from shop to shop.

**Mr. SPEAKER**: But his question was what is the retail price fixed by Government?

**Shri BIMALA PRASAD CHALIHA (Chief Minister)**: No retail price is fixed by Government.

**Shri RUPNATH BRAHMA**: We have no control over retail prices.

**Shri SARAT CHANDRA GOSWAMI (Kamalpur)**: The hon'ble Minister has stated that the wholesale price of rice at Gauhati is Rs.23.50n<sup>2</sup>. to Rs.24.25 n<sup>2</sup> per maund. In the statement placed on Library Table he has shown that the ex-mill price in the south bank of the Kamrup district is Rs.16.72 n<sup>2</sup> to Rs.17.39 n<sup>2</sup>. May I know what is the reason for this big difference between the ex-mill price in the rural areas and the wholesale price in Gauhati town? Why this huge profit is given to the millers?

**Shri RUPNATH BRAHMA (Minister, Supply)**: That is the price fixed by Government.

**Mr. SPEAKER**: But his question was why this big gap in the prices fixed for the rural and urban areas.

**Shri RUPNATH BRAHMA (Minister, Supply)**: I will have to examine it.

**Shri DEVENDRA NATH SARMA (Gauhati)**: Gauhati also falls in the south bank of the Brahmaputra.

**Mr. SPEAKER**: But it is an urban area.

**Shri MOHI KANTA DAS (Barchalla)**: Are there controlled shops in Shillong and what is their number?

**Shri RUPNATH BRAHMA**: There may be some but I am not in a position to give their exact number now.

**Shri SARBESWAR BARDOLOI (Titabor)**: It has been stated in the statement placed on the Library Table that with regard to Ahu paddy only 15 seers of rice is recovered from one maund of paddy. May I know how it was determined?

**Mr. SPEAKER**: I think it is a typing mistake. It should be 25 seers. The hon'ble Minister will please correct it.

**Shri RUPNATH BRAHMA**: I will have to examine it further in the Department and if it is a mistake it will be corrected. I will let the hon. Member know later.

**Mr. GHANASHYAM DAS [North Salmara (Reserved for Scheduled Castes)]**: May I know why the retail price is not controlled?

**Shri RUPNATH BRAHMA (Minister, Supply)**: We approached the Government of India but they are not agreeable to it.

**Shri BIMALA PRASAD CHALIHA (Chief Minister)**: The Government of India did not agree to the fixation of retail price because retail price was fixed in the State of West Bengal a few years ago and great difficulty was experienced in enforcing the retail price and it ultimately adversely affected the supply position in West Bengal. In view of this experience we were very strongly advised not to fix retail price of rice.

**Shri DEVENDRA NATH SARMA (Gauhati) :** Sir, in view of the fact that paddy has been purchased in Gauhati at Rs. 9 per maund, do not the Government consider the wholesale price of rice (which is Rs. 23.50nP.) to be too high ?

**Mr. SPEAKER :** He has already assured the House that he will examine the matter further.

**Shri PABINDRA NATH SARMA (Nalbari-East) :** What steps have Government taken to keep retail prices steady in the market ?

**Shri RUPNATH BRAHMA (Minister, Supply) :** I have already made it clear, Sir, that we have no control over the retail prices. But in order to stabilise prices we have released paddy from our buffer stock. The other day I stated in reply to similar questions that we have already moved the Government of India for allotting rice to us. If we receive this the price situation will be eased.

**Shri SARBESWAR BORDOLOI (Titabar) :** Will the hon'ble Minister enlighten us how he arrived at the figure of 15 seers recovery per maund of coarse Usna rice ?

**Mr. SPEAKER :** He has already replied that he will have it examined further. I am sure it is a typing mistake.

**Shri DEVENDRA NATH SARMA (Gauhati) :** When the wholesale price of rice at Gauhati is Rs. 23.50nP. per maund, the retail price will be higher. Do Government consider this high price to be within the reach of the common people ?

**Mr. SPEAKER :** That is a question of subjective feeling.

*Re :* **Supply of Electricity in North Lakhimpur Town**

**Shri MAHANANDA BORA (Bihpuria) asked :**

58. Will the Minister-in-charge of Electricity be pleased to state—

- (a) Whether Government is aware of the inefficient and irregular supply of electrical power in North Lakhimpur town ?
- (b) Whether it is a fact that due to defects of the machineries installed there, the supply is never regular, even light supply cannot be made to the whole town ?
- (c) Whether Government is aware that along with the coming of the Railway there is scope for Small-Scale and Medium Industries for which electrical power is most essential ?
- (d) Whether Government proposes to look into the matter carefully to help the growth of medium and Small-Scale Industries in this most so far neglected backward part of our State ?

**Shri KAMAKHYA PRASAD TRIPATHI (Minister-in-charge Electricity) replied :**

58. (a)—North Lakhimpur Power House was commissioned on 29<sup>th</sup> June, 1958 with an installed capacity of only 80 KW., *i. e.*, 2 sets of 40 KW. each. The derated capacity of the Station is however about 72 KW whereas the peak load of the Station at present is 70 KW. As such the sets are inevitably over-worked in order to meet the demand. The Board has recently installed another set of 50 KW. in order to meet the increased demand at North Lakhimpur and proposed to further augment the installed capacity of the Station by another set of 100 KW.



(b)—It is not a fact that the machines are defective, but since the installed capacity is not sufficient to meet the demand, steady supply of power may not sometimes be maintained. The insufficient generating capacity of the Station is responsible for the occasional break-downs.

(c)—Yes.

(d)—The situation is under constant watch.

**Shri MOHI KANTA DAS (Barchalla)**: When would Government be pleased to install new set of 100 KW in North Lakhimpur so as to mitigate the hardship in the supply of electricity in the town?

**Shri KAMAKHYA PRASAD TRIPATHI (Minister, Electricity)**: Sir, we are trying to get some more sets; as soon as these sets are available, we will do it.

**Shri MOHI KANTA DAS**: Whether it will be received this year?

**Shri KAMAKHYA PRASAD TRIPATHI**: We are hoping so.

**Shri RAMNATH DAS [Dergaon (Reserved for Scheduled Castes)]**: Sir, since the Government is not in a position to run installation efficiently, is it desirable on the part of the Government to take up more rural electrification schemes at present?

**Shri KAMAKHYA PRASAD TRIPATHI**: Our rural electrification programme has been slowed down due to the non-availability of sets.

But I do not agree that we are not running it efficiently. Efficiency is a product of existing arrangements and on the score of existing arrangements we are running it very efficiently indeed.

**Shri RAMNATH DAS**: Is it not an admitted fact, as admitted by the Minister in question (b) that it is not a fact that the machines are defective, but since the installed capacity is not sufficient to meet the demand, steady supply of power may not sometimes be maintained. Sir, in view of the fact that they are not in a position to meet the demand can the Hon'ble Minister say that the sets are running efficiently?

**Shri KAMAKHYA PRASAD TRIPATHI**: I think his question is of technical performance. I am saying that efficiency is a product of technical performance. So far as shortage is concerned, that is another matter.

We have not been able to meet the shortage; there have been failures, India has not been able to meet. There were failures in Calcutta, Delhi and everywhere. So the cause of shortage, cannot be identified with inefficiency. Shortage is one factor and inefficiency is another and I am making a distinction between shortage and efficiency.

**Shri RAMNATH DAS**: May I submit, Sir, that inefficiency or efficiency depends on the power supply which is required by the public?

**Shri KAMAKHYA PRASAD TRIPATHI (Minister, Electricity)**: No, Sir. Efficiency is a technical performance of the machines.

**Mr. SPEAKER**: He said something about efficiency in matters of planning. When you cannot manage efficiently, why do you install more sets. It is a question of capacity. Suppose, North Lakhimpur wants more than 40 KW of electric supply and instead of giving North Lakhimpur the requisite quantity of electricity, his question is why do you go to extend it to the rural areas?

**Shri KAMAKHYA PRASAD TRIPATHI**: Therefore, Sir, I say that our rural extension programme has been slowed down. The hon. Member is not complaining that I am opening up new areas.

**Shri RAMNATH DAS [Dergoan (Reserved for Scheduled Castes)] :** May I draw the attention of the Hon'ble Minister to the Governor's speech wherein the Governor has said that Government are going to take up more rural electrification schemes in the Third Five Year's Plan. If that be so, how the Minister can say that Government have withdrawn rural electrification schemes ?

**Mr. SPEAKER :** He said the programme has been slowed down, not withdrawn.

*Re: Rice Mills*

**Shri SARAT CHANDRA GOSWAMI (Kamalpur) asked :**

59. Will the Supply Minister be pleased to state—

- (a) How many rice Mills are there in each of the Sub-Divisions of the State ?
- (b) Whether it is a fact that the Mills cannot purchase or procure paddy in the open market without obtaining license from the Supply Department ?
- (c) Whether it is a fact that allotments are made to each Rice Mills on monthly quota basis by the Supply Department ?
- (d) Whether it is a fact that the resultant rice of the allotted paddy is to be accounted for by the Mills and the Mills cannot dispose of without permission from the Supply Department ?
- (e) Whether it is a fact that the *ex-mill* price of the resultant rice is fixed by the Government ?
- (f) Whether it is a fact that the Millers do not sell rice to the retailers at the *ex-Mill* price and takes a much higher price which compels the retailers to sell rice with a margin of Rs. 6 to Rs. 8 per maund above the fixed *ex-mill* price of rice ?
- (g) What are the reasons for the high price of rice in the retail shops in spite of the fixed price of paddy and rice ?
- (h) Whether Government is prepared to take effective steps to relieve the consumers by stabilising the price of rice at a reasonable rate ?

**Shri RUPNATH BRAHMA (Minister, Supply) replied :**

59. (a)—A Statement is placed on the Library Table.

(b)—Yes.

(c)—No.

(d) & (e)—Yes.

(f)—Government have no such information.

(g)—Absence of statutory control over retail prices of rice and paddy, and also the operation of the law of demand and supply.

(h)—Government have been taking all possible steps to stabilize the price of rice at a reasonable level.

**Shri SARAT CHANDRA GOSWAMI (Kamalpur)**; Sir, in reply to (b), the Minister has been pleased to say 'Yes' and in reply to (c) it is stated 'No'. May I know from the Government, if the mills are not allowed to purchase paddy in the open market and if the mills cannot get the quota from the Government, wherefrom the mills are running ?

**Shri RUPNATH BRAHMA (Minister, Supply)**; I may tell the hon. Member that every mill has kept a standing reserve. They are allowed to keep a reserve from the paddy procured from the Service Co-operatives and from that stock in reserve they are allowed from time to time to mill.

**Shri DEVENDRANATH SARMA (Gauhati)**; Sir, agency which keeps the reserve ?

**Shri RUPNATH BRAHMA (Minister, Supply)**; This arrangement is made between the mill-owners and the Government ?

**Shri RAMNATH DAS [Dergaon (Reserved for Scheduled Castes)]**; With regard to (f), who is to give this information to the Government ?

**Shri RUPNATH BRAHMA**; If any specific instance is brought to the notice of the Government certainly Government will take action.

**Mr. SPEAKER**; Mr. Brahma, the duty of your Department was to find out after receipt of the question whether it was a fact that the millers did not sell rice to the retailers at ex-mill price. But instead of making an enquiry and finding out the position, the reply had been that "Government have no such information".

**Shri RUPNATH BRAHMA**; Uptil now we have received no complaint, Sir.

**Mr. SPEAKER**; Whenever the hon. Member puts a question, to elicit certain information from the Government, if the Government pleads inability to give the information, how can I help the hon. Member ?

In this case you should have said 'No' instead of saying that 'Government have no such information'. I think in future, the replies should be framed in that manner.

**Shri SARAT CHANDRA GOSWAMI (Kamalpur)**; In view of the answer given to (c), may I take it that the Government in this case, the Supply Department, did not supply paddy to the Mills ?

**Shri RUPNATH BRAHMA**; Sir, paddy is supplied from the Government godown also. Besides that, as I have already stated, there is a standing reserve with every Mill and that reserved paddy is milled by the mill.

**Shri DEVENDRANATH SARMA (Gauhati)**; Sir, I want to know categorically whether the paddy is supplied by the Supply Department to the mill-owners ? Is it a fact or not ?

**Mr. SPEAKER**; It is a fact.

**Shri DEVENDRANATH SARMA**; He said, No.

**Mr. SPEAKER**; No monthly allotment is made, because there is no monthly quota. The question was whether it is a fact that allotments are made on monthly basis and the reply is 'No'. But the Department may give occasional quotas to the Mill.

**Shri LAKSHMI PRASAD GOSWAMI (Laharighat)**; Sir, the Minister has replied that the Mills have got a reserve of paddy. How these reserved stocks are created.

**Shri RUPNATH BRAHMA (Minister, Supply)** : Sir, the reserved stock is arranged according to the paddy procured by each mill from the Service Co-operatives. We have certain target and out of this target certain quantity of paddy was given to the mills from the paddy procured by the Service Co-operatives. The mills got certain quantity of paddy and from that stock at their disposal, they are allowed to have a standing reserved of paddy from time to time.

**Shri RAMNATH DAS [Dergaon (Reserved for Scheduled Castes)]** : In view of the reply given at (f), can the Minister of Supply deny that on the day when the Standing Committee was sitting, many of the hon. Members including myself, have complained to him that the mills are not selling rice at a price at which they should sell it to the people ?

**Shri RUPNATH BRAHMA (Minister, Supply)** : As I have stated, if the hon. Member can bring specific case where the mills have sold rice at a higher price to any specific retailer who purchased it at higher price, then I will certainly look into it.

**Shri LAKSHMI PRASAD GOSWAMI (Laharighat)** : Who determines the quota for the mills ?

**Shri RUPNATH BRAHMA** : The Supply Department, Sir.

**Shri SARBESWAR BORDOLOI (Titabor)** : In answer given at (h), it has been stated that 'Government have been taking all possible steps to stabilise the price of rice at a reasonable level ; What steps have Government taken ?

**Mr. SPEAKER** : He has already replied to supplementaries arising out of Unstarred Question 57.

**Shri SARBESWAR BORDOLOI** : Is there any such arrangement as to the quantity of paddy given to each mill in a year and the quantity of rice milled ?

**Mr. SPEAKER** : That question does not arise.

**Shri MOHI KANTA DAS (Barchalla)** : Sir, when the margin of difference is so high, say 6 to 8 rupees, will the Minister be pleased to cause an enquiry into the matter and supply the information to this House ?

**Shri RUPNATH BRAHMA (Minister, Supply)** : I have already stated that it will be enquired in to.

**Shri HOMESWAR DEB CHOUDHURY (Patacharkuchi)** : As regards 59 (b), has Government any information that the mills procure paddy from the farmers in the market centres ?

**Mr. SPEAKER** : That is a new question.

**Shri LAKSHMI PRASAD GOSWAMI (Laharighat)** : In reply to question 59 (c), Government have stated 'No'. But when I put the question to the Supply Minister as to who determines the quota for the mills, he said, the Supply Department. Sir, these two answers are contradictory to each other. I want clarification from the Minister.

**Mr. SPEAKER :** The reply to (c) is regarding monthly quota basis. The Supply Department does not make allotment of paddy on monthly quota basis.

**Shri LAKSHMI PRASAD GOSWAMI (Laharighat) :** I want to know from the hon. Minister for what period the quota is fixed. Whether it is monthly or yearly.

**Shri RUPNATH BRAHMA (Minister, Supply) :** From time to time.

**Mr. SPEAKER :** The question is how do you determine the quantity while allotting paddy to each Mill. What facts do you take into consideration in allotting paddy ?

**Shri RUPNATH BRAHMA (Minister, Supply) :** That depends on the quantity of paddy which every Mill has got in its stock.

**Shri MOHI KANTA DAS (Barchalla) :** Is there any principle on the basis of which the paddy is allotted ?

**Mr. SPEAKER :** He has already replied to this question.

**Shri MOTIRAM BORA (Nowgong) :** In reply to (f) it is stated that Government have no such information. May I know whether the Government will institute an enquiry into this matter ?

**Mr. SPEAKER :** This means a reply in the negative.

**Shri PABINDRA NATH SARMA (Nalbari-East) :** Sir, in reply to (g) it is stated that absence of statutory control over retail prices of rice and paddy and also the operation of the law of demand and supply. Does it not show that the Government is feeling helpless to lower the retail prices of paddy ?

**Shri BIMALA PRASAD CHALIHA (Chief Minister) :** Why should Government feel helpless ?

**Shri PABINDRA NATH SARMA :** What I mean to say is that Government admit that there is high rise in price of rice, but even then they have failed to check it. Does it not show Government's helplessness ? What steps Government have taken to control the price of rice ?

**Shri BIMALA PRASAD CHALIHA (Chief Minister) :** That question has already been replied to by my colleague that by opening fair-price shops.

**Shri MOHI KANTA DAS (Barchalla) :** May I know from the hon. Minister what are the principles under which the different Mills are selected for the purpose of giving quota ?

**Mr. SPEAKER :** On the basis of capacity of the Mills.

**Re: Scarcity of C. I. Sheets**

**Shri PABINDRA NATH SARMA (Nalbari-East)** asked :

60. Will the Minister, Supply be pleased to state—

- (a) What steps are being taken by Government in order to remove the scarcity of C. I. Sheets now bitterly experienced by the public ?
- (b) Whether Government is aware that off-quoted plea of transport bottleneck would not solve the problem for ever ?

**Shri RUPNATH BRAHMA (Minister, Supply)** replied :

60. (a)—The Government of India have been frequently requested for increased allotment and they have in fact increased the overall allotment for 1959-60 of 15,225 tons to 21,772.5 tons in 1960-61 for this State.

(b)—Government is aware that transport bottleneck really exists, but this is not wholly responsible for insufficient supplies of C. I. Sheets to Assam.

**Re: Nemuguri and Moranhat Veterinary Dispensary**

**Shri DURGESWAR SAIKIA (Thowra)** asked :

61. Will the Minister-in-charge of Veterinary be pleased to state—

- (a) Whether it is a fact that the public as well as the Questioner moved several times to sanction a Veterinary Dispensary at Nemuguri of Sibsagar and for conversion of Moranhat Veterinary Dispensary into a hospital ?
- (b) Whether the Mohkuma Parishad recommended for their inclusion at the proposed sites ?
- (c) Whether it is a fact that the Department has selected the site for the Nemuguri Dispensary ?
- (d) What is the distance of Nemuguri from Nazira, Moran Demow and Sonari Veterinary Dispensaries ?
- (e) Whether Government is aware that due to epidemic and other difficulties, people have been affected economically for want of such facilities ?

**Shri MOINUL HAQUE CHOUDHURY (Minister, Veterinary)** replied :

61. (a)—Yes.

(b)—Yes, the Mohkuma Parishad finally selected Nemuguri as the site for the proposed Veterinary Dispensary.

(c)—The site was tentatively selected but no final decision has been taken whether to take up this project or not as it has been decided to give priority to incomplete project.

(d)—The distance of Nemuguri to the following Veterinary Dispensaries is shown below :—

(1) Nazira Veterinary Dispensary	...	12 miles.
(2) Moranhat Veterinary Dispensary	...	17 miles.
(3) Demow Veterinary Dispensary	...	12 miles.
(4) Sonari Veterinary Dispensary	...	10 miles.

(e)—Yes, but prompt action is always taken by the Department whenever cattle epidemic breaks out anywhere.

**Shri DURGESWAR SAIKIA (Thowra):** (d) (4) ত নিমুগুৰিৰ পৰা শোনাৰীতলৈ গৈটো দুবন্ধ দিছে এই দুবন্ধ ১০ মাইল কিয় ২০ মাইলতকৈও বেচি নহব নে ?

**Shri KAMAKHYA PRASAD TRIPATHI (Minister, Industry):** I take the information from the hon. Member.

**Shri DURGESWAR SAIKIA:** মৰানহাট ডিম্পকাৰীটো হাস্পিটাল কৰা কথাৰ বিষয়ে চৰকাৰে কি বিবেচনা কৰিছে ? “The site was tentatively selected but no final decision has been taken”.

নিমুগুৰি ডিম্পকাৰী তৈয়াৰ কৰাৰ কাৰণে যদি কোনো সিদ্ধান্ত লোৱা নাই তেন্তে কেতিয়া লব পাৰে ?

**Shri KAMAKHYA PRASAD TRIPATHI (Minister, Industry):** The difficulty has been that a large number of spill-over schemes from the Second Five Year Plan are competing with the new schemes and the matter has not yet been finally decided.

#### *Re: Polytechnic Schools*

**Shri PABINDRA NATH SARMA (Nalbari-East)** asked :

62. Will the Minister, Education be pleased to state—

- What is the present number of Polytechnic Schools in each district of the State ?
- Whether Government propose to introduce such school at Nalbari to further the cause of imparting Technical Education ?

**Shri DEV KANT BOROOAH (Minister, Education)** replied :

62. (a)—

	Polytechnic	I.T.I.	Junior Technical School
Kamrup ... ..	1	1	...
Sibsagar ... ..	1	1	...
Cachar ... ..	1	1	...
Nowgong ... ..	1	1	..
Goalpara ... ..	...	1	...
Darrang ... ..	...	1	...
Lakhimpur ... ..	...	...	...
United K. & J. Hills ... ..	...	...	...
Garo Hills ... ..	...	...	...
United Mikir & North Cachar Hills.	...	...	...
Mizo District ... ..	...	...	...

(b)—The question is under consideration.

**Shri SYED AHMED ALI (Gauripur)**: Sir, I want to know the basis for selecting the site for technical institutions. Is it on the basis of population *cum* area or on the income of the Government from that area or on some other considerations ?

**Shri DEV KANT BOROOAH (Minister, Education)**: Suitability.

**Shri MAHAMMAD UMARUDDIN (Dhubri)**: Why some districts have not been given any technical institution and they are completely left out ?

**Shri DEV KANT BOROOAH (Minister, Education)**: Sir, from the printed list it will be seen that Lakhimpur district has been left out and we are going to make amendments for that by providing an I. T. I. at Tinsukia and a Polytechnic at Dibrugarh in this Plan. Then United Khasi and Jaintia Hills has been left out and we have decided to set up an I.T.I. at Shillong and possibly a Polytechnic also. In Mizo District there will be an I.T.I. Only two districts, *viz.*, Garo Hills and United Mikir and North Cachar Hills have been completely left out, but for the facilities of the Goro students we are trying to build a Junior Technical School at Goalpara.

**Shri MOHI KANTA DAS (Barchalla)**: Is there any proposition for starting a technical institution at Mangaldai ?

**Mr. SPEAKER**: There is already a technical institution in Darrang. If you want you can get it shifted to Mangaldai.

**Shri DEV KANTA BOROOAH**: I would like to build one at Mangaldai. I do not like to shift the existing one to Mangaldai.



**Shri MAHAMMAD UMARUDDIN (Dhubri):** Why in certain districts both Polytechnic and I.T.I. have been given instead of giving one to other districts having no technical institution? What I mean is that there should be balanced distribution of technical institutions.

**Shri DEV KANT BOROOAH (Minister, Education):** Technical institutions cannot be built on population basis alone. The environment and requirements of industries, all these factors have to be taken into account. This question was discussed by the Eastern Regional Council of Technical Education as well as by the All India Council for Technical Education, and it is on their advice that these places are selected.

**Shri DULAL CHANDRA BARUA (Jorhat):** What about North Lakhimpur?

**Shri DEV KANT BOROOAH (Minister, Education):** If funds permit, North Lakhimpur should not be left out.

*Re: Film Studio in Assam*

**Dr. HOMESWAR DEB CHOUDHURY (Patacharkuchi)** asked:

63. Will the Chief Minister be pleased to state—

- (a) Whether it is a fact that Government has taken up a Project to open a Film Studio in Assam?
- (b) If so, whether the work of the Project has been started?
- (c) When it will be completed?
- (d) Who has been given the charge to construct the Studio?
- (e) How many Assamese films have been produced up-till now?
- (f) How many films have been helped financially by the Government?

**Shri BIMALA PRASAD CHALIHA (Chief Minister)** replied:

63. (a)—Yes.

(b)—Yes.

(c)—One Studio for indoor shooting of films is expected to be completed by the end of 1963. The fully equipped Studio, Laboratory, administrative block, Projection theatre, artistes' lodge, canteen, etc., will be completed within the Third Plan period.

(d)—Public Works Department, Assam.

(e)—Twenty-nine Assamese features films.

(f)—Eleven.

**Dr. HOMESWAR DEV CHOUDHURY (Patacharkuchi)**: How many film companies applied for help to the Government ?

**Shri BIMALA PRASAD CHALIHA (Chief Minister)**: I want notice.

**Shri BISWADEV SARMA (Balipara)**: Sir, in reply to (f) it is stated that eleven films have been given financial help. May I know the names of those 11 films ?

**Shri BIMALA PRASAD CHALIHA (Chief Minister)**: Kesa-Son, Ronga Police, Puberun, Amarghat, Era-Bator Sur, Lachit Barphukan, Nimila Anka, Biplabi, Lakhimi, Bhakta-Prahlad and Maak-Aru-Moram.

**Shri BISWADEV SARMA (Balipara)**: What is the nature of financial help ? Is it by way of exemption of Amusement tax or otherwise ?

**Shri BIMALA PRASAD CHALIHA (Chief Minister)**: These amounts are given as grants. Provision has been made in the Budget and these grants are given on the basis of Amusement Tax collected.

**Mr. SPEAKER**: Now item No.2—Shri Dulal Chandra Barua.

#### Calling Attention under Assembly Rule 54

*Re*: A resolution adopted by certain categories of Association for observing a "Demand Day".

**Shri DULAL CHANDRA BARUA (Jorhat)**: Mr. Speaker, Sir, I am taking my stand in this House today in order to draw the attention of the Government about the resolutions adopted by the Ministerial Officers' Association, All-Assam IV Grade Association and All-Assam State Drivers' Association in their rally held on 16th June, 1962 for observing a demand day on 23rd June, 1962. I consider it to be a question of vital importance here because this will effect the administration of the entire State of Assam.

Sir, in this connection, I want to refer to an agreement which was arrived at between the representatives of the Ministerial Association and the Chief Minister on 19th September, 1959, after observation by the Association a 'No work day' on 18th September, 1959, when this humble self was the General Secretary of the Association. Another agreement was also arrived at between the Government and the IV Grade Employees' Association. But, unfortunately, these agreements were not conceded to fully by the Government. Moreover, the Ministerial Association and the IV Grade Association have been complaining that their housing accommodation as was agreed and promised were not fulfilled. Another grievance is the creation of supervising posts. In the agreements it was stated that new supervisory and intermediary posts would be created in order to create avenues for promotion since prospect in the Head of departments offices are very limited. Of course, the Government has created some new posts, only some post of Superintendents and head Assistants were redesignated with higher states of Registrar and Superintendent respectively that too not in all departments. This in fact will not increase the prospect of the Ministerial Officers. Besides, Government have taken some steps of reduction of staff in the name of yard stick by which almost all employees of all the offices are suffering in the question of promotion.

Sir, they are also complaining about the functioning of the Staff-Committees. So far, I understand, the Staff-Committees are not functioning well. Their complaint is that these Staff-Committees have not been functioning as Whitley Council like that of the United Kingdom, where the Council has mandatory decision over Government. On the other hand, these Staff-Committees here in Assam can forward only recommendation to Government to take certain measures. Accordingly they recommended to Government for giving housing accommodation to the employees. Government did not give due consideration to the resolutions, but, on the other hand, as recommended to increase the working hours, in this case, the Government agreed immediately. Therefore, these Associations are complaining and they desire that these Sub-Committees should be organised in the manner of the Whitley Council.

No doubt, the Associations are satisfied for the statement given in this House by our Finance Minister about setting up of a new pay committee, but their argument is that on consideration of the high price level of all essential commodities prevailing since a long time they want an interim relief till the decisions of the proposed Pay Committee will be available. They have suggested the rate of interim relief thus, that those employees getting a scale of pay upto Rs.200 should get Rs.     per mensem, those getting pay scales from Rs.201 to Rs.500 at Rs.50 per month and those getting pay over Rs.500 Rs.30 per month. In my opinion, Government should give due consideration to these suggestions to give them this interim relief to remove their grievances till the arrival of final decision of the Pay Committee.

Another important point is that these Government employees last year they organised an All-Assam State Ministerial Employees' Convention and for organising this Convention Government have been drawing proceedings against many employees. According to them they are entitled to organise this Convention. The Government is taking actions against some employees under the Government Servants' Conduct Rule 7, but I would like to inform the Government that this has been declared *ultra-vires* by the High Court and at the same time, our Supreme Court also gave their decision to some Government concerned that Government employees are entitled to have peaceful demonstration to express their grievances before the Government. That is why I do not find any reason why for this Convention Government should take disciplinary measures. Is it because, this Convention was presided over by Dr. J. C. Medhi, an outsider. He is not an outsider, he was the Legal Remembrancer of Assam and now he is the Principal of the University Law College and also a Member of the University Executive Committee.

**Mr. SPEAKER :** Please confine your arguments to the motion.

**Shri DULAL CHANDRA BARUA (Jorhat) :** Sir, I am speaking all relevant facts confirming to the motion. In this convention of the State Employees the officers have got full right to consider their grievances. This is granted by the Constitution of India. It is quite constitutional to discuss their grievances. I know fully well that our Chief Minister was willing to fulfil their grievances but at the same time, I am sorry to state that in spite of several ultimatum and giving Government 15 days' notice their grievances are not considered. These poor Government employees are not allowed to see their father-like Chief Minister. It is a very sad affair when we are

determined to have an efficient administrative set-up, it is the duty of the Government to see that this matter is looked into carefully. I think, Government will take serious steps in this and I hope, the Chief Minister will give a reply which will satisfy the members of the Associations. A good administrative set up can be achieved if the relation of the Government with its employees is always cordial and satisfactory.

**Shri BIMALA PRASAD CHAUHA (Chief Minister)** : Mr. Speaker, Sir, on the Calling Attention Motion of hon. Shri Dulal Barua, I would like to read the following statement :—

Government's attention has been drawn to a rally of the officers of various Associations, such as the Ministerial Officers' Association, Assam Grade IV Association and the Assam State Drivers' Association, held at Shillong on the 16th of June. Their demands have also been brought to the notice of the Government. The position in regard to each of these demands is as follows :—

1. About the immediate functioning and setting up a Pay Committee, as is known, the Finance Minister in his budget speech has indicated the policy of the Government to set up a Pay Committee. This pay Committee will be set up as quickly as possible and will go into all aspect of the emoluments of officers of various grades and categories. It is not possible for the Government to grant interim relief till the recommendations of the Pay Committee are before the Government and Government have had an opportunity to study each recommendations. If, however, the Pay Committee in the course of examination of pay scales of any class of Government servants recommend interim relief pending finalisation of report and Government decision thereon, the Government will consider the matter.

2. The demand for grant of house-rent allowance till Government accommodation is provided is a very vast subject with tremendous financial implications. In any case, it is to be realised that it would not be possible to provide accommodation for all grades and categories of Government staff in any short period of time because of various difficulties in regard to availability of land, availability of funds, availability of technical staff to carry out such a gigantic programme. It is not possible for the Government to accept that a rent allowance be given till accommodation is provided. The Finance Minister has already indicated in his budget speech the state of our finances and the adverse ways and means position, which we are trying to meet. It may also be stated that the Government have taken up in a phased manner and according to limits which financial considerations impose on them, the provision of accommodation to various categories of their officers. An effort will be made by tapping other resources, such as facilities from the Life Insurance Corporation, to increase the tempo of building but no assurance can be given that this problem can be solved in any short period of time.

3. The various Associations are wanting a negotiating machinery to resolve differences on the lines of the Whitley Council in the United Kingdom. As the hon. Members may be aware, we already have four staff Committees functioning in the State. These Committees are (i) the Secretariat Staff Committee ; (ii) the Heads of Department Staff Committee ; (iii) The District Ministerial Officers' Association Staff Committee ; and (iv) The Grade IV Employees' Staff Committee. Each of these Staff

Committee has had some meetings where representatives of the staff and from the Government side have discussions on problems of a common nature, both from the point of view of amenities and prospects for the staff, as well as for improving the functioning of the Government machinery. There are very free and frank discussions where the members from the staff side place their points of view. It is appreciated that deadlocks may arise even with the best will in the world. In any case, the Staff Committees have started functioning from 1960 and their success or otherwise has not yet been fully assessed. The Government would like to study and watch the work of these Staff Committees longer before embarking on any other experiment. The Government have heard that the Centre is contemplating setting up of Staff Councils. It may be possible to consider and adopt such a scheme when it is finalised at the Centre.

4. The demand for withdrawal of so called illegal proceedings against certain members of some Associations is not acceptable to Government. Charges are for specific violation of clauses of the Government Servants' Conduct Rules and proceedings have been drawn up in the regular manner and they will take their own course.

**Address by the Advocate General relating to competence of the Legislature to enact the Assam Prevention of Bigamous Marriage Bill, 1962**

**Shri B. C. BARUA (Advocate General):** Mr. Speaker, Sir, going through the debate on this Bill I find that the member from Borsola and the other members including the Minister, Agriculture, who spoke in his support have challenged the competency of this House to enact a law of this nature; and the grounds taken by them appear to be five-fold.

Firstly, that the Bill, if enacted, shall infringe upon the religious right of the Muslim to marry upto four wives and shall be violative of the fundamental right to profess, practice and propogate their religion as guaranteed under Article 25 of the Constitution ; and that as such, Article 13(2) is a bar to the enactment of such law.

Secondly, that this House is not competent to make such a law for the autonomous districts and autonomous regions within the tribal areas of Assam, in as much as the subject-matter of this Bill being "marriage" and "social custom" within the meaning of paragraph 3 of the Sixth Schedule, falls within the Legislative field of the District Council and Regional Councils.

Thirdly, that the Muslim Personal Law (Shariat) Application Act, 1937, governs the personal law relating to Muslim marriage and that this being an existing law, enacted by the Central Legislature, the State Legislature is not competent to amend the same.

Fourthly, the provisions of the Bill, if enacted, will be repugnant to Muslim Personal Law (Shariat) Act, 1957, and, therefore, in view of the Article 254 of the Constitution, the State Legislature is not competent to enact such a law.

Fifthly, that clauses 4 and 8 of the Bill shall effect not only Assam but also the neighbouring States and as such this Legislature is not competent to enact a law having such extra-territorial effect.

Before discussing the merits of these objections, I may refer to Section 494 of the Indian Penal Code, which prescribes the punishment for the offence of bigamy. That section runs as follows:

“Whoever, having a husband or a wife living, marries in any case in which such marriage is void by reason of its taking place during the life of such husband or wife shall be punished with imprisonment of either description which may extend to seven years and shall be liable to fine.”

A Christian marriage is monogamous under the Indian Christian Marriage Act 1872. So also a Parsee marriage, which is governed by the Parsee Marriage and Divorce Act, 1936. The contention of some of the members that the present Bill will also effect the Parsee is, therefore, not correct. The Hindu Marriage Act, 1955 which applies to the Hindus, Buddhists, Jains and Sikhs, has abolished bigamy amongst these communities. A marriage under the Special Marriage Act, which can be availed of by any of two Indians, is also monogamous. Under the Shariat Law, a Muslim female is not permitted to have more than one husband, while a Muslim male may marry more than one wife upto the maximum of four. Section 494 of the Indian Penal Code does not, therefore, apply only to Mohammedan males and those tribes amongst whom polygamy is permitted by usage. As regards the Jews, the problem is not of much importance, so far as this State is concerned.

Let us now examine the first objection, namely, that the Bill seeks to take away the religious right of the Muslims guaranteed under Article 25 of the Constitution.

In this connection, I may add that long before the enactment by Parliament, of the Hindu Marriage Act, 1955, the Bombay and Madras Legislative have respectively enacted the Bombay Prevention of Hindu Bigamous Marriage Act, 1946, and the Madras Hindu (Bigamy Prevention) Act, 1946. After the commencement of the Constitution to vires of these enactments were challenged in the respective High Courts as being violative of Article 25 of the Constitution on the footing that a Hindu marriage is sacrament and it is enjoined on a Hindu to marry more than one wife, if necessary, for perpetuation of the family by birth of a son.

In respect of the Bombay Act, Chagla, Chief Justice, in the case of “State of Bombay vs-Nararu Appa Mali” reported in A. 1 R. 1952, Bom.84, while upholding the vires of the Act, observed.

“A sharp distinction must be drawn between religious faith and belief and religious practices. What the State protects is religious faith and belief. If religious practices run counter to public order morality or health or a policy of social welfare upon which the State has embarked, than the religious practices must give way before the good of the people and the State as a whole. It is rather difficult to accept the proposition that polygamy is an integral part of Hindu religion. But even assuming that polygamy is a recognised institution according to Hindu religious practice, the right of the State to legislate on questions relating to marriage cannot be disputed. Marriage is undoubtedly a social institution, an institution in which the State is vitally interested. If, therefore, the State of Bombay compels Hindus

to become monogamous, it is a measure of social reform and the State is empowered to legislate with regard to social reform, under Article 25 (2) (b) notwithstanding the fact that it may interfere with the right of citizen freely to profess, practice and propagate religion. Therefore, this legislation does not contravene Article 25(1) of the Constitution."

In case of the Madras Act, the Madras High Court in the case of "Srinivasa-*vs*-Saraswathi" reported in A.I.R. 1952, Madras, 193, held:

"The freedom to practice religion is not an absolute right but as Article 25 itself states it is subject to public order, morality and health and subject to the other provisions of this part. Article 25 (2) further empowers the legislation to enact a law providing for social welfare and reform..... The religious practices may therefore be controlled by legislation, if the State thinks that in the interest of social welfare and reform it is necessary to do so. The argument therefore that the legislation contravenes the right under Article 25(1) of the Constitution is without any force and must be rejected."

Similarly, in the case of "Ram Prasad-*vs*-Up" A. I. R. 1957, All. 411, Mehrotra, J. (now Chief Justice of Assam High Court) held that Rule 27, U. P. Government Servant Conduct Rules which provides that Government Servant cannot marry a second wife during the life time of the first was not violative of Article 25, in as much as the option to marry more than one wife is not an integral part of Hindu religion.

Let me now come to an analogous case under the Muslim Personal Law. In the case of "Badaruddin-*vs*-Aisha Begum" (1957) All L. J. 330, it was contended that Section 488 Criminal Procedure Code which entitled a wife to live separately from her husband if he marries a second wife and yet claims maintenance from him, was violative of the fundamental right of a Muslim to marry any number of wives upto four. Repelling this contention, Oak J. held: "It cannot be said that it is fundamental right of a Muslim to have four wives. It may be that under the Personal Law of Muslims, a Muslim may have as many as four wives. But it cannot be said that having more than one wife is a part of religion. There is authority to show that it is obligatory on a Mussalman to have more than one wife ... Therefore it cannot be said that any provision of law in favour of monogamy involves violation of Article 25 of the Constitution."

In the Supreme Court case "Md Hanif Quaracshi Vs. State of Bihar" A.I.R. 1958 S.C. 732 while challenging the vires of the Prevention of Cow Slaughter legislations enacted by Legislatures of Bihar, Uttar Pradesh and Madhya Pradesh, a point was taken that these Acts were violative of the petitioner's religious rights guaranteed under Article 25(1) in as much as sacrifice of a cow on the Bakrid day is enjoined by Islam; Their Lordships of the Supreme Court, however held on the material before them that it was optional for a Muslim to sacrifice a goat, cow, or a camel and that the very fact of option runs counter to the notion of an obligatory duty and observed:

"We have however no material on the record before us which will enable us to say in the face of the foregoing fact that the sacrifice of a cow on that day is an obligatory over act for a Muslim to exhibit his religious belief and idia. In the premises, it is not possible for us to uphold this claim of this petitioner".

Though the Shariat Law permits a Muslim male to marry upto four wives, it does not enjoin him to do so and a Muslim male has the option of remaining monogamous throughout his whole life.

Applying the rule, as laid by the Supreme Court, it must be said therefore, that marrying more than one wife is not an obligatory overt act for a Muslim to exhibit his religious belief and ideas.

In view of the above authoritatives, it cannot be said that the present Bill is violative of Article 25(1) of the Constitution.

As regards the second objection regarding competency of this House to legislate such a law for the whole of Assam, I may refer to clauses (1) of Article 245 under which the State Legislature is competent to make laws for the whole or any part of the State. But this territorial jurisdiction of a State Legislature is subject to other provisions of the Constitution. Paragraph 12(1) of the Sixth Schedule is such a provision, but this paragraph does not lay down that the State Legislature shall not be competent to make any law in respect of the matters specified in paragraph 3 of the Sixth Schedule and all that this Paragraph says is that "no Act of the Legislature of the State in respect of any of the matters specified in Paragraph 3 of this Schedule.....shall apply to any autonomous district or autonomous region unless in either case, the District Council for such district or having such jurisdiction over such region by public notification so directs, and the District Council in giving such direction with respect to any such Act may direct that the Act in its application to such district, region or any part thereof have effect subject to such exceptions or modifications as it thinks fit".

The matter specified in Paragraph 3 of the Sixth Schedule, therefore fall in the concurrent legislative field of both the State Legislature and the District Council; though in view of Paragraph 12, the application of any law enacted by the State Legislators in respect of any of these matters may be blocked or modified by the District Council. There is, therefore, no constitutional incompetency on the part of the House to enact such a law for the whole of Assam, though notwithstanding such enactment it will not apply to an autonomous district until the District Council so directs by public notification.

As regards the third objection, Muslim Personal Law (Shariat) Application Act, 1937, being an Act enacted by the Central Legislature under the provisions of the Government of India Act, 1935, is no doubt an existing Law as defined in Article 366(10) and the question is whether the State Legislature is competent to amend it, directly or indirectly. Article 372 provides that notwithstanding the repeal of the enactment referred to in Article 395 (which included the Government of India Act, 1935) by the Constitution, all existing laws shall continue in force until altered or repealed or amended by competent Legislature or other competent authority. In the case of an existing law, the subject matter of which falls in the concurrent List, the words "the competent Legislature which may, alter, amend or repeal such a law" include both the Parliament and Legislature of a State. The item "Marriage and Divorce", etc., being a legislative item in the Concurrent List, being item No.5 of the said List, the State Legislature may expressly or impliedly repeal the provisions of the (Shariat) Application Act, so far as it applied to "Marriage and Divorce"—though to save such a law from being void on the ground of repugnancy, assent of the President envisaged under Article 254 will be necessary.



This brings me to the fourth objection, namely, that in view of Article 254, this House is not competent to enact law of this kind, which will be repugnant to an existing law, namely, the Muslim Personal (Shariat) Application Act.

Article 254 does not lay down that the State Legislature is incompetent to enact a law which is repugnant to a law made by the Parliament or an existing law. On the other hand, the words "If any Provision of a law made by the Legislature of a State is repugnant" as used in Article 254, clearly refer to the provisions of a law validly enacted by the Legislature of a State. Competency of the State Legislature to enact such a law is therefore, assumed. Basu in "Commentary of the Constitution of India", Third Edition, Vol.II, at page 289 observes:—

"The question of repugnancy properly arises in connection with the Concurrent List. Under Article 249(2) both the Union and the State Legislatures have concurrent power to legislate with respect to that List. Logically, therefore, legislation by both Legislatures relating to the same subject matter within List III shall be valid. But the question arises which one shall prevail in case an Act of one Legislature be in conflict with an Act of the other, relating to the same subject.

"Clause (1) lays down the general rule that in case of repugnancy of a State law with a Union law relating to the same matter in the Concurrent List, the Union law will prevail and the State law will fail to the extent of the repugnancy, whether the Union law is prior or subsequent to the State Law.

"But to the general rule, Clause (2) engrafts an exception viz., that if the President assents to a State Law which has been reserved for his consideration (Art.200), it will prevail notwithstanding its repugnancy to an earlier law of the Union.

The above propositions, formulated by the learned Commentator, in respect of repugnancy between a Union law and a State law also apply to a case of repugnancy between an existing law and a State law.

Section 2 of the Shariat Application Act lays down amongst others that in all questions regarding marriage, dissolution of Marriage etc., the rule of decision in cases where the parties are Muslims shall be the Muslim Personal Law (Shariat). This Act therefore, gives statutory recognition to Shariat Law. The provisions of this bill being contrary to Muslim Personal Law are therefore repugnant to the Shariat Application Act.

But, all the same, this bill, if enacted will not be void *abinitio* on account of such repugnancy. An Act is *ultra-vires*, when it is beyond the the Legislative Competency of the Legislature, that enacted it. But in a case like this, when it is repugnant either to an existing law or to a Central law, it is not void *abinitio*, but only void to the extent of the repugnancy. It is true that this Bill, if passed by this House but not assented to by the President, shall be void for all practical purposes. But if, for example, instead of reserving this Bill for consideration of the President, the Governor himself assents to this Bill, it will remain in the Statute Book, *albeit* in a dormant condition; but if on some future date, the Parliament either amends or repeals the Shariat Application Act so as to the inconsistency, this law will be revived and assume its full force.

I may add in this connection that this House had on previous occasion enacted several laws, which are repugnant to some of the existing laws, on the assent of the President ; and the consideration that the President might not have assented to these Bills did not deter this House from passing them. For example, I may refer to the Assam Land (Requisition and Acquisition) Act, 1948, the Assam Acquisition of Land for flood Control and Prevention of Erosion Act, 1955 and similar other Acts, which are repugnant to the Land Acquisition Act, which is an existing law and would have been void but for the President's assent. During the last Session, this House, by the Industrial Disputes (Assam Amendment) Act, 1962 amended the Industrial Disputes, Act, 1947, another existing law, enacted by the Central Legislature. If, however, this House entertains a doubt that the President may ultimately withhold assent to this Bill, it may naturally hesitate to pass such a measure and presumably it was in this context that the Law Minister, while conceding that this House is competent to legislate a measure like this requested the Mover to withdraw this Bill. Whether in such a contingency, this House will like to pass such a Bill is, however, entirely a matter of legislative policy.

As regards the fifth objection regarding the possible extra territorial effect of this Bill, for reasons which I shall just indicate, Clause 4 of this Bill, if enacted in the present form, may be void. Clause 8 may not be void, but in its actual application, it may lead to conflict of Personal Laws, thereby rendering the formulation of the rule of succession to a deceased Muslim, having more than one wife, somewhat complicated. The Bill as a whole will not, however, be bad on these grounds ; but at the stage of consideration of the Bill clause by clause, if that stage is hereafter reached, the House will no doubt take these matters into consideration. Whether in view of these possible complication, the Mover will like to withdraw or redraft the Bill is however a different matter.

Article 245 which defines the territorial jurisdiction of the Parliament and the Legislatures of States to make laws, runs as follow—

“(1) Subject to the provision of the constitution, Parliament may make laws for the whole or any part of the territory of India and the Legislatures of a State may make laws for the whole or any part of the State.

(2) No law made by Parliament shall be deemed to be invalid on the ground that it would have extra-territorial operation.”

Clauses (1) and (2) of Article 245 read together imply that the State Legislatures under our Constitution shall have no extra-territorial power. But the law is now well settled that a law is not to be regarded as having extra-territorial effect, if there is territorial nexus between the person or his business or transaction to which the law is made applicable and the State.

With this Constitutional background I may refer to Sections 4 and 5 of the Bombay Prevention of Hindu Bigamous Marriage Act, 1946, which runs as follows:—

4. Notwithstanding any law, custom or usage to the contrary, a bigamous marriage shall be void,

(a) If it is contracted in this State after the coming into force of this Act.

(b) If it is contracted beyond the limits of this State after coming into force of this Act and either or both the contracting parties to such marriages are domiciled in this State.

5. Notwithstanding any law, custom or usage to the contrary, whoever not being a minor, contracts a bigamous marriage which is void under Section 4 shall on conviction, be punishable with imprisonment for a term which may extend to seven years and shall also be liable to fine.'

In "Radhabai-vs-Bombay, A. I. R. 1955 Bom. 439, a permanent resident of Bombay, during the life time of his first wife contracted a second marriage at Gwalior, outside the State Bombay and on his return to Bombay he was charge-sheeted under Section 5 of the above Act and the case in question arose as to whether a Bombay Court can try the case in respect of an offence committed outside the State of Bombay. A division Bench of the Bombay High Court while replying the question in affirmative held.

"In this case, the Act has been made applicable to certain marriages contracted outside the State of Bombay. These are marriages, either or both contracting parties of which are domiciled in Bombay. There is sufficient territorial connection between such marriages and the Bombay State. That connection is provided by a party to the marriage possessing the domicile of the Bombay State. In enacting Section 4 (b) the Legislature cannot therefore be said to have exceeded the territorial limit of its power.'

It was also held that the words "domiciled in the Province" as used in Section 4 signify persons who reside in the Bombay State and who have an intention to reside for ever therein. In another part of the judgment, it was observed:—

"The object of Section 4 (b) is to compel permanent residents of the Province to obey the Provincial law with regard to marriage and to prevent its evasion by the commission of bigamy outside the Province. It is legislation for the welfare and benefit of persons residing in the Province and consequently a law for the Province within the legislative competence of the provincial Legislature."

But a Full Bench of the Bombay High Court in the case of "State-vs-Narayandas", A. I. R. 1958, Bombay 68, dissented from the above view and Chagla, C. J. who delivered the judgment of the Full Bench observed:—

"It is said that Section 4 (b) applies the Act to persons domiciled in the State who have contracted marriages outside the State in order to create a nexus between the State and the person domiciled. But when the Legislature is dealing with the subject of marriage, the fact that the person who contracts the marriage is resident in Bombay cannot constitute a nexus necessary in law to confer jurisdiction or competence upon the Legislature. The mere fact that the Legislature should seek to apply its law to those whom it chooses to call "domiciled" in the State but which means permanently resident in the State cannot enlarge the jurisdiction of the Legislature.

“In Section 5 after declaring a bigamous marriage void, the Legislature goes on to constitute it an offence. But it is well settled that crime is local and that it is difficult to conceive a territorial nexus in the case of crime. The fact that the offender lives in a particular territory does not constitute a nexus between the crime and the State.

Regarding the possibility of evasion of the law, as pointed out in the earlier Bombay case “Radhabai—vs.—Bombay”, Chagla C. J. observed —

“The answer to the difficulty raised by the learned Judge with regard to enforcing social legislation is simple. It is not open under our Constitution to a State to enforce social legislation outside its boundaries and if the social legislation has to be enforced all over the country then the proper method of doing it is to approach the Central Government to pass a law, if the subject matter is within the Concurrent List. This exactly what has been done in the case of bigamous marriages. The Bombay law has now been replaced by the Central law and by it, to contract a bigamous marriage has become an offence.”

As crime is local, I am in respectful agreement with these weighty pronouncement of Chagla, C. J.—though it is only the Supreme Court that may finally settle the controversy.

As regards Clause 8, however, it may be said that as legitimacy has relevance only to succession, it deals with the question of succession to property situated within the State and as such there is sufficient territorial nexus; even so, in actual application, this clause may give rise to conflict. Conflict of personal laws has come to be recognised as a highly intriguing and specialised branch of the law, called the “Conflict of law”. Clause 8 if enacted, in the present form, may give rise to complicated problems of conflict of laws which will ultimately have to be resolved in the judicial forum. The Legislature has, however, the jurisdiction to create such conflict of laws and whether it will choose to do so is again a matter of legislative policy.

This is, Sir, all that I have to submit on the Constitutional questions raised in course of the earlier debate on this Bill.

**Mr. SPEAKER:** Any member to speak anything on this? I shall give my decision after lunch. Now, I pass on to the Item No.5.

### Motion Regarding Pay Scales of Government Employees

**Shri KHOGENDRANATH BARBARUAH (Amguri):** Whether my speech was taken to be concluded?

**Mr. SPEAKER:** Your speech was concluded.

**Shri KHOGENDRANATH BARBARUAH:** Sir, in this connection, I again draw the attention of the Minister that some interim relief to the low-paid Government employees should be granted. The low-paid Government employees are so much hard hit by the rise of the price index that their meagre pay, they draw, cannot cope up with the rising price of essential commodities. For instance, Sir, everyday there is a rise in price.

The price of rice is Rs.25 at Shillong fixed as wholesale price ; but the retail sale price goes upto Rs.27. Rs.28 per maund and in this way the other commodities that is, cloth and other essential goods, price is also raising up, everyday. But the pay of the Government employees is not accelerated. The fate of the poor Government servants has become so precarious that unless some steps are taken up in this respect, their condition will be more deplorable.

Next, Sir, they should be given some relief in the shape of housing advance. Here in Shillong it is very difficult to get a house with some amenities such as good water, Lavatories, etc., for the Government employees who are drawing say Rs.20 or Rs.50 or Rs.120 as L. D., U. D. To hire a house, the employee will have to pay at least Rs.50. Suppose, Sir, if a Government employee draws Rs.120 he will have to hire a house by paying Rs.50 ; then he will have only Rs.70 and with this 70 rupees he cannot run the expenses of his family and children, not to speak of meeting the expenses of school-going boys but it becomes very difficult to maintain his life, to meet two dishes, morning and evening. Hence, Sir, I again draw the attention of the Minister to the fact that some relief should be granted to this poorly paid Government employees.

Sir, the other day I tried to convince the House that Government employees are always looked by the Government as servants, that is their service is not considered from the humanitarian point of view. When they place any demand the Government does not come forward to meet their grievances.

Then Sir, some Government persons have been granted pension after two or three years of their retirement.

Secondly, Sir, in promotion cases there are also defects. For instance the Ministerial Association has presented their demands but Government is not considering these demands. So, when there is any difference between the employer and the employees, I think, to settle up these differences, "Whitley" line is the best one, so that good relationship prevails between the employer and the employees. Whitley Council should be established with one representative from the Government side and one representative from the employees side. There should be equal representatives from both the sides. There should be a judge or someone who is supposed to be impartial in all respects in the State Level Council. There should be Whitley Council in three levels ; State Level, Heads of Department Level and District level. If there be any difference between the Members in the Whitley Council, then in case of District Council it will be sent up to the Government and the Government will be the arbitrator. Again, in the Heads of Department Level Government will be the arbitrator. But in the case of State Level, the arbitrator will go to the adjudication. So this process is the best process, because the Government is not paying heed to the demands of the Ministerial Association and other Association. Therefore, these Associations are not paying any importance to the Staff Committees. In lieu of the Staff Committees the Whitley Council should be set up. This is the modern method of settling difference between the Government and its employees.

Sir, these are my observations.

### Shri SARBESWAR BORDOLOI (Titabor) : উপাধ্যক্ষ

মহোদয়, আমাৰ মাননীয় সদস্য শ্ৰীখগেন্দ্ৰ নাথ বৰবৰুৱা ডাঙৰীয়াই এই প্ৰস্তাৱটো সদনলৈ অনাৰ কাৰণে তেখেতক ধন্যবাদ জনাইছো। এই সম্পৰ্কত মই এটা কথা চৰকাৰক জনাব খোজো যে চৰকাৰৰ নিজৰ কৰ্মচাৰী সকলৰ বেতন সম্পৰ্কে এটা আধুনিক ব্যৱস্থা কৰা উচিত। আধুনিক ব্যৱস্থা মানে আমাৰ দেশত বস্ত্ৰৰ দাম দিনক দিনে বাঢ়িব লাগিছে। এনে অৱস্থাত কৰ্মচাৰী সকল চলিব পৰাকৈ সন্ময়ে সন্ময়ে বেতন কিয়া মৰণীয় বানচ বাঢ়াই দিয়াৰ ব্যৱস্থা কৰা নহয় তেনেহলে কৰ্মচাৰী সকলে সভা পাতি দাবী উত্থাপন কৰিব লগা হয় আৰু তাক পূৰণৰ বাবে যত্নও কৰিব লগাত পৰে। এইদৰে দাবী কৰি শুক আদায় কৰিবলৈ যত্ন কৰোতেই দুই পক্ষৰ মাজত বন্ধন বাধা আহিব আৰু ফলত চৰকাৰী কামতো বেমেজালিৰ সৃষ্টি হব। বস্ত্ৰৰ দাম বাঢ়াৰ লগে লগে চৰকাৰী কৰ্মচাৰীৰ মৰণীয় বানচ বাঢ়োৱা এটা ব্যৱস্থা আমাৰ কেন্দ্ৰীয় চৰকাৰেও ইতিমধ্যেই কৰিছে। মই জনাত ১৯৬০ চনতে Staff Committee গঠন কৰা হৈছে। তাত তেওঁলোকৰ বেতন, মৰণীয় বানচৰ আৰু কিছু দুই এটা সুবিধা অসুবিধাৰ কথা আলোচনা কৰা হৈছে। তাত দুই পক্ষৰ প্ৰতিনিধি অৰ্থাৎ চৰকাৰী পক্ষ আৰু কৰ্মচাৰী পক্ষৰ প্ৰতিনিধি আছে। মই জনাত ষ্টাফ কমিটিত যিবোৰ সিদ্ধান্ত লোৱা হৈছে সেইবোৰো কাৰ্য্যকৰী কৰা হোৱা নাই। দুয়ো পক্ষই একেলগে বহি লোৱা সিদ্ধান্তবোৰো যদি চৰকাৰে কাৰ্য্যকৰী নকৰে তেনেহলে কৰ্মচাৰী সকলৰ উপায় কি? আজি অসমৰ সকলো ঠাইতে বস্ত্ৰৰ দাম বাঢ়িব লাগিছে। কিছুমান বস্ত্ৰৰ দাম চহৰতকৈ বেচি; যেনে— দাইল, চেনি আদি যিবোৰ বস্ত্ৰ অসমৰ বাহিৰৰ পৰা আনিব লগা হয়। এটা বস্ত্ৰৰ কলিকতাত যি দাম সেই বস্ত্ৰটো অসমৰ যি কোনো চহৰতে ডেবঙণ বেশী হব। গতিকে বস্ত্ৰৰ দামৰ লগত যদি কৰ্মচাৰীৰ বেতনৰ সম্পৰ্ক নেখাকে অৰ্থাৎ দাম বাঢ়াৰ লগে লগে যদি উপাৰ্জন নেবাঢ়ে তেনেহলে সেই মানুহজনে পৰিয়ালৰ দায়িত্ব কেনেকৈ পালন কৰিব? পৰিয়াল কেনেকৈ পুহিব আৰু কেনেকৈ লৰা-ছোৱালীক শিক্ষা দিব? গতিকে বস্ত্ৰৰ দাম বাঢ়াৰ লগে লগে কৰ্মচাৰীৰ উপাৰ্জন তথা বেতন বা মৰণীয় বানচ নিশ্চয় বাঢ়া উচিত।

অসমত যিবোৰ শিল্প গঢ়ি উঠিছে, সেইবোৰত কৰ্মচাৰীৰ যি বেতনৰ হাৰ সেই হাৰ চৰকাৰী কৰ্মচাৰীৰ হাৰতকৈ উন্নত। আনকি চৰকাৰী শিল্পৰ ক্ষেত্ৰতো বেতনৰ হাৰ বেচি। গুৱাহাটীৰ তেল শোধনাগাৰত কাম কৰিবৰ কাৰণে কিছু চৰকাৰী কৰ্মচাৰী গৈছিল। তাত তেওঁলোকে বেতনো বেচি পাইছিল। এতিয়া তাত কাম সম্পূৰ্ণ হোৱাৰ পাচত তেওঁলোক পুনৰ গুচি আহিব লগা হ'ল। সেই কৰ্মচাৰী সকলৰ এতিয়া উপাৰ্জন কমিল। ফলত পৰিয়ালৰ দায়িত্ব পালনৰ বাধা জন্মিছে। গতিকে ষ্টাফ কমিটিয়ে গ্ৰহণ কৰা সিদ্ধান্ত সমূহ কাৰ্য্যকৰী কৰা বাঞ্ছনীয়। District ৰ Ministerial Officer's Association ৰ লগত মোৰো অলপ সম্পৰ্ক আছে। তেওঁলোকৰ যুক্তিসঙ্গত দাবী সমূহ কাৰ্য্যকৰী নকৰাৰ কাৰণে তেওঁলোকৰ মাজত অসন্তোষ বৃদ্ধি হৈছে। আনকি তেওঁবিলাকৰ প্ৰস্তাববিলাক যে গ্ৰহণ হোৱা নাই, ষ্টাফ কমিটিত যি ষ্টাফ কমিটি চৰকাৰ আৰু কৰ্মচাৰী সকলৰ প্ৰতিনিধি লৈ গঠিত, সেই কমিটিত সৰ্বসন্মতিক্ৰমে গৃহীত হোৱা সিদ্ধান্ত বিলাকে চৰকাৰে কাৰ্য্যকৰী নকৰাতো খুব আচৰিত কথা হৈছে।

আজি দুখতে তেওঁলোকে চৰকাৰলৈ যিবিলাক আবেদন নিবেদন কৰিছে আৰু প্ৰস্তাৱ পৰামৰ্শ আগবঢ়াইছে সেইবিলাকৰ পৰা কোনো বকম প্ৰতিকাৰ পোৱা নাই। তাৰ ফলত কৰ্মচাৰী সকলৰ মনত অশান্তিৰ ভাব হৈছে। এই প্ৰসঙ্গত মই এই কথাই চৰকাৰৰ দৃষ্টি আকৰ্ষণ কৰিব খুজিছো যে, সংঘ (Association) কৰিব পৰাৰ অধিকাৰ যেতিয়া চৰকাৰে দিছে, তেনে ক্ষেত্ৰত তেওঁলোকৰ প্ৰস্তাৱ পৰামৰ্শ মানি লোৱাৰ বাহিৰে চৰকাৰৰ আন কোনো উপায় নাই বুলি ভাবো। কাৰণ আজি যিবিলাক ট্ৰেডইউনিয়ন অথবা সেই ধৰণৰ সংঘক চৰকাৰে স্বীকৃতি দিছে, সেই বিলাকৰ গঠন আৰু পৰামৰ্শাৱলী সম্পূৰ্ণ আধুনিক। পূৰ্বণি দিন আৰু পূৰ্বণি অৱস্থাৰ লগত খাপ নোখোৱা। কাজেই

সেইবিলাক চৰকাৰে মানি নলৈ নোৱাৰিব। ভাৰত চৰকাৰে তেওঁলোকৰ কৰ্মচাৰী সকলৰ কাৰণে যিবিলাক সংঘ কৰাৰ স্বাধীনতা দিছে আৰু মানি লৈছে সেইবিলাক আমাৰ অসম চৰকাৰে নামানি কেনেকৈ চলিব আৰু মানি লবই লাগিব নহলে কৰ্মচাৰী সকলৰ কাৰণে অন্যায় কৰা হ'ব। গতিকে চৰকাৰী কৰ্মচাৰী আৰু চৰকাৰৰ মাজতে যদি ভাল সম্পৰ্ক নাথাকে তেন্তে চৰকাৰে ভালকাম নাপাব। সেই কাৰণে তেওঁলোকৰ ন্যায় সঙ্গত উপাৰ্জনৰ পথ মুকলি কৰি জিবীকা নিৰ্বাহৰ পথ সুগম কৰিবলৈ সোনকালে ঠাক কসিতিৰ পৰামৰ্শবিলাক চৰকাৰে মানিলে কাৰ্য্যকৰী কৰিব নুলি মই আশা কৰিলো।

**Shri MOHI KANTA DAS (Barchalla)** : Mr. Deputy Speaker, Sir. Some thanks are due to our Mr. Khogendranath Barbaruah for bringing in this motion, but more thanks are due to the Hon. Finance Minister because he has already announced before this House the formation of a Pay Committee for the revision of the existing scales of pay and that necessary steps will be taken by Government towards its setting up as early as possible. Sir, it is a right decision taken by the Government because we have found that different representations from different service organisations have come to us and also before the Government for the revision of their pay scales. In view of the rising prices and also consequent rise in the living conditions of the people in the State, specially affecting the low-paid employees, really it is just and proper that the Government have taken this step for the purpose of constitution of a Pay Committee for revision of the pay scales. Here, specially, we have found that there are many service organisations which have been constitutionally approaching the Government for the purpose of increasing their pay scales, so that they can meet the necessities of life in these hard days. We have seen the lot of the 4th Grade employees. They are very low-paid. They have also demanded revision of their pay scales and other amenities. We have seen also the case of the Primary School Teachers. The Primary School Teachers' Association has represented to Government. They are also demanding some more amenities of life in the form of increase in their pay. Then, the case of the process servers. The Process Servers' Association has also represented. The Process Servers' Association is a pivot organisation for the service of all processes, all notices, but for which the administration may come to a deadlock. Therefore, some importance should be given to the demand of this Association. Next, Sir, the Ministerial Officers' Association has also been pressing their demand for the revision of their pay scales and for various other amenities. They are also low-paid employees. Therefore, I shall request the Government that special attention should be given to the prayers of this Association. Besides these, our Aided High School Teachers have been advocating for certain measures to be adopted by Government for amelioration of their conditions of service and it is gratifying that Government have conceded to some of their demands. Their remaining demands should be considered with sympathy by the Government. Then about the medical services. They have formed an association and they have been constantly approaching the Government for redress of their grievances and they are presenting their claims before the Government for a very long time. Their demands are legitimate. They have various demands—confirmation, increase of pay scales and various other things. It has been stated that the pay scales of the Medical Officers are higher in some other States, than they are here. Government can bring information from other States also because health and hygiene and such other things depend on the administration of this Department. So, Sir, the demands of the workers of this Department should be looked into with sympathy. Then, there is All Assam Jail Workers' Association. They have also certain grievances. They have

approached the Government through proper channels and the difficulties they have represented, I hope, Government will take into account when revising the pay scales. One of the most important grievances is that of want of residential quarters for some officials in their locality. Some officers are paid Rs.25 on account of house rent, at which it is not possible for these officers to hire any house in rural areas. I would request, Sir, either some arrangement for accommodating these officers should be made or house rent allowance should be enhanced. Therefore, Sir, we the members here have full sympathy with the legitimate demands of the different service organisations, including that of the State Transport Workers Association. They have also submitted representation properly to the appropriate authorities. Their case also should be considered. Then, there is the case of the Relief and Rehabilitation workers. Their Association was liquidated on the 31st of March, 1962 and only a skeleton staff of 25 are left in the Department. They are also afraid. On that day recently, their annual session was held here which was inaugurated by the Relief and Rehabilitation Minister. I was asked to preside over that meeting. They are also apprehensive that those skeleton staff even may be retrenched. They are afraid about their absorption. Their prayer was that this skeleton staff should be retained.

**Mr. DEPUTY SPEAKER :** Mr. Das, you should confine your observation to pay scales only.

**Shri MOHI KANTA DAS (Barchalla) :** Yes, Sir. Therefore, they should be retained in their offices. I would submit, Sir, that the prayers of different service associations are legitimate and I hope all these cases will be considered with sympathy by the Pay Committee when it is constituted.

With these few words, Sir, I resume my seat.

**Shri MADHUSUDHAN DAS (Barpeta) :** মাননীয় উপাধ্যক্ষ মহোদয়, চৰকাৰী কৰ্মচাৰী সকলৰ দৰমহাৰ নিৰ্বিধ বৃদ্ধি কৰিবৰ নিমিত্তে শ্ৰীংগেজ নাপথ বৰবৰুৱা ডাঙৰীয়াই যি প্ৰস্তাব আনিছে সেই প্ৰস্তাব সমৰ্থন কৰিবৰ বাবে মই ঠিয় হৈছোঁ ; আৰু সেই প্ৰস্তাবৰ বাবে তেখেতক ধন্যবাদ দিছোঁ। আমাৰ চৰকাৰৰ বৰমুৰীয়া মাননীয় মুখ্য মন্ত্ৰী মহোদয়ে নিম্ন স্তৰৰ চাকৰীয়াল সকলৰ অস্থবিধাৰ কথা ভাল দৰে বুজি পাইছে আৰু তেওঁ নিম্ন স্তৰৰ কৰ্মচাৰী সকলৰ প্ৰতি তেওঁ সহানুভূতি-শীল। আমাৰ বিত্ত মন্ত্ৰী ডাঙৰীয়াই আৰু এটা পে, কমিটি গঠন কৰি নিম্ন স্তৰৰ কৰ্মচাৰী সকলৰ দৰমহা বৃদ্ধি কৰিবৰ বাবে চিন্তা কৰিছে বুলি কৈছে। গতিকে এই বিষয়ত চৰকাৰক কোনো চোকা সমালোচনা কৰিব লগা নহব। এই সকলো ভাল কথা। এতিয়া জিনিষ পত্ৰৰ দাম বাঢ়িবোৱাৰ বাবে মধ্য আৰু নিম্ন স্তৰৰ বিষয়া সকল যি অবস্থাত পৰিব লগা হৈছে সেই দৰে বেচি দিন থাকিব লগা হলে তেওঁ লোক আৰু তিষ্ঠিব নোৱাৰিব। এটা চোকাৰদাৰে মাত্ৰ ৩০ টকা বেতন পায় সেই ৩০ টকাৰে চাউল ১১১ মোনকে কিনিব নোৱাৰে। Grade IV কৰ্মচাৰী, প্ৰাইমাৰী স্কুল, মজলীয়া স্কুলৰ শিক্ষক আৰু আন আন নিম্ন স্তৰৰ চাকৰীয়াল কোৰ একেবাৰে অচল অবস্থাত পৰিছেহি। কিন্তু এতিয়া পে কমিটি গঠন কৰি সিদ্ধান্ত উলিয়াওতে বহুত দিন লাগি যাব। ইমান দিন তেওঁ লোকে এই অবস্থাত থাকিব নোৱাৰিব। সেই কাৰণে এটা অন্তৰ্বর্তী ব্যৱস্থা কৰিব লাগে বা ইতিমধ্যে মগীয়মানহে ভাতা কিছু বড়াই দিব লাগে আৰু Adhoc relief দিয়াৰ এটা ব্যৱস্থা কৰিব লাগে। আমাৰ বাঢ়ি কল্যাণ কাৰী বাঢ়ি। আমি সমাজ তত্ত্বাদৰ আৰ্হিত সমাজ গঠন কৰিবলৈ ওলাইছো গতিকৈ উচ্চ আৰু নিম্নৰ প্ৰজাৰণো কমাৰ লাগে। সকলোৰে মানুহৰ দৰে থাকিবৰ দাবি আছে। সেই কথা বেচি ভাবি চাব লাগব। আজি আমাৰ পাচ বচৰীয়া



পৰিকল্পনা বোৰ চলি আছে এই পৰিকল্পনা বোৰৰ মূল উদ্দেশ্য হল জীৱনৰ মান দণ্ড ওপৰলৈ নিয়া। গতিকে নিম্ন স্তৰৰ চৰকাৰী চাকৰীয়াসকলৰ কথা আমি ভাবি চোৱা উচিত।

আৰু এটা কথা মানুহৰ তপ্ত লবণৰ চিন্তা থাকিলে মানুহে ভাল দৰে কাম কৰিব নোৱাৰে এই কথা চিৰন্তন সত্য। গতিকে চাকৰীয়াসকলক এই চিন্তাৰ পৰা অব্যাহতি দিব লাগিব। আৰু লগতে উচ্ছ নিম্ন মনোভাব দূৰ কৰি সম্যক মনোবৃত্তি গঢ়ি তুলিব লাগিব। সকলো শ্ৰেণীৰ কৰ্মচাৰীৰ বেতনৰ সমতা অনা বৰ জটিল আৰু ডাঙৰ কথা কিন্তু তাতকৈ ডাঙৰ কথা হৈছে আমাৰ মনোবৃত্তিৰ পৰিবৰ্তন সাধন কৰা আমাৰ ভাঙ্গৰ সৰুতাব দূৰ কৰা। আমি আজি সকলো কথাৰ সমাজৰ সেৱাৰ ভিত্তিত লব লাগিব। এজন ডাক্তৰ বিষয়াই সমাজৰ যি উপকাৰ সাধন কৰে নিম্ন স্তৰৰ বিষয়া এজনে সেই একে পৰিমাণে সমাজৰ উপকাৰ সাধন কৰে। জৰ্জ এজনে ৩,৫০০ টকা বেতন দৰ্শনা পাই যি কাম সমাজক দিব চৌকিদাৰ জনে ৩০ টকা বেতন পাইও সেই একে ধৰণ সেৱাকে সমাজক দিব। চৌকীদাৰ জনে বাতি নথী পত্ৰ ৰাখি নাখাকিলে প্ৰাণদণ্ড দিয়া, সম্পত্তিৰ মালিক নিৰ্ণয় কৰা আদি নথী পত্ৰ সকলোকে চুৰ কৰি লৈ যাব; আৰু তেতিয়া জৰ্জ বাহাদুৰৰ কামৰ কোনো ফল সমাজে নাপাব, যদিহে চকীদাৰ জন নাখাকে। আমি আজি এটি প্ৰতিযোগীতা মূলক পৰীক্ষা পাচ কৰা মানুহ এজনক তেওঁৰ বুদ্ধিৰ বাবে বৰ অধিক পৰিমাণে দৰ্শনা দিওঁ প্ৰকৃততে বুদ্ধিমান মানুহ সকলেহে অধিক ত্যাগ কৰিব লাগে আৰু সমাজক অধিক পৰিমাণে সেৱা দিব লাগে কাৰণ তেওঁ লোক বুজন মানুহ; কিন্তু তাৰ পৰিবৰ্তে তেওঁ লোকক বুদ্ধিৰ কাৰণে বৰ উচ্ছ বেতন দি সমাজত নানা স্তৰৰ ব্যবধান বৃদ্ধি কৰা হৈছে। ব্যৱধান কমাই অনাহে চৰকাৰৰ কৰ্তব্য। এজন মানুহে দহজনৰ সমান খাব পিন্ধিব নোৱাৰে গতিকে তেওঁক দহজনৰ সমান বেতন দিয়া উচিত নহয়। পে কমিটিয়ে সাধাৰণ নিম্ন স্তৰৰ চাকৰীয়াসকলক ৪/৫ টকা যদি উচ্ছ কৰ্মচাৰী সকলক ২ শ ২১ শ Special Pay দিয়া দেখা যায় I. A. S. আদি ডাঙৰ চাকৰীয়াসকলে যি পায় তাক তেওঁলোকে ভাল দৰে খাই বই সাচি যাবও পাৰে। একোজন এই শ্ৰেণীৰ বিষয়াই প্ৰভিভেণ্ট ফাণ্ডৰ পৰা ১২ লাখ টকা লৈ চাকৰীৰ পৰা অবসৰ লয়। সেই বিলাক ২/২১ শকৈ Special Pay দিয়াৰ কোনো অৰ্থ বুজি নাপাও। গতিকে প্ৰথমে খাবলৈ নোপোৱা নিম্ন স্তৰৰ চাকৰীয়াসকলৰ কথাহে ভবা উচিত। পে কমিটিয়ে সিদ্ধান্ত কৰোতে দৰমহাৰ প্ৰভেদটো অতি বেচি যাতে নহয় সেইটো চাব লাগিব। মই কও চাকৰীৰ ৩টা স্তৰ হ'ব লাগে ২শ, ৫শ আৰু ৮শ। এই নিৰিখ সৰ্ব্বোচ্চ। কেন্দ্ৰীয় চৰকাৰৰ যিসকল কৰ্মচাৰী আছে তেওঁ লোকৰ দৰমহাৰ ওপৰত অবশ্যে ৰাজ্যিক চৰকাৰৰ কোনো হাত নাই, সেই কাৰণে ৰাজ্যিক চৰকাৰে সানুনয়ে কেন্দ্ৰীয় চৰকাৰক জনাব লাগে যে আমি ইমান দৰমহা বহণ কৰিবলৈ অক্ষম সেই কাৰণে আপোনালোকৰ বিষয়া সকলক অন্য ঠাইলৈ নিয়াৰ ব্যবস্থা কৰক। ডাঙৰ চাকৰীয়াসকলৰ লৰা ছোৱালীৰ প্ৰতি যি দায়িত্ব সৰু বিষয়া সকলোৰো সেই একে গতিকে এই বাব পে কমিটিয়ে এই কথাটোত বিশেষ গুৰুত্ব দিব বুলি আশা কৰিলো। এইটো কথা মনত ৰাখিব লাগে যে কৰ্মচাৰী সকল সন্তুষ্ট থাকিলে efficiency বাঢ়িব আৰু দুৰ্নীতিও আতৰিব বুলি আশা কৰিব পাৰি।

উদাহৰণ স্বৰূপে ক'ব পাৰি যে পলিচ কৰ্মচাৰী সকলে হাত মেলিলেই টকা পায়। গতিকে তেওঁলোকক কম দৰমহা দিয়া মানে দুৰ্নীতি বঢ়োৱা। এনে ধৰণে প্ৰশাসনীয় বিভাগ বিলাকত দুৰ্নীতি সোমাইছে। এই দুৰ্নীতি গুচাবলৈ মন কৰিলে আমাৰ নিম্নতম কৰ্মচাৰীৰ দৰমহা বঢ়াব লাগে মই দেখিছো আমাৰ মুখ্যমন্ত্ৰী ডাঙৰীয়া নিম্ন বেতনৰ কৰ্মচাৰী সকলৰ প্ৰতি সহানুভূতি আছে। এই বিষয়টোলৈ তেখেতে আৰু বিত্ত মন্ত্ৰীয়ে মন কৰিব বুলি মোৰ ধাৰণা। Pay Committee নোহোৱালৈকে এই মধ্যবৰ্তী সময় খিনিত এই নিম্নতম বেতনভোগী কৰ্মচাৰী সকলক কিছু টকা দি সকাহ দিবলৈ যেন কিবা এটা ব্যবস্থাও কৰে।

**Shri DULAL CHANDRA BARUA (Jorhat):** Mr. Deputy Speaker, Sir, while supporting the motion moved by my esteemed Friend Shri Khogendra Nath Barbaruah I want to give some explanations to this House about the revision of pay scale. Sir, you know it well that this is a welfare State and that is why, according to Article 43 of the Constitution of India, Government is supposed to look to the welfare of their employees by giving sufficient food and emoluments and by raising their standard of living. That is why, I think, by considering all these factors, the State Government was pleased enough to set up a Pay Committee in 1955. After that there was a resolution by the Pay Committee to have another Pay Committee after a gap of five years, and we are pleased to note that the Finance Minister in his speech mentioned about the setting up of another Pay Committee. Sir, the point is that although Government appointed a Pay Committee in 1955, the discrepancies and disparities between some categories of employees were not removed and therefore there is discontentment in the minds of low-paid employees. The Government Press employees here are even now in the same scale of pay and no revision has taken place in respect of these employees. Besides, there are many other Departments where no revision in the scale of pay of the employees has been made. Therefore, Sir, it is a very vital question and I am really thankful to the Finance Minister for having brought this matter before this House. Sir, it is very easy to say that the matter is under consideration but the question of implementation is also there. Therefore, it is my earnest request to the Chief Minister and the Finance Minister to see that the Pay Committee is set up as early as possible. Apart from this, I have another observation to make. As my esteemed Friend Shri Das said, Government machinery consists of small parts and when a machine gets rusted, it requires oiling. Similar is the case with the employees. Unless and until sufficient food, good accommodation and other facilities are given to them we cannot expect them to carry on their work efficiently and conduct the Government affairs. Therefore, without going to other places if you look to the low-paid employees here you will find them not well fed and their children ill-fed and ill-clad. They are practically starving like beggars and they are taking loans from Kabulis and some of my friends have been assaulted by Kabulis for their failure to repay the loans. Sir, Government exists for the welfare of the people and if we want socialistic pattern of Society then Government should see to the welfare of the people. As my esteemed friend Shri Das said, it is not the question of money, it is a question of the heart. Sir, I want to draw the attention of the Chief Minister through you to this matter. As the head of the State it is his duty to look to the interest of the employees. They are like his sons and daughters and so as guardian of the employees, he should see that the employees are kept content. Why the low-paid employees are making an appeal to the Government? It is because they feel that Government is their guardian and so Government has to redress their grievances. Government should at least use sweet words to them. Sir, the Finance Minister himself has stated how cost of living is going high. The price index is going up day by day. Government only assure on the floor of the House that they would take effective measures to check the rise in prices but actually they have done nothing. Sir, I know the condition of the low-paid employees and I still remember how we passed our days. So, Sir, I think the Minister or the Officer who considers this question should consider the matter thinking his own position had he been in that position. Therefore, it is my earnest appeal to beloved Chief Minister and the Finance Minister to consider this matter, thinking that the employees are their sons and daughters.

Another point is that Third Central Pay Committee had increased the Dearness Allowance by 10 per cent upto the pay Rs.150. Why should we not increase the Dearness Allowance in the case of State Government employees ?

Sir, I have already stated that in comparison with other States our cost of living is too high and so we should give more Dearness Allowance to our Government employees. The Finance Minister has said that he would set up a Pay Committee, but it will take a long time for the Committee to come to a decision and so the employees have demanded interim relief. Of course, it is not possible for Government to give them everything of what they have asked for, but Government can at least give them 50 per cent, by reducing some other unnecessary expenditure on administration. As my hon. Friend said, Government is giving Rs 200 or Rs.500 to some officers as special pay, simply because they are entitled to it, according to their service conditions. Sir, it is a question of economy and so we should cut our coat according to our cloth. We should curtail such expenditure and money saved by this way can be made available for low-paid employees, and higher Dearness Allowances in State scale be maintained for them and reducing at higher level for highly salaried people.

Then Sir, another point is that there is difference in pay scale between the Central Government employees and the State Government employees. A 4th Grade employee in the Central Government is getting Rs 90 per mensem whereas our people working here as 4th Grade is getting Rs.79.50 nP. and in the plains they are getting Rs.67.50 nP. A Lower Division Assistant in the Central Government gets Rs 147.50 nP whereas a Lower Division Assistant of the State Government gets only Rs. 109.00 per mensem. Therefore, it is necessary to look into the grievances of these people.

Apart from these things, I would draw the attention of the Hon'ble Finance Minister that unless and until the price of commodities can be controlled there is no use raising objections for the proposal of better pay scales. Therefore, the Government should furnish the pay committee about these things that the cost of living is such that without increase of pay the employees are finding it difficult to manage their household affairs.

I would draw the attention of the Chief Minister to see that the recommendations of the staff committees should be taken into consideration by his department and implemented instead of referring them to the different departments, which would mean unnecessary delay. What I have seen is that Government have very promptly given effect to the recommendations of the increase of working hours—but other important recommendations are still in cold storage, and the suggestions from staff side have not been considered at all. From this you can better imagine how the present set of staff committee will help in resolving the differences.

Then, Sir, the IV Grade Association called for a meeting of the Staff-committee, members from staff side came but for the absence of official representatives to this meeting the meeting could not proceed. What is the necessity of such a committee if the Government officials do not attend

between instead employers and employee. So, I suggest that these committees will not help in resolving the differences Whitley Council as in the United Kingdom is to be formed. That should be considered by the Government seriously.

Another suggestion is that in the Pay Committee the President should be a non-official and one representative from each of the associations should be taken in it so that they are not misrepresented. There are Ministerial Association, IV Grade Association, Medical Officers Association and many other associations. A representative from each can be taken so that in future they cannot grumble that their cases have not been properly looked into.

Another important point is that this pay committee should be acquainted with the service condition, distribution of work, etc., as it is seen that there are some offices in which one assistant is engaged in the whole office and he is burdened with innumerable files and much office work with the result that he cannot attend properly to one file even. Therefore, distribution of work should be taken into consideration by the pay committee.

The Pay committee should also consider the pension benefit.

Another thing is, that when my humble self as the General Secretary of the Ministerial Officers' Association, met the Chief Minister he suggested to start a service co-operatives for Government employees. These service co-operative should be opened without further delay which will help the low grade Government servants in these hard days. From the association side they made a much headway but no financial aid has come yet from Government side.

I am glad that Government have started a Health Contributory Scheme for the employees of Shillong, but many of them do not get proper accommodation and proper treatment for inadequate medical staff and not starting sub-station in various other parts of the capital where contributors to the scheme are in hundreds. This scheme should not only be extended throughout the State but in implementing this proper steps should be taken so that Government employees get proper treatment. I would appeal to the Chief Minister to direct the Director of Public Health to look into these matters so that the scheme can function properly.

Regarding housing accommodation, our Chief Minister this morning replied that for various reasons Government have not been able to provide accommodation. If you go to other States you can see that Government officers almost all of them have been provided with housing accommodation. Now, we are paying a Lower Division Assistant Rs.109 per mensem, out of this he is to pay at Rs 60 if not more per mensem for accommodating his family members. If this is so, how can he with the remaining amount of pay afford to give education and other amenities necessary to his children.

So far I know our Chief Minister also agreed that there should be barracks constructed by Government for low paid IV Grade employees. I do not know what the Government have been doing towards this direction. If Government want to have sufficient work from these low paid IV Grade employees all facilities should be given to these people. If not cent. per cent at least 50 per cent facilities should be granted to them.

There are other things, regarding confirmation, promotion, etc., by the Pay Committee.

**Mr. DEPUTY SPEAKER:** You please confine your observation to the pay committee only.

**Shri DULAL CHANDRA BARUA (Jorhat):** The motion is regarding pay scale.

**Mr. DEPUTY SPEAKER:** It is regarding revision of pay scale.

**Shri DULAL CHANDRA BARUA:** I am speaking about promotion and confirmation.

These things should be as a matter of fact taken into consideration by the Pay Committee.

**Shri BISWADEV SARMA (Balipara):** I don't think promotion and confirmation questions will come for the consideration by the Pay Committee.

**Shri FAKHRUDDIN ALI AHMED (Minister, Finance):** Hon. Member will be pleased to consider that this motion only deals with the question of revision of pay scales, but now as the Government have already decided to set up a Pay Committee whether this is the proper forum because this is a lengthy matter and in this House we cannot decide pay of this department or another and so on and so forth. But if the hon. Member wants that the Pay Committee should take the benefit of the general principle discussed in this House I will forward these principles to the Pay Committee.

**Shri DULAL CHANDRA BARUA (Jorhat):** I hope, these matters will be taken into consideration by the Pay Committee for the efficient running of the administration and for the development of this most undeveloped State and Government will take immediate steps for fulfilment of the genuine grievances of the Government servants.

**Shri SARAT CHANDRA GOSWAMI (Kamalpur):** Mr. Deputy Speaker, Sir, as explained by the Finance Minister, I want also to speak a few words in this motion regarding the Pay Committee. I think, it will be for the benefit for us if the Government forward the broad principles on which we discuss to the Pay Committee and also our suggestions for working, terms and references, etc., which can guide the Pay Committee in their deliberations.

Now, Sir, some observation has been made regarding the pay scales and conditions of Government employees and also the economic depression of the people of the State. Sir, I like to say that we are living beyond our means—no matter one is highly paid officer or low-paid officer or poorly paid officer. A person may get Rs.1,000 per month, another may get Rs.50 per month, if one is running short of 200 rupees and the other 2 rupees—they both are beyond their means. In these hard days it has become impossible to maintain family on one member's income specially in case of low paid officers. So, we should build up a tradition for hard work for each member of the family. So, we should see that every member of a family should earn something without depending on one member's earning only specially.

Now, Sir, I like to come to the point of fixation of pay scales. Sir, there is a great discontentment amongst the Government employees regarding the pay scales of different categories. We should try to minimise the number of categories in service. It is not that somebody is getting ten rupees more or somebody is getting ten rupees less. To my mind, Sir, this dissatisfaction arises due to comparison of pay scales of the employees discharging the same kind of service. If we have one scale of pay for a particular person for a particular job and higher scale to the other having the same qualification, and doing the same job then there arises discontentment. So I request the Government, in terms of reference of the Pay Committee to be constituted if possible, the number of scales should be minimised as far as possible. Now, Sir, at present, there are as many as 62 or so different scales of pay. These scales of pay should be minimised to only 25 or so. Then, Sir, a particular person with particular qualification, whether he is a State Government employee or Central Government employee, should get the same scale of pay. Otherwise, this dissatisfaction will remain. Suppose, two assistants remain in a mess—one is a State Government employee and the other a Central Government employee. Though they are having the same necessities of life and subject to the same hardships, one will get a better scale of pay than the other though doing similar work and with same qualifications. This comparison will have a set back in their life and responsible for the discontentment. So, I suggest that in going for the revision of pay scales, Government should collect all data as regards different categories of our Government employees in our State and pay scales of Central Government employees which should be considered by the Pay Committee. For instance, Sir, a person will prefer a service in the University whether in the clerical of the 4th grade employment, because the pay scale of the University is much better than those given by the Government. Therefore, these things should be taken into consideration and a uniform pay scale should be maintained, that is, a particular person in a particular responsibility should get the same pay scale—no matter whether he is serving under the State Government, or under Central Government or under any private concern or under semi-Government institutions. This will minimise the dissatisfaction.

Then, I would like to point out another thing. When we consider the pay scale of the 4th grade employees, here and outside the House, we are paying them certain amount as Dearness Allowance. Now, we cannot reduce this D.A. Then Sir, what is the harm in merging this D.A. with the basic pay. Now, whatever we have at present, the pay scale of the 4th grade employees begins at Rs.28 or so and upto 45 or so. With D.A. and other allowances, a 4th grade person is not getting more than 60 or so. Then, Sir, what is the harm if we merge the D.A. and other allowances with their basic pay. I request the Government that this point should be taken into consideration while fixing the pay scale of the Government employees. The 4th grade employees should be given educational facilities to their children and housing accommodation in towns considering their hardships.

Then, Sir, another point I want to refer. There are some temporary persons who are deprived of certain advantages. They should not be denied to them. For instance, there are some people in the Supply Department who are serving temporarily since 1948. Of course, they are getting increments but they have not been extended some other benefits. So, Sir, in this regard,

the persons who have been serving the Government for a long period temporarily, they should be absorbed in the permanent cadre. Then, I think Sir, we shall be benefited by the omission and mistakes of the Pay Committee of 1956. The pay Committee of 1956 did not consider some cases and these mistakes had to be corrected by revision of scale in the meantime, but some other scales which were equally affected were not revised. But interim revision of scale is a dangerous thing. Sir, whenever there is interim revision of pay scale of one category, the other corresponding scales should be revised, otherwise, there will be great discontentment amongst the employees.

Therefore, my request to the Government is that.....

**Shri BISWADEV SARMA (Balipara)**; Sir, on a point of clarification. May I know from the hon Member? Does he mean by the term interim revision of pay scale as *Ad Hoc* pay scale? Does he mean to say that there is certain revision of pay scale. I think there is no such revision but only some relief was given on *Ad Hoc* basis.

**Shri SARAT CHANDRA GOSWAMI (Kamalpur)**; I say, for instance, the Co-operative Department, Veterinary Department and so many other departments which I do not remember all other departments where pay scales have been revised, that is, if there was a pay scale of Rs.80, 100, 150 or something like this, it was revised to Rs.150 to Rs.200 or so according to Pay Committee.....

**Shri BISWADEV SARMA (Balipara)**; Sir, as I have already said it was not a Pay Committee, it was an Anomaly Committee, because in that Committee there were so many anomalies.

**Shri SARAT CHANDRA GOSWAMI**; That is exactly my point. Because when there is discontentment amongst the employees over the pay scale, Government should look into the matter again.

Sir, I would like to give another instance in this connection. The Pay Committee of 1956 did not consider at all the pay scales of Government school teachers of the M. V. School and certain other categories. They were left out in the sense that these schools were taken over by the School Board there was that is why not necessity of revision of pay scale. As a matter of fact, these schools remained as it is. These Government school Teachers did not get any benefit of revision of pay scale made by the Pay Committee, 1956. Their services remained in the same scale of pay even without getting the benefit of eight annas. They have been working, upto now, in the same scale of pay.

Then I want to say a few words on another point. Sir, when the pay scales are revised only a benefit of Rs. 5 or Rs. 10 is given to the people cannot change the lot of the people; this cannot change the lots of our employees. Therefore unless the Government takes steps to stabilise the price or fix the prices of essential commodities our Third Five Year Plan will not be successful because we have to pay more money for our essential commodities prices of which are soaring higher and higher and the earnings of the people will gradually diminish because it will have less purchasing capacity. Therefore, Sir, the fixation of pay scales and stabilisation of prices should be taken together otherwise more revision of pay scales cannot bring any benefit to the employees.

Sir, I do not like to take any more time of this House and I request the Finance Minister to take this matter into consideration.

**Shri MAHAMMAD UMARUDDIN (Dhubri)**: Sir, there are only 7 minutes, shall I begin ?

**Mr. DEPUTY SPEAKER**: Yes, you can begin now.

**Shri MAHAMMAD UMARUDDIN**: Mr. Deputy Speaker Sir, I have heard with attention the various observations made by some of the members regarding revision of pay scales of all Government servants. Sir, I can tell you from my own experience as a member of the last Pay Committee that certain broad principles are to be adopted in the fixation of pay scales. The most important criterion in this regard is the determination of the basic salary of the 4th Grade Government employees who are at the bottom of the structure, and then to fix the highest salary, i. e., the ceiling. The salaries for the intermediate grades have to be determined on the basis of work load and degree of responsibility in between the lowest and the highest limit.

Now, it is not very easy to fix the base. As you know, Sir, since we are committed to the ideals of socialistic pattern of society, in which our primary object is to remove inequalities of income, it becomes necessary to determine the base with reference to the wage level of the agriculturists and other unskilled labour force in the State.

If I remember aright, the basic salary of a 4th Grades Government employee was fixed at Rs. 50 per month, and 30 times of this basic salary i. e., Rs. 1,500 as the highest salary or ceiling. This is the maximum fixed for in the Indian Administrative Service the highest executive service in the country.

Now, the question is on what basis this sum of Rs. 50 was fixed for the 4th Grade Government employee. Sir, this is a fundamental question which is co-related with the wage levels of agriculturists and unskilled labourers in the country. We cannot lose sight of the fact that more than 70 per cent of the people are engaged in agriculture and 10 to 15 per cent in industry, and in industry also there are different categories of wage earners, skilled and unskilled, and the level of wage of the unskilled labourers is comparable to the earning of an average agriculturist. Therefore the level of wage of an agriculturist or an unskilled labourer has to be adopted on the basis in fixing the basic salary of a 4th Grade Government servant.

Sir, we have seen that the general per capita income in our State has come down to Rs. 257, and as increase in agricultural production has not been so substantial as to raise the per capita income of an agriculturist, the per capita income of an agriculturist will not exceed Rs. 200 per annum. But if we take into account the total earnings of adult male agriculturist as an earner in a family of 5, it may be double or so of the average per capita income of an agriculturist. Now we draw the 4th Grade employees from amongst the peasantry generally, or the unskilled labour class. Therefore, we must take into account what they would have actually earned outside Government service. Unless we take this into account it would not be possible to rationally fix the base. Sir, supposing a man was earning Rs. 25 per month outside but when he joins Government service he will demand Rs. 50 for which there will be no justification, therefore, some basic criterion must be adopted in fixing the salary.



Sir, A welfare State does not necessarily mean that Government will look to the interest of their own employees only but have a responsibility to create opportunities in which an agriculturist or an unskilled labourer can earn a living comparable with the salary of a 4th Grade Government employee. But if a higher remuneration is allowed to a 4th Grade Government employee out of proportion of the general wage level of an agriculturist or an unskilled labourer, Government will be liable to be accused of discrimination and social injustice.

Sir, let us take an example. If there is a vacancy for the post of an Lower Primary Teacher or a 4th Grade Government employee hundreds of applicants come forward for the job. Now, had agriculture or similar profession been more remunerative there would not have been any rush for a job carrying a salary of Rs. 40 to Rs. 50 a month? If we take into account the prevailing wage level of an agriculturist or an unskilled labour, the basic remuneration paid to a 4th Grade Government employee can not be said to be low otherwise how could there be such high demand for such a job under Government? Of course, the cost of living and the fixity of tenure of employment of a Government servant are also relevant factors to be taken into consideration.

Our people not having any technical training and our State being industrially backward, and agriculture as an avenue of employment being what it is, there is a scramble for white collar jobs. As soon as an ordinary villager joins Government service even as 4th Grade employee, he feels he has got a status. He becomes a town dweller and develops a craze for amenities and luxury. He comes under the environmental influence of a town life and wants more amenities and comfort. Sir, Mr. Goswami has rightly pointed out that we are living beyond our means. This tendency to luxury without the adequate means to fulfill such a craze has given rise to artificial discontent. This is a very dangerous situation for our country. Now that we have embarked upon a gigantic programme for the development of an undeveloped and poor country like ours, without adequate resources of our own, utmost austerity is called for on the part of all concerned. We can not go on financing our plans by loans from outside. There must be saving i. e., less consumption out of the earnings. And Sir, austerity is the demand of the day. Unless there is surplus over the consumption we shall not be able to progress. Therefore, all Government servants should do well to bear in mind this aspect of our national problem.

Sir, our Government is a people's Government and the responsibility of paying another section of the citizens of the State for their services will depend upon the state of economic development of the people in general. The paying capacity of our people and the resources of our State have got a great bearing upon the quantum of remuneration to be paid to Government employees. Even now we are spending more than 50 per cent of our resources in establishments rather than in development works as such. Therefore, it is a very difficult question having so many aspects to be taken into consideration.

Then Sir, there is another question. Sir, I have already said that there is the base and there is the ceiling in between these two, there are various grades of Government employees for different departments and for different types of work both technical and non-technical.

**Mr. DEPUTY SPEAKER :** The House stands adjourned till 2 P. M.

**Adjournment**

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

*After Lunch*

**Shri MAHAMMAD UMARUDDIN (Dhubri)**: Mr. Deputy Speaker, Sir, I was saying that the Government servants may be placed under two broad divisions, the technical and non-technical. Now, in the non-technical also there are other divisions. Then in the technical also, there are Engineering Department, Medical Department and some other departments. Now for the purpose of salary I will refer to the observation of Mr. Goswami that there should be rationalisation in the pay scales. In making the rationalisation we have to take into account the comparative merits or difficulties and volume and nature of the work to be done by employees of different departments. Then also in a department itself, there should be inter segregation having regard to the degree of responsibility, nature of the work and the rank, etc. Therefore, Sir, when certain departments have comparable nature of work at different levels they are grouped together for consideration of the application of identical pay scales as far as possible. Then, Sir, these are somewhat intricate questions and have to be examined very carefully and it is also to be related to the floor basic pay. If we do not keep any rational difference between one cadre and another cadre, there may be discontent and charge of discrimination. Now, Sir, in giving effect to these principles it becomes very difficult to apportion the pay scales and remuneration having regard to the nature of services rendered. Then again, we have to take into account certain special requirements of our State in certain specific departments. As for instance, we are in need of technical personnel for our industrial development, for our various expansion schemes, projects and programmes to be carried out. The question is whether an incentive is to be given in pay scales for this category of employees so as to attract the required number of qualified technical persons. Then Sir, we always hear about injustices done to the teaching services, L. P. Teachers and M. V. Teachers and other categories of teachers also. The same is the case with the Medical Department. As for instance, a Doctor can save human life and he can claim any amount of money for the work he has done. The same is the case with the teacher. He imparts teaching, helps us in the development of our mind and faculties and thus enables people to rise into higher orders of life. There is mental well being and physical well being. For this kind of service, nowhere all over the world remuneration can be given commensurate with the moral value of the services rendered. Such service can not always be equated with money. In this kind of work there is an element of humanitarianism and this is the reason why teachers and medical men are held in high esteem in the society. The teachers all over the world and in all countries serve humanity with a spirit of service and not for money alone. In Government service also there should be an element of sacrifice combined with a spirit of service to the people. A purely mercenary outlook will detract from the dignity of a Government servant. Sir, the cost of living has a very important bearing upon the quantum of remuneration. But we will have to see how far the cost of living has been fluctuating. Some fluctuation may be temporary, some may be permanent. These are the factors to be taken into consideration. I have already observed that it is also related to the paying capacity of our people. Therefore, Sir, all these

matters are very important. They will require really thorough examination and we shall have to give our thought to evolve ways and means so that grievances of the Government servants can be met as far as possible. Then, Sir, it is not always possible to remove grievances and give them relief by enhancing the pay scales in terms of money only. Therefore, we should try our best to give them relief in terms of amenities, like housing accommodation, free medical treatment and educational facilities, etc. The most important item of expenditure for a Government servant is housing accommodation. The rent being very high now, a good part of the salary is consumed by house rent alone.

There should be the medical and educational facilities for the Government employees at least of the lower grade. We shall have to discover how far we can give relief to them. Shri Goswami raised the question of discontent under certain circumstances and by comparison as between the Central and State Government employees. Apart from that in the private sector also the remuneration depends upon the law of supply and demand, and an employer will be prepared to pay higher salary on the basis of efficiency and merit for his own gain without strict adherence to any rigid pay scales. This may also give rise to discontent to Government servants but there is difficulty in drawing a comparison between the private sector employees and Government service, though higher remuneration in the private sector may tend to cause disturbing influence. Therefore, Sir, in fixing salaries of public sector employees a question was raised whether.....

**Shri SARAT CHANDRA GOSWAMI (Kamalpur):** My point was that we should see whether we can make discrimination in the service of the same category, serving under Central Government or State Government. For instance, there is an office Assistant and if he has same qualification and if serving under the State gets rather much higher pay than an Assistant with same qualification under the Central Government and if he happens to live in the same mess or same house, there will be some amount of discontentment. And therefore, so far, we have accepted the educational qualification as the basis of fixing the pay scales of employees. We should take note of this that a person serving under the State Government or Central Government doing same amount of job get same amount of pay.

**Shri MAHAMMAD UMARUDDIN (Dhubri):** My point is of wider aspect, not only Central Government or State Government but also private sector where the higher level of emoluments have influence in the minds of Government employees. That is what I have explained and therefore Government have difficulties in fixing salaries for their own employees at par with comparable posts in the the private sector. These are the difficulties, Sir. Therefore, Mr. Goswami said that we should try to remove the inter-departmental discrimination in pay scales by rationalisation of the scales of pay. Even then there will be discontentment because, Sir, a Clerk in the Tea Garden is drawing higher salary and a clerk in a Government department may take a grievance out of it.

These are broad facts which have to be taken into consideration. Then, again, we have got broadly three different levels of administration, the district administration, the heads of departments and the Secretariat at the seat of Government. In all these for the same kind of job

we have got different scales of pay. These have got to be adjusted. I know that an employee in the office of any head of Department will say "I am doing the same kind of work as a Secretariat employee; why is this difference in pay-scale?". The employees of the district administration will also say the same thing: "I am a lower Division Assistant, why should I not get the same salary of a Lower Division Assistant in the heads of departments offices gets?" These are also matters for consideration and adjustment. Sir, I know that qualifications should be laid down for each class of service but the general principle to be borne in mind should be "Equal pay for equal work". I know it will be very difficult to bring about adjustments satisfactory to all concerned. This is a very difficult matter. Therefore, Sir, I think all these broad considerations should be borne in mind in formulating the terms of reference of the Pay Committee. The public in general will also bear in mind the difficulties of the Government servants and place their views before the Pay Committee. If all these factors are kept in view I hope, Sir, some solution will be found which will go a long way to remove dissatisfaction and bring about contentment and efficiency in all departments of Government.

**Dr. HOMESWAR DEB CHOUDHURY (Patachar-**

**kuchi)** : উপাধ্যক্ষ মহোদয়, মাননীয় সদস্য শ্রীবববববব ডাঙবীয়াই চবকাবী কন্নচাবীৰ দবমহা নিৰ্দ্ধাৰণ কৰাৰ কাৰণে যিটো প্ৰস্তাৱ আগবঢ়াইছে সেইটো মই সমৰ্থন কৰিছো। দবমহা নিৰ্দ্ধাৰণ কৰাৰ সময়ত এইটো চাবলাগিব যে খোৱা থকা বস্ত্ৰৰ দাম আৰু কাপোৰ কানিৰ দামৰ সমতা ৰাখি দবমহাও বঢ়োৱা উচিত হব। কিন্তু দবমহা বঢ়োৱাৰ লগতে কামত দক্ষতা সম্পন্ন হয়নে নহয় তাকো চাব লাগিব। দবমহা বঢ়াৰ লগতে যদি কাৰ্য্যদক্ষ কৰিব পৰা যায় তেন্তে আপত্তি কৰিবৰ একো নাই। এই প্ৰসঙ্গত এইটোও চাব লাগিব যে উপবীণধূৰ অফিচাৰৰ সংখ্যা কিছ কমাব পাৰিহে নোৱাৰি এই কথা মাননীয় শ্রীবব ডাঙবীয়াই সিদিনা কৈছিল যে Duplication and multiplication of officers বহুত হৈছে। ময়ো কওঁ ভালেখিনি অতিৰিক্ত অফিচ আৰু অফিচাৰ পুহি থকা হৈছে। সেই কাৰণে তেনেকুৱা অতিৰিক্ত অফিচাৰ কিছুমান কমাবলাগে আৰু সেই টকাৰে তলৰ অফিচাৰ সকলক আৰু বেচিকৈ বঢ়াই দিব পৰা হব। তেতিয়া হলে ৰাজতালৰ টকাও কিছু বাঢ়িব; আৰু কামো বোধ হয় ভাল হব। Pay Committee বহাৰ সময়ত দবমহাৰ প্ৰসঙ্গত এইটোও মনত ৰাখিব লাগে যে সাময়িক আৰু অস্থায়ী কৰ্মচাৰী সকলক কি ধৰণে ৰখা হৈছে। এই part time temporary অৰ্থাৎ যেনে সাময়িক অস্থায়ী কৰ্মচাৰী সকলৰ অৱস্থা আৰু বেগা যেনে চিতাদাৰী সকল। এই লোকসকলৰ কাম মাত্ৰ ৬ মাহ। কাম শেষ হলে কামৰ পৰা পঠায় দিয়ে এই সময়ত দবমহা নাপায়; আকৌ দবকাৰ হলে মাতি আনে। সেই দৰে Anti-Malaria বিভাগৰ D. D. T. sprayer সকলক তেওঁলোককো লাগে মাত্ৰ ৩৪ মাহৰ কাৰণে, পিচত এৰি দিয়ে, আকৌ দবকাৰ হলে মাতি আনে। এই সাময়িক অস্থায়ী কৰ্মচাৰী সকলৰ দবমহা ৩৫ৰ পৰা ৪৫ টকা মাত্ৰ। তাকো যদি গোটেই বছৰটো নেপায় মাত্ৰ কেইমাহ মানহে পায় তেনেহলে কি উচ্ছাসত তেওঁলোকে কাম কৰিব পাৰে। এনেকৈ সাময়িক আৰু অস্থায়ীভাৱে ৰখাৰ বাবে যিবৰ কামো কৰিব নোৱাৰে; দবমহাও নাপায়। গতিকে মোৰ বোধেৰে তেনেকুৱা চাকৰিয়াল সকলকো স্থায়ী কৰিব লাগে অন্ততঃ প্ৰয়োজন অনুসাবে কিছুসংখ্যক স্থায়ী কৰি মহকুমাই মহকুমাই ৰাখিব লাগে। কাৰণ আজিকালি প্ৰায় গোটেই বছৰটোতে দবকাৰ হয়। এনেকৈ স্থায়ী Vaccinator ৰখা হলে এই বছৰত বসন্ত ৰোগত যিমান মানুহ মৰিল, বোধ হয় বছৰোৰ কৰিব পৰা গল হয়। তেনেকৈ subsidiary ডাক্তৰখনি ডাক্তৰ আৰু কৰিবাজ আছে আৰু তেওঁলোকক যি সামান

দৰমহা দিয়া যায় তাৰে মুঠেই চলিব নোৱাৰে। তেওঁলোকৰ মাত্ৰ ৮০ টকা subsidy, এই খিনি টকাৰে আজিৰ দিনত কেনেকৈ চলিব? চৰকাৰে অৱশ্যে এই subsidised Dispensary বিলাক State Dispensary কৰাৰ আচনি লৈছে আমি জানি ভাল পাইছোঁ। এই আচনি এবছৰৰ ভিতৰতে কাৰ্য্যকৰী কৰিব পাৰিব বুলি বিশ্বাস নহয়। মোৰ বোধেৰে অন্ততঃ ৫ বছৰ লাগিব। এই ৫ বছৰ তেওঁলোকে subsidised Dispensary বিলাক State Dispensary হ'ব বুলি এই ৮০ টকাতে চলিব নোৱাৰে সেই কাৰণে তেওঁলোকৰ দৰমহা বঢ়াই দিব লাগে; চৰকাৰী ডাক্তৰ সকলৰ সমানে নহলেও—চলিব পৰাকৈ খাইলৈ থাকিব পৰাকৈ বঢ়াই দিয়া উচিত। আশা কৰো Pay Committee হোৱাৰ আগতে এইটো কৰিব। আৰু এটা বিষয়লৈ দৃষ্টি আকৰ্ষণ কৰো আমাৰ গৱৰ গাওঁবুঢ়া সকলকো চাকৰিয়ালৰ ভিতৰতে ধৰিব লাগে। তেওঁলোকে মন্ত্ৰীৰ পৰা আবন্ত কৰি চিপাহী পিয়ন আদিলৈকে অভ্যর্থনা কৰিব লাগে, আৰু তাৰ বাবে পায় মাত্ৰ ৫ পুৰা মাটিৰ খাজনা মাক আচলতে তেওঁলোকৰ কৰ্তব্য ডাক্তৰ। দেশ এখনৰ ডাক্তৰ কাম এওলোক কৰে। তেওঁলোকে vital statistics অৰ্থাৎ জন্ম মৃত্যুৰ খবৰ সংগ্ৰহ কৰিব লাগে। দেশৰ কাৰণে এই হিচাব সংগ্ৰহ বৰা ডাঙৰ কাম ডাঙৰ দায়িত্ব। ইমান দায়িত্ব বহন কৰে মাত্ৰ ৫ পুৰা মাটিৰ খাজনা মাফৰ বাবে নহয়, গাওঁত এটা সন্মান পাবৰ আশাত। চৰকাৰে এইগাওঁলীয়া সন্মানক প্ৰতিদান বুলি নধৰি যদি দৰমহা দি কামত লগায় এওলোকৰ পৰা বহুত ভাল ভাল কাম আদায় হ'ব। বিশেষকৈ vital statistics বিভাগত; জন্ম মৃত্যু নিৰূপন কৰাত। সেই কাৰণে নিয়মিত দৰমহা দি এই গাওঁবুঢ়া সকলক চৰকাৰী চাকৰিৰ ভিতৰলৈ কৰিব লাগে।

বন্ধুৰ শ্ৰীগোপালী ডাক্তৰীয়াই কৈ গৈছে যে নিম্নতম আৰু উচ্চতম দৰমহা ব্যৱধান হ'ব লাগে ১:১৩ গুণ। মোৰ বোধেৰে তাতোকৈ কমায় ব্যৱধান ১:২০ গুণ কৰিব লাগে এইটো প্ৰজাছ'ছিয়েলিষ্ট পাৰ্টীৰ প্ৰস্তাৱ; এই প্ৰস্তাৱ চৰকাৰে গ্ৰহণ কৰিব লাগে। এইটো মই একে বছৰতে কৰিবলৈ কোৱা নাই আৰু প্ৰকৃততে কৰিবলৈকো অলপ টান হ'ব। গতিকে এতিয়া অন্ততঃ ১:১৫ গুণ কৰক আৰু ৫ বছৰৰ পাচত যেতিয়া নতুন Pay Committee ৰাহৰ তেতিয়া ১:২০ গুণ কৰিব পাৰিব। এনেকৈ ১ আৰু ১৫ ভিতৰত দৰমহাৰ নিৰিখ ৰাখিলে চাকৰিয়াল সকল সন্তুষ্ট হ'ব।

ইয়াৰ আগতে মাননীয় সদস্য শ্ৰীদলাল চন্দ্ৰ বৰুৱাই উনুকিয়াই গৈছে যে মুখ্যমন্ত্ৰী হৈছে আমাৰ “ৰাজ্যৰ পিতাৰ নিচিনা”। হয় ময়ো স্বীকাৰ কৰো। তেখেতে ৰাজ্যৰ সৰ্বৰ সৰ্বৰা সকলোলৈকে চকু দিব লাগে আৰু তদাৰক কৰিব লাগে। তেখেতৰ ওপৰতে দেশৰ আৰু প্ৰজাৰ উন্নতি নিৰ্ভৰ কৰে। তেখেত অভিভাৱক এখন ঘৰৰ বুঢ়া। গতিকে তেখেতৰ দৰমহা আনতকৈ বেচি হ'ব লাগে। মোৰ বোধেৰে তেখেতৰ হয় দৰমহা সকলোতকৈ বেচি হ'ব লাগে নহয় একেবাৰে তেখেতে লবলৈ নেলাগে; তেখেতক চৰকাৰী খৰচত ৰাখিব লাগে। আমাৰ মুখ্যমন্ত্ৰীৰ দৰমহা ১,২০০ মাত্ৰ আৰু তেওঁক তলৰ চেক্ৰেটাৰী আৰু অন্য কৰ্মচাৰীৰ দৰমহা ২,৩১৩ হজাৰ। টকা থাকিলে তেখেতৰ দৰমহা বঢ়াব লাগিছিল; কিন্তু টকা নাই। সেই কাৰণে তেওঁৰ তলৰ কৰ্মচাৰী চেক্ৰেটাৰী সকলৰ দৰমহা কমাব লাগে। নহলে সন্মানত আঘাট পৰে। প্ৰয়োজন হলে কেন্দ্ৰীয় চৰকাৰলৈ এই বিষয়ে লিখা উচিত—যাতে মুখ্যমন্ত্ৰীতকৈ তেওঁলোকৰ দৰমহা কম কৰা হয়। দেশৰ মানুহে বিশেষকৈ গাঁৱৰ মানুহে যেতিয়া জানে যে মুখ্যমন্ত্ৰীয়ে মাত্ৰ এহেজাৰ টকা পায় অৰ্থাৎ তেওঁৰ চেক্ৰেটাৰীতকৈও কম পায় তেতিয়া মানুহে আঘাট পায়। কাৰণ বৰ্তমান যুগত মানুহে টকাৰেহে মানুহৰ সন্মান জোখে।

সৰ্বশেষত কওঁ যে কৰ্মচাৰী সকলৰ কামৰ নিপুনতা নিৰিক্ষণ কৰিবৰ কাৰণে অনুসন্ধান কমিটি বা তেনে কিবা অনুস্থান এটা থাকিব লাগে। অৰ্থাৎ যিসকলে ভালকাম কৰে সেই সকলক ভাল দৰমহা দিব লাগে আৰু যিসকলকে বেয়া কাম কৰে

সেই সকলক কমাই দিব লাগে। ইংলণ্ডত আৰু বাৰ্চিয়াত যত Nationalisation of medium কৰা হইছে সেই বিলাকত এটা নিয়ম আছে বুলি শুনিছো যে ডাক্তৰ সকলৰ একোটা area থাকে আৰু সেই area ত যদি বেমাৰ কমি যায় তাৰ ডাক্তৰ সকলে বেচি দৰমহা পায় আৰু যি ঠাইত বেমাৰ কম নাই তাৰ ডাক্তৰে কম দৰমহা পায়। তেনেকৈ আমাৰো ভাল কৰ্মচাৰী সকলক উৎসাহিত কৰিবলৈ এনে এটা নিয়ম বা অনুসন্ধান কৰি দিব লাগে। এই খিনি কথা চৰকাৰলৈ আগ বঢ়ালো।

**Shri BISWADEV SARMA (Balipara):** Sir, I want to say something.

**Mr. DEPUTY SPEAKER:** Yes, Mr. Sarma.

**Shri BISWADEV SARMA:** Mr. Deputy Speaker Sir, the revision of pay scales has some bearing on the implementation of the planned scheme in our country also. Therefore, I think, while revision of pay scales is made another very important point should be considered, which is being mentioned by Shri Sarat Chandra Goswami and Shri Md. Umaruddin that in a Welfare State, in a socialist economy the gap between the higher pay scales and the lower pay scales should be removed as far as possible.

Now, I do not go to say to the extent that 12 times higher or lower pay should be adjusted but I suggest that this point should be kept in view when revision of pay scales is made.

Sir, Secondly, I suggest that need based minimum for the lower rank and rationalisation of the higher pay scales should also be considered while revising the pay scales of the Government employees. Sir, the second point which I would like to stress is that besides the pay given in terms of money other amenities of the Government employees should also be taken into consideration. Sir, recently the Government employees have shown their anxiety for revision of pay scales; firstly because of the high rise of prices in food stuff. Sir, this can be very easily abated by supplying the Government employees with essential food stuff through co-operative society at Shillong and other places also. This point was adopted and accepted by the Chief Minister in the last time. I do not know why this could not be implemented. Sir, although the Supply Minister has quoted figures, but the Price of food stuff has not come to a reasonable standard. Now holding of price line is another factor which requires a very immediate attention specially because of the low paid Government servant.

In regard to amenities also housing accommodation to the Government employees should also be taken into consideration and in the last Pay Committee's recommendations I have found that housing accommodation or rent was provided.

Therefore, Sir, it brings another point that whenever there is any recommendation made by the Pay Committee and that recommendations are accepted by the Government, it should be the endeavour of the Government to implement the recommendations made by the Pay Committee, so that the sanctity of the Pay Committee is maintained. I quite realise that this is a very huge task and nevertheless if some sincere efforts on this line is taken by the Government for providing housing accommodation or for providing house rent this problem can be solved. Government should consider this point immediately, in order to give relief to the poor employees from the burden of house rent.

Thirdly, Sir, with regard to medical facilities, it is really a good thing that the State Government has adopted a scheme for the Government employees. But unfortunately the scheme is not working properly, as a result of which many disease have been found to be prevailing among the Government employees. Sir, if this scheme is given a proper trial I think this most essential facilities for the Government employees, will go a long way in relieving the distress of the poor Government employees.

Sir, I would like to mention one point only in order to draw the attention of the Government that this schemes although provisions are there but actually we find that either the medical officers are not available or the housing accommodation is not there and the treatment of these low paid Government employees is also, to my knowledge, is not conducive unlike the higher Government officers. Therefore, I would suggest, whatever is assured by the Government to the Government employees, that should be scrupulously followed and necessary relief given to the Government employees.

Sir, I do not make a difference between a responsible citizen and a low paid Government employees. Our State which has embarked on so many developmental schemes including that of production it can be expected that every Government employees should be regarded as responsible citizens of the State. Sir, I had the opportunity of visiting London a few years back when I had the opportunity of discussing about the status of Government employees with Commonwealth Secretary at London. I particularly examined the function of the Whitley Council also. Sir, many Members expressed their desire about the formation of the Whitley Council.

There is a provision in Whitley Council that if a Government employee suggests some improvement in the administrative machinery and it is accepted, that employee is rewarded to the extent of £1,000. Sir, a trial can be given on this line, specially because our administrators are worrying about the improvement of administrative machinery.

Sir, I hope the Pay Committee, as has been declared this morning by the Chief Minister will consider about the interim relief to the Government employees until the entire pay structures of the Government employees is finalised. I know that it is not a very easy matter. I think, the Pay Committee will have to deal with very intricate problems specially of the anomalies of the last Pay Committee.

With these few words, Sir, I resume my seat.

**Mr. DEPUTY SPEAKER:** Yes, Mr. Goswami.

**Shri LAKSMHI PRASSAD GOSWAMI (Laharighat):** Mr. Deputy Speaker, Sir, the motion that we have before us is regarding the revision of pay scale of Government employees. It is a very important one and also a delicate one. In dynamic society it is very difficult to fix a certain amount of pay permanently for any section of people in the society. But unfortunately this had to be done. We attained the independence about 14 years back. During all these years we have seen that there is unrest in our society and in every section of people

and it is exhibited in the worst form among the Government Officer. It is not a very healthy sign because to have a perfect social structure, we must at first decide certain amount of social and economic standard for every section of people working under the Government. If those officers who are working under the Government are not happy, the Government cannot function properly. What we have marked is that unless the employees of the Government threaten the Government with some sort of direct action or with some sort of agitation, Government never think about revision of their pay scales and this has become a constant thing in our society. Beginning from Central Government employees down to the Gaonburas, everywhere we find that they hold annual conferences every year, they have some demand to make before the Government regarding revision of their pay scales. During this Assembly session also, we have seen people belonging to all Departments of the Government coming in batches in the name of waiting on deputation before the Ministers and their demand is increment of pay. We have not yet been able to tell the employees of the Government that we are here to fix a minimum standard of living for the Government employees. Government, it appears, have given much thought over fixing minimum standard of living of the highly placed Government officials. When Government fix the pay of the higher strata of the Government servants, they compare their standard of life with those of other independent countries and so they find out all sorts of amenities for the highest placed Government officers. They have the opportunity of bargaining regarding their pay with the Government and we have heard here as stated by the hon. Finance Minister day before yesterday that our educated people cannot be attracted to be appointed as Additional District Judge because they are not willing to take the service under the present scale of pay. They demand higher scale of pay. But sir, when we feel the necessity of an Additional District Judge, that this job is very important, this post must be filled up and Government should come down to the demand of the persons and agree to appoint certain individual at a higher initial pay. But at the time of giving appointment to the poorer section of the people belonging to the third grade, the fourth grade, they have no choice left, they cannot come up with any bargaining terms. Their necessity of securing a service is more imminent and they must get some appointment. So, the employers have a supremacy; employers' terms play the supreme part and therefore all these people are compelled to take the job under the conditions prescribed by the Government. So, it appears that there is some sort of lack for adjustment. There is some sort of waiting of proper scheme so far as the employment situation of the Government is concerned. So, unless Government and the employees have a clear-cut notion about a particular standard of life to be created in the society, this demand for more pay will go on increasing and when in the society we find discrepancies in earning, it is natural that the person who are getting less pay will try to get more pay because the man who is Graduate, if appointed in Sales Tax Department will get a scale of pay and if appointed in the Assam Civil Service cadre, he will get a different scale of pay. In this way, we have seen that Government have failed during these 15 years of their rule to tell the people in the society, to tell the employees under them that this is the fixed standard of society which they mean to establish. So, Sir, this demand for more pay is going on and it appears it has become a never ending affairs in the Government administration. At the same time also, I feel, as I have already said, that in dynamic society, it is



not possible to create an impression or say that you take it for granted that this is the pay fixed for you and you are not getting more than this. What I want to impress upon the Government is this that Government should now take into consideration the rise in the prices, the gradual fluctuation in the prices in consumer goods at the same time, Government should take into consideration the house rent which these Government employees have to pay for hire for their residential purposes. These two things must be taken into consideration. Whatever step the Government may take, it is a fact that these employees must have a house to live in. These employees must have foods. These two things are most important and primary need of a healthy society. I am not touching upon clothing now because some people might like to put on khadi, others dhoti according to the outlook of the men in the society. But every employee must have a shelter to live in and he must have the means to purchase food in the market. These aspects must be taken into consideration. Taking the average of food prices, say the five years' average, Government should fix pay of the Government officers and at the same time when Government is paying to construct houses in the headquarters, it is the duty of the Government to take into consideration the question of rent of houses in the plains where the officers reside. House rent at Nowgong is different from that at Gauhati; house rent at Gauhati is lower than that at Shillong. So, when an officer is appointed at Shillong, his house rent here at Shillong shall have to be taken into consideration. Government have created therefore an awkward situation. Here we have seen that Government gave house-building advances to some Government employees which have been denied to the officers of the same cadre in the plains districts. Now, we often hear from the Government officers that some of the Government officers took loan from the Government and they have constructed huge palatial buildings. They do not use these houses for their residential purpose. They simply let them out for use by the Government for accommodation of some Government offices and thus they earn three to four hundred rupees monthly from each house as rent. And these officers get Government quarters at nominal rent or sometimes even without rent. This is really a very serious thing in view of the fact that there are on the other hand some officers who are roaming about in search of shelter big salaries, while in the same city, there are officers who get big salaries, sometimes to the extent of Rs. 2 to Rs. 3 thousand and constructed houses here in best sites taking loan from Government and these houses are being rented out to the same Government from which they took and hundreds of other officers who are roaming on in search of a shelter do not get shelter. They live in small rooms like animals, congested and suffocated to the utmost. They get less pay, less comfort and they get less amenities and in the very same society, there are others who enjoy greater comfort for whom the Government are taking more and more care. So, there is dissatisfaction among the Government officers. Unless the Government take up very seriously and earnestly and unless this sort of thing, this sort of discriminating treatment of Government officers is removed for good, there cannot be satisfaction in the minds of Government employees. And unless Government has some satisfied people to serve, this administration cannot function properly. It may be that this is the administration of the Congress Government; this administration is to serve the people I do not mind if it be a Communist Government; let it be a Socialist Government and let it be a Congress Government; let it be a Socialist Government and let it be a Congress Government. But we must have a disciplined set of Government employees and a set of contented people. Sometimes, I should say, I feel that we are driving these people to indiscipline.

If Government feel that holding a conference for demanding more pay or having a demonstration for more pay amounts to indiscipline, I think this should not be allowed to take place. I agree with Government. Yes, this should not be done. Government officers are not expected to leave their offices and go on a procession for demanding higher pay without caring for official work. But we have driven these Government officers to such a position by our action. We must consider this problem very seriously and the whole society must also consider it very seriously. If in the name of revision of their pay, our Government officers are driven to indiscipline, then, Sir, it will be a very sad state of affairs. While taking part in the motion of revision of pay scales of Government officers, I want Government to consider three things: whether the Government feel that there is the necessity for revising the pay scales of Government officers. I find Government feel the necessity because in the budget speech, our Finance Minister has stated clearly that Government is thinking about constitution of a Pay Committee. Sir, our Government officers feel that this Pay Committee is always formed in the beginning of the Assembly, for five-year term and this Pay Committee does not come out with concrete proposals till the next election and before the election Government come up with a proposal for increasing of their pay haphazardly, sometimes 6 rupees, 5 rupees and 3 rupees. In this way, by giving consolation prize to the Government officers, they again come to the election and again after the election.....

**Shri MAHAMMAD UMARUDDIN (Dhubri)** : The hon. Member is absolutely wrong in saying this.

**Shri LAKSHMI PRASAD GOSWAMI (Laharighat)** : However, this is the feeling of the people. Now, Sir, what I want to stress upon is that the pay is not a consolation prize to be given to a weeping child. The pay must be a thing which must be given as a part of permanent scheme of Government. What is the necessity of forming a Pay Committee at the end of every three years? Why should there be clamour on the part of the Government officers every year and they should be given more pay? It means that these people have no confidence that this Government has any sympathy for their employees. When the employees feel that their employers have no sympathy for their grievances, then there is bound to be this feeling. This is a matter which should concern every responsible man in society and it is a very serious matter. So, Sir, we find that this is not the first time that this issue of the revision of pay scales of Government officers comes before this House. Then another side also. There are private firms here also in the State of Assam. My hon. Friend, Shri Sarat Chandra Goswami and Shri Biswadev Sarma referred to this. They said that the Central Government employees get more pay than our State Government employees. If our State Government employees get less pay and if both of them reside together and if both of them enjoy different standards of life, then there must be some sort of mental conflict in the mind of that man who gets less pay. At the same time, we are having private firm in Assam and we have seen that those who are employed under these private firms get more amenities than under the State Government although both the categories of employees are of the same qualification and in the same category of employment. (At this stage, Deputy Speaker vacated and the Speaker occupied the Chair). I will give a concrete example. A clerk employed under the State Government gets Rs. 80 as pay and an

employee engaged in a firm gets Rs.150 for serving as a clerk. This is really not very encouraging and the Government officer is sure to have some inferiority complex before the employee of that firm. Therefore we must take stock of the entire State of the Society; we must take stock of the moving society. And if we want to make a stable society, then it is necessary for the Government to fix a maximum standard of living and also assure their employees that they should not in any way feel that they are inferior to those people who are employed under the firms. We talk of a welfare society. A welfare Government should do for the wellbeing of the people. What the voluntary or private associations cannot do. But we see that Government are doing certain things what the private and voluntary associations have not done; our Government have failed to do certain things of what the private firms or associations have been able to do. So, Government should set up an ideal before all sections of people in the society. Sir, I do not like to take much time of the House. But I have expressed what we feel, what people outside feel and they express to us. So, we suggest to Government let there be some amount of delay for the Pay Committee to come to its findings. In the meantime, let there be some interim relief pending decision of the Pay Committee. But what I feel is that these people will not grumble so much for the delay if they are sure that for this delay they will be getting better benefit and better amenities of life. But during the pendency of the findings of Pay Committee Government should come up with some interim relief and they should be assured that their fate will be decided, if not for ever, at least for 10 years to come. Let Government assure the employees that their economic and social standard in no way will be inferior to the employees of the private firms which are increasing rapidly in the State of Assam. Now-a-days the social position also depends upon the economic position.

**Dr GHANASHYAM DAS [North Salmara (Reserved for Scheduled Castes)]:** Mr. Speaker, Sir, I am glad that the Government have decided to set up a Pay Committee. In this connection I would like to put forward two suggestions. The first is that while fixing the pay scale the Committee should compare the pay scales allowed in other States because it is seen that in certain cadres the pay scales of our employees are far below the pay scales in the neighbouring States like Bengal. Our Government have given about half the pay to some officers that has been recommended by the Central Government. As a result there is discontentment in the minds of certain sections of the employees.

Secondly, Sir, my hon. Friend, Shri Dulal Barua has suggested that in the Pay Committee the representatives of the various associations and organisations should be included. I do not agree to this that the Committee should be very big; it should be a small one. But the representatives of the various organisations and associations should be invited to represent and at the same time expert technical personnel should be included or invited in the Committee and it should be set up as early as possible. As my hon. Friend, Shri Goswami suggested, it should not be decided haphazardly. Let it take some time. Sir, the decision of the last Pay Committee was made so hurriedly that some sections of the employees were left out and they were very much aggrieved and as a result there is discontentment. Sir, I hope the Government will be pleased to keep in view the suggestions I have made.

**Shri FAKHRUDDIN ALI AHMED (Minister, Finance):** Mr. Speaker, Sir, the hon. Mover has placed this matter before the House for the purpose of raising the question of revision of pay scales of the Government

employees. Sir, I have carefully listened to the points submitted by the hon. Members before the House in support of his motion. There should not be any doubt, whatsoever, that the points raised by him as well as such observation as have been offered by other hon. Members will be placed before the Pay Committee which Government propose to constitute as early as possible to go into this question. The Committee will take into consideration not only the observation made on the floors of this House but will also welcome suggestions from others particularly from appropriate associations, collect all the necessary materials before taking decisions. Sir, at this stage I would merely like to remove such doubts as have been expressed by some of the hon. Members. In the first place, my hon. Friend, Shri Goswami, has expressed the doubt that the task of this Committee may not be finished before the life time of this Assembly. I do not know the reason of entertaining such a doubt. I may, however, tell him for information that heretofore, two Pay Committees were set up by the Government for the similar purpose. The first Pay Committee was set up sometime in the month of September, 1947. It did not take long to give its report after considering all the urgent matters. I think such of its recommendation as were accepted were implemented by Government from the beginning of the financial year 1948. The second Pay Committee was set up sometime in the month of July, 1955 and it finalised its report within a year's time. The Government's decision on the report was taken by the end of August, 1956, and the new scales of pay were given effect from October, 1956. Neither hon. Member's information is correct that such Pay Committees, take a number of years for submitting its report. If there is any basis in the wild allegations that appointment of Pay Committee is a mere stunt for election propaganda without intending it give relief to the Government employees. In this connection I would also to emphasise the fact that whenever a Pay Committee was set up it gave full considerations to all views memorandum and all others relevant facts before taking decisions. Sir, the first Pay Committee recommended as many as 266 pay scales as given for fixing pay scales of various categories of Government employees. But the second Pay Committee set up in 1955 reduced the number of such scales to 62. The Second Pay Committee increased the minimum salary from Rs.25 to Rs.35. It also fixed the highest salary at Rs.1,500 p.m. The financial implication of such recommendations as were accepted by the Government I do not have the figures so far as the first Committee is concerned of the second Pay Committee was increase of Rs.1,24,24,680 per year in the emoluments payable to Government employees. Subsequently another sum of Rs.8 lakhs per year became necessary for the purpose of meeting increments and so on. The House must also remember that during the course of last 8 or 10 years we have, for the purpose of development, opened up new Departments and also increased the number of employees. The House may therefore well realise the magnitude of possible financial implication of the recommendations likely to be made by the Pay Committee remembering that as a result of the second Pay Committee's report the financial implication was increase of over 1½ crores of rupees per year. We shall have to consider the question of finding the amount required to meet the extra expenditure. This is as less responsibility and duty of hon. Members as ours. Sometimes, Members take interest in matters coming before the House without considering and forgetting their function as of Government is to take an integrated view of all the matters and look to someone and confine ourselves to one matter neglecting others. Unfortunately, these considerations are not kept in view.

Sir, the necessity according to me for the Pay Committee arises from three factors. The first, of course, is the high cost of living. The second is that in case of certain services the pay scales suggested by the Second Pay Committee had to be revised. Take for instance, the recommendation made by the Nalagarh Committee on the basis of which our Government had to increase the pay scales of some employees in the Agriculture and Veterinary Departments. Then the Second Pay Committee at that time of their deliberations did not take into consideration the cases of the High Court employees, State Transport employees and the teaching staff of the Medical Colleges. The third necessity to set up a Pay Committee is that quite a few years have elapsed after the last Pay Committee made recommendations and continuously representations have been submitted to the Government by some of the departments challenging and expressing dissatisfaction at the inequitable fixation of pay scale by the Second Pay Committee.

Then, these representation are continuously made, Government thought that a fresh Pay Committee may be appointed to go into all these matters and make their recommendations on some equitable and workable basis. These are the reasons which justify the setting up of a Pay Committee.

Now, another question raised in this connection by Shri Goswami is that of interval between two pay committees for the purpose of revising the pay scales. It is a complicated and difficult question to answer particularly when we are in rapid development stage. I think, it is necessary for us to consider and review such matters periodically, say after a period of 6, or 7 years, we have followed this period of interval in the past, but for this no hard and fast rule can be laid down.

Then, Sir, so far as the cost of living is concerned, one must realise that this factor of cost of living about our decision should not be based. In addition to this various other facts and circumstances have to be taken into consideration. So far as the cost of living or of consumer goods is concerned, it will be difficult to check the rising trend, unless and until increased production to cope with the demands of increasing population is achieved. In order to improve the living conditions of people of our State and the country all of us, Ministers, Members of this House, Government employees and political parties will have to exert for creating atmosphere and undertaking work which will result in increased production. Herein depends the progress and development of the country, we shall have to keep this in mind. It is not sufficient to demand or to give after a period, of 6 or 7 years an increment of Rs.4 or Rs.5 to each of our IV grade employees or of Rs.40 or Rs.50 to our higher grade employees, unless we can create conditions and increase productions within the country ensuring every flow of essentials according to demands which alone can check the rising trend of prices. Further when hon. Members consider it their duty to plead for revision in the pay scales, it is their duty equally to impress upon our employees, to whatever category they may belong, that they should not consider themselves as merely employees for enacting wages and benefit but they should consider as part and parcel of machinery which is engaged in the development of the State. On their work efficiency and labour depend the future of the country and the future of their children as ours. The question of high or low salary should not determine

their attitude to work they are called upon to do. They should realise that their salary is secondary and their primary concern is to discharge their responsibilities and their duties in an efficient and disciplined manner so essential for the development of our country. I would like our hon. Members to bear this in mind and report to Government employees whenever they are approached to support the cases of the employees. 'Yes, when your demand for revision of salary deserves examination, it is essential in your job and you should not conduct in a manner likely to give rise to complaints from the public and to affect efficiency and hump production'. Sir, this side of the picture should not be lost sight of at the time of considering this resolution.

Then, my young Friend gave instances of benefits provided for employees in a country like United Kingdom. I would like to tell him that some of these benefits are good and will have to be considered in course of time but I would like him to realise that while in the United Kingdom Government have taken necessary actions from time to time for the purpose of improving conditions of employees, the employees on their part worked in very disciplined manner and always give the best of their service. When they come to work they utilise every minute in their office hours to render useful and efficient service and they do not press for so many holidays and do not take so many leaves to miss office work. These considerations are to be kept in view in the interest of future development of the State and in the interest of our future generation. I would like our employees to give 8 hours of work a day for 5 days in the week and enjoy 2 days as holidays for complete rest. This arrangement will enable them to take some rest and time enough to look after their household affairs, but what I want whether they work for 8 hours 5 days in a week sincerely, as at present they should do so and in an efficient and disciplined manner. In that way, cost of our administration may decrease and the country also get maximum benefit out of their labour. This aspect has to be given consideration. We should try to have this proposal of working at least 8 hours a day for 5 days in the week accepted, so that we can get best and maximum work out of them and they get 2 days for rest and recreation.

Then, Sir, a number of questions have been put regarding the different scales of pay by hon. Members. It is not possible for me to give replies to each and every one of them. I will, however, put the statement indicating different scales of pay on the library table for the information of the hon. Members.

Regarding the principle for fixation of scale pay is concerned, Sir, I would like the hon. Members to remember that it is not such a simple matter which can be laid down or discussed here. It will for our purpose be enough of such suggestions as hon. Members are giving and these will be considered by the Committee. Sir coming to the suggestions made by my Friend, Shri Modhusudhan Das that there should be only two categories of pay scales, *viz.* Rs.200—500 and Rs.500—800. It is neither acceptable nor it will solve our difficulty. The matter is not so simple as the hon. Member thinks. I would like the House to realise what difficulties we are facing in obtaining suitable and highly qualified person for some of our technical departments. The maximum pay scale fixed by the Second Pay Committee was Rs.1,500. Yet we have not been able to get really qualified persons at this scale for some of our technical posts. For these

posts there is competition and those States which give higher pay get really highly qualified persons. So, Sir, according to Shri Das's suggestion, if we offer our maximum at Rs.800, shall we get any qualified persons for technical posts? Similarly, Sir, the minimum pay suggested by him will also become disastrous one. First all the cultivators will give up their cultivation to take service under Government even as IV Grade employees.

(A Voice—there will be more officers than cultivators)

I should like to refer to one interesting experience I was informed in this connection. Sir, the other day, one of my friends, a friend from rural area, came here. He told me that they were experiencing difficulties by their children to schools. He complained that after their boys start going to school, or at least reach Class V or so, they do not like to handle plough and do any other work. He further complained about another difficulty faced by the rural people. He said that tendency in the villages was to give girls in marriage not to a cultivator but to a Government employee even the 4th grade. He repeated that found difficulty in getting suitable brides for the cultivators. Therefore, Sir, if, in this state of affairs the minimum salary is increased to this extent suggestion by the hon. Member it will undoubtedly create difficulties and create a class for whom even the minimum will not ultimately be sufficient to provide him well all his requirements. If all the rural people start migrating to Shilong, Gauhati or to Jorhat in search of employment because of the suggested increase in the minimum they will be getting themselves into trouble. Sir, difficulties faced by our employees cannot be solve simply by revising their pay scale, but these difficulties can be to a certain extent be reduced by increasing the benefits of amenities in the matter of these social security, Health and providing fair opportunities of education of their children.

Sir, if we can provide for primary compulsory education, and even education to our children upto the age of 14th free of cost, if we can provide free medical aid to our people upto a certain level of income then and then only it will be possible for our Government employees to manage somehow within the pay scale. For that purpose sacrifices and sincere efforts are called for.

Secondly, Sir, I would like to stress once again on the necessities of starting Co-operative societies for selling consumer's good to Government employees. Whenever I have the occasion to meet our employees, I keep on saying that one of the ways to check the high rise of prices is to start co-operative societies. Government also should see that the necessities of life and consumers goods are supplied alternately to these societies. But, unfortunately, no serious effort in this direction has been made by our employees. They are more concerned with increase of a few rupees in their salary. If they start co-operatives and purchase the things, things used from these co-operatives, I am sure, it will give them more relief than what they expect from an increase of few rupees in their salary. I know some co-operatives were started, but they could not do well and two of them soon caused operation because of bad management. This matter have to be considered and taken seriously by our employees as well as by our hon. Members. From the Government side, I can assure that if such co-operative societies are started, Government will give their utmost to help them.

Sir, these and other suggestions, as I have given the Pay Committee will certainly consider. While the Pay Committee is engaged in its task and Government is anxious to play its part, the hon. Members and our employees should see how best they can help us and give us co-operation to solve the difficult problem placed before them.

Again, Sir, my Friend, Shri Goswami mentioned about some of our high government officers took government land on payment of premium and constructed the houses after taking loan from the Government but they let out these houses for gains and occupied Government houses. Sir, what he said, I suppose, is not applicable to all.

I think it is essential that such tendency should not be encouraged. I may inform the hon. Member that Government would not encourage such activities so far as I know in Shillong, subject to correction there is now no high Government official who has let out his houses which he himself occupies the Government quarters

Hon'ble Member may well remember that since I became Finance Minister, I have refused to pay house rent at an exorbitant rate. I have been insisting that rent should be paid according to Rent Control Act, and only recently when there was some clamour that in fixing the rent only value of the house was considered and the value of the land was not taken into consideration, the rent control act was amended. The houses which have been taken by the Government for the employees or for other purposes will be paid in accordance with the provision of the control act and not a single pie extra will be paid. I also agree with Mr. Goswami that it is desirable to provide accommodation to our employees. To do this, as stated by the Chief Minister today, is a stupendous task which cannot be accomplished in one day. Apart from getting the necessary materials for construction of these buildings, it is also necessary to find out suitable lands in towns and other places and also whether the P. W. D. can undertake construction of these building because of its making commitment for many developmental works. However, Sir, I would like to assure him that it is the policy of the Government to do whatever we can in this respect and to provide accommodation to our employees as and when it can be provided, but Sir, to accomplish this task fully, will require a number of years.

We shall have to take up a phase programme for this and we shall have to find out money for this task.

THANK YOU SIR.

**Speaker's ruling Re : The Assam Prevention of Bigamous Marriage Bill, 1962**

**Mr. SPEAKER :** Now item No. 3. While leave was sought the other day to introduce the Assam Prevention of Bigamous Marriage Bill, 1962, Shri Mohi Kanta Das raised a point of order whether this Bill was repugnant or not. On the point of order as many as 12 hon. Members took part including the Law Minister, Shri Ahmed. The House has also heard the Advocate General this morning. The Advocate General made a detailed survey regarding the issues raised in the point of order.



The issues in this point of order are mainly—

1. Whether the Bill, if enacted, shall infringe upon the religious right of the Muslim to marry upto four wives ;
2. Whether this House is competent to make such a law for autonomous districts and regions within the tribal areas of Assam ;
3. Whether this Bill, if enacted, will be repugnant to the Muslim Personal Law (Shariat) Act, 1937.

Issue No. 1. The Bill, if enacted, would not infringe upon the religious right of the Muslims. I am in complete agreement with Shri Chagla, Chief Justice of Bombay High Court, that "a sharp distinction must be drawn between faith and belief and religious practices. What the State protects is religion. If religions practices run counter to public order, morality or health or a policy of social welfare upon which the State has embarked, then the religious practices must give way before the good of the people and of the State as a whole."

In the statement of objects and reasons it is stated that Bigamy is not in consonant with the spirit of the freedom and equality of woman with the man which is guaranteed by our sacred Constitution. "Therefore, the Bill apparently wants to remove certain inequalities now existing between women and men in matters of marriage. Therefore, it does not affect or infringe upon the religious right of a Muslim.

Issue No. 2. The House is not competent to make such a law for the autonomous districts and autonomous regions within the Tribal areas of Assam. In paragraph 12 (a) of the Sixth Schedule of Constitution it is laid down as follows—

"Notwithstanding anything in this Constitution—

(a) No Act of the Legislature of the State in respect of any of the matters specified in paragraph 3 of this Schedule as matters with respect to which a District Council or a Region Council may make laws and no Act of the Legislature of the State prohibiting or restricting the consumption of any nondistilled alcoholic liquor shall apply to any autonomous district or autonomous region unless in either case the District Council for such district or having jurisdiction over such region by public notification so directs, and the District Council in giving such direction with respect to any Act may direct that the Act shall in its application to such district or region or any part thereof have effect subject to such exceptions or modifications as it thinks fit. "And paragraph 3 of the Sixth Schedule of the Constitution is as follows :

"The Regional Council for an autonomous region in respect of all areas within such region and the District Council for an autonomous district in respect of all areas within the district except those which are under the authority of Regional Councils, if any, within the district shall have power to make laws with respect to, inter alia, marriage.

Therefore, this House for all intent and purposes has little or no jurisdiction to pass any law governing the matrimonial system of the people residing in the autonomous districts and autonomous regions of Assam.

The Hindu Marriage Act, 1955, excludes, without any ambiguity, the members of any Scheduled Tribe from the operation of the said Act. Section 2(2) of the Hindu Marriage Act, 1955, as follows :

"Notwithstanding anything contained in sub-section (1) nothing contained in this Act shall apply to the members of any Scheduled Tribe within the meaning of clause (25) of Article 366 of the Constitution unless the Central Government by notification in the Official Gazette, otherwise directs".

This clearly has taken away the right of this Legislature to enact any law governing the marriage of a member of the Scheduled Tribe.

Article 254 of the Constitution forbids enactment of any law by any State Legislature which may be repugnant to any law made by Parliament. The Article runs as follows :

“If any provision of a law made by the Legislature of a State is repugnant to any provision of a law made by Parliament which Parliament is competent to enact or to any provision of an existing law with respect to one of the matters enumerated in the concurrent list then subject to the provision of clause (2) the law made by Parliament whether passed before or after the law made by the Legislature of such State or as the case may be, the existing law made by the Legislature of the State shall, to that extent of the repugnancy, be void”. Therefore, as the provisions of this Bill is repugnant to section 2(2) of the Hindu Marriage Act, 1955, the bill is void.

Section 2 of the Shariat Application Act, inter alia, lays down a follows:—

“Notwithstanding any customs or usage the contrary, in all questions of personal law, marriage, dissolution of marriage including talaq, ila, zihar, etc., the rule of decision in cases where the parties are Muslims shall be the Muslim Personal Law (Shariat).”

Therefore under Article 254 of the Constitution this House has no jurisdiction to enact any legislation to govern the matrimonial system of the Muslims. This can only be done by amending the Shariat Act and by no other method.

The Hindu Marriage Act of 1955 in section 2(2) provides that “Notwithstanding anything contained in sub-section (1) nothing contained in this Act shall apply to the members of any Scheduled Tribe within the meaning of Clause (25) of Article 366 of the Constitution unless the Central Government by notification in the Official Gazette otherwise directs.” Therefore, this House has no jurisdiction to legislate to govern the matrimonial system of the Scheduled Tribes.

The Christians, as has been stated in the objects and reasons of the Bill, are governed by their Personal Law like the Muslims, so also the Parsis and Jews. Muslims, Christians, Parsis, Jews, Scheduled Tribes, people inhabiting the autonomous districts and regions who are excluded from the operation of the Hindu Marriage Act, 1955, if excluded from the operation of this Bill also, then the Bill becomes completely infructuous.

There is no necessity in view of my above discussions to discuss the issue of extra-territorial jurisdiction of the Bill. I quite agree with the learned Advocate-General in this matter.

In view of all these I rule the Bill as void. The Bill, therefore, cannot be allowed to be introduced. While having full sympathy with the intention of the Hon'ble Mover to do away with certain invidious distinction created by the Hindu Marriage Act, 1955, between one community of the people and another, I am extremely sorry that under the existing law, his Bill cannot be allowed to be introduced. The hon. Member may be best advised to bring a resolution in the House recommending to Parliament to amend the Hindu Marriage Act of 1955 and the Shariat Act 1937 if he so desires.

I thank the learned Advocate-General for throwing light on the legal issues of the point of order.

**Mr. SPEAKER:** Then Item No. 6—Shri Goswami.

**Motion regarding Third Five Year Plan**

**Shri LAKSHMI PRASAD GOSWAMI (Laharighat):** Mr. Speaker, Sir, the Motion is that this House now take into consideration the Third Five Year Plan. The subject which I propose for discussion on the floor of the Houses undoubtedly a very complicated one but yet I feel that this House had no opportunity to discuss the Third Five Year Plan on which the future development of this State depends. We have already completed two Plans—the First Five Year Plan and the Second Five Year Plan. While going to discuss the Third Five Year Plan, it will be our duty to assess the achievements of this State during the last two Five Year Plans, for the last two Five Year Plans the Government of Assam earnestly took up, I should say, the development programme of various necessities.

**Shri DEVENDRA NATH SARMA (Gauhati):** On a point of information, Sir. Are you competent enough to discuss the Third Five Year Plan which had already been executed by the Government and which had already been discussed in the House and will there be any meaning in discussing the Third Five Year Plan.

**Shri LAKSHMI PRASAD GOSWAMI:** Sir, I am not concerned whether the Government of India discussed the Third Five Year Plan, I am concerned with the Third Five Year Plan of Assam and my Motion is to discuss the Third Five Year Plan of Assam.

**Mr. SPEAKER:** Yes. The implementation part of it may be discussed.

**Shri DEVENDRA NATH SARMA:** To consider the Third Five Year Plan of the Government of Assam.

**Mr. SPEAKER:** In its entirety, to take all the aspects and discuss.

**Shri LAKSHMI PRASAD GOSWAMI:** So, Sir, I should say that the Government of Assam earnestly took up the first two Plans,—the 1st and the 2nd Five Year Plans and I do not doubt the sincerity of the Government in saying that the State of Assam is benefitted by implementation of the various developmental projects which were undertaken during these two Plan periods. But we, some times, feel confused if actually the Congress Government has taken up establishment of Socialist pattern of Society as its goal. But the Planners do not think that these Plans have anything to do with the Socialist Pattern of Society. Professor J. J. Anjaria, the Economic Advisor, Planning Commission holds that India's Plans do not aim at creating any set pattern—Capitalist, Communist or other Socialist Pattern which is described as the objectives of our Plan is not a rigid or clear-out pattern. It implies rather a special stress on certain values like reduction of inequalities, wide division of economic power and the organisation of local sources especially the skill and capabilities of the small man on a co-operative basis in certain fields but these are not unique features of any pattern of economic organisation. This is, Sir, the statement of Professor J. J. Anjaria, Economic Advisor of the Planning Commission. Sir, another Economist Professor V. K. R. V. Rao, he also feels that it is very difficult to know if the Third Plan has behind it a definite ideology, and hopes that to the extent the Draft Plan visualises a Society in terms of ideology at all it is that of a mixed economy where the economic ownership are shared between State enterprise and the Private enterprise and where the common man is supposed to be benefitted by the

argler employment and higher income that this mixed economy will bring him but the Social implications of even such a mixed economy, even when there was no fundamental institutional changes for altering the Plans social, economic and even the political authorities are lost sight of.

Sir, in view of these observations, we are really at a loss to find out if there is somewhere any relationship with the declared ideology of the Congress Government and with the aim of the Socialist Pattern of Society and with different plans. Sir, unless we aim these plan achievements of a certain pattern of society or a certain standard of society this plan can never be a success. When we want to march ahead, we should know clearly where we are marching to and unless our goal is clear before our eyes, the attempt cannot be sincere and those who want to implement these attempts into action can not have any inspiration.

So, Sir, I fail sometimes to understand and I also feel that many people like me fail to understand whether these plans actually aim at achieving a pattern of society or aim at achieving something very definite to the society. This is probably one of the reasons, why the Government in the past two plan periods failed to inspire the people of the country or failed to create the conditions in the country wherefrom the people get inspiration. People feel that all the sacrifices they are asked to make are for successful implementation of the plans or for having a better society where there will be no difference between rich and poor, where there will be no class distinction, where all persons will get equal opportunity to struggle for their livelihood. I feel, Sir, these plans have failed to inspire the people, failed to bring confidence into the mind of the people and also I do not know, Sir, how this Government who talks of Socialistic pattern of society is going to infuse any inspiration in the mind of the people that really they are going to deliver the good to the society at large or the future generation of Assam. So, Sir, this is one of the reasons, for which I feel that it is high time for the Government and also for this Representatives of the people, I mean the Members of this House, to put their heads together to understand the implications of these plans so that, what we have done already and what we are going to do in future can have some meaning to our people. We have so many projects in the past. Assam being primarily a State of agriculturists, unless we can take up a scheme which brings direct benefit to the agriculturists, I think, we will be miserably failing, if we spend money which can not give direct benefit to the agriculturists. 83 per cent of our people are agriculturists and of these agriculturists more than 30 per cent people are landless. 25 per cent of these agriculturists have land below 3 acres and rest have lands averaging 10 acres. Of these agriculturists holding 10 acres, 80 per cent have got no work to do or have no opportunity for work and so these 80 per cent of the unemployed people.....

**Shri KAMAKHYA PRASAD TRIPATHI, (Minister, Industries):** Is he arguing that 80 per cent of the rural people are unemployed?

**Shri LAKSHMI PRASAD GOSWAMI (Laharighat):** I mean, they are including women and children. They have dependence to the 80 per cent of the people who can afford to work, but they are going on without work. Now, Sir, from their labour, these agriculturists have to feed these unemployed people. Unless we take a picture of the economic position of the State we can not develop practically any scheme for the State. So, the main question comes now is that, what is the provision we have made for the

agriculturists in this State, whether we have been able to do benefit to the lot of these people, whether the Government have been able to provide facilities to these people to earn more through their labour. In this respect, Sir, I should say the Government has failed. I will show later on how the Government has failed.

On the other hand, industrialisation of this State, for which the Government is talking so much, after which the Government have spent and is spending so much money, is not fitting with the social condition of our people. Some days back I heard some of our hon. Members speaking in course of Budget speech that, unless we take into consideration the characters, the social composition of the people of the State which we are going to industrialise, the people can not feel that all these industrialisation have anything to do with them. So we must take into consideration the nature, the characters of the people of that particular State where we are going to implement these industrial schemes. We have seen Government has set up various loan corporations, finance corporations, Apex Bank and so many loan issuing schemes. If we see how and to whom this finance corporation advances loan, we see that it has advanced loan to these people who are contributing equal amount of capital for establishment of industry. Sir, I got one booklet yesterday. There I have seen the names of some big industries and the amount of loan advanced varies from Rs. 50,000 to several lakhs. Then, one thing is definite from this that there is no man in the State of Assam who can have a capital of Rs. 50,000 or one lakh to offer to the Government or offer to the finance corporation to get an equal amount of monetary help or loan for establishment of industries. Similarly, in the case of medium scale industries also, we have seen that there are certain provisions and conditions which a person seeking loan from the Government to establish industries, must fulfil. Then, as I have already stated, what is the percentage of the people of that particular State, I mean this State of Assam, who can afford to fulfil these conditions in order to get loan from Government to establish industries. The percentage will not be more than five. Then what about the rest? The other people then cannot take any advantage from the Government. Hundreds of educated people, hundreds of people who have some knowledge about crafts, cannot take advantage from these financial corporations or this schemes set up by Government in the name of industrialisation of Assam. Then what will happen in the people who have neither capital, nor land, who have no source of income? Then, what will happen to this huge number of population and which predominates the Assamese society. That is the main issue and unless we can make provisions for employment of this huge number of people, unless we can open up avenues of employment in the 3rd 5-Year Plan or any plan, then the plans are meaningless so far as the State of Assam is concerned. So, Sir, we have seen that no cottage industry could grow up during the last two Plan periods which we have already crossed over and after crossing over, we have stepped in to this 3rd 5-Year Plan. We should take stock of all these. We should see what amount of production was made from the cottage industry in the State of Assam. We had industrialisation here. We had bamboo making industries, we have carpentry, we have our weavers, we have black-smiths, we have gold-smiths, but all these artisans are killed and we are going to establish an industrialised Assam on the dead bodies of them. So, Sir, I feel that it is a thing which deserves serious consideration. Assam's population has increased by 34 per cent. I do now know, whether this increase of

population is entirely due to Pakistani infiltration. But some Pakistani have surely entered into Assam which has caused anxiety not only to the Assam Government, but also to the Central Government. But it is a fact that due to this industrialisation scheme, thousands of people from outside Assam have come into Assam. These figures I feel are not included in the Census figure. So the population of Assam has tremendously increased. Then, there is the refugee population in Assam. They are still here and I do not know whether Government has any correct assessment as to the actual number of floating population in the State, whether a refugee or a Pakistani infiltrator, but in Assam definitely, a huge number of floating population is there. And these Assamese cultivators have to feed this huge number of people, this large number of people who do not grow foodstuff. They earn wages, they do not cultivate. So when we say that we have surplus food-stuff in Assam, I cannot believe if really Assam has any extra foodstuff or Assam is really a surplus State and when I heard our Supply Minister stating that day in reply to a question that Government of Assam has taken a decision very recently to import some rice from outside. Food-stuff does not include rice alone, food-stuff includes all those things which are necessary for the people for consumption for their livelihood. In Assam, when we take into account of food-stuff, it appears we take into account only rice and no other essential food-stuff. Now if we do not open up scope for these agriculturists to grow more food, if we do not open more land for them to grow more food, then no power can feed these extra mouths in the State of Assam. So, agriculture must go for more production and agriculturists must have lands for cultivation. The surplus agriculturists must be diverted from agriculture to some other cottage industries as supplementary source of income so that they can not only get employment but also produce article for their daily necessity. But, Sir, if we take a picture without going to statistics, if we take a picture of the State of Assam, we see nothing except opening of some shops in some important centres in towns for handicrafts or in the name of handloom, production of which has not increased. In the villages, more than those articles which are available in these shops in district headquarters, are produced. But now when the cost of living is rising rapidly, and they do not get any aid from the Government not only for cultivation of land but even to grow their industries. Then these people are being thrown into darkness. So, Sir, this is a very important matter. That is why I said when I took up this issue of industrialisation of Assam, I said that unless we take into consideration the very nature and character of the people of the State which are going to rebuild, then no other things which are thrust upon the people from outside can create any incentive in our people. That is why I feel that Government ought to have first, without going to the large scale industries, made a census of the available artisans that are lying hidden in our villages, and Government ought also to have taken into account those people who entered into Assam from outside who had some technical knowledge as weavers, smiths and so many other people who are experts in the cottage industries. After taking stock of all these, Government ought to have first started reconstruction of the State of Assam by putting these people into production. So, by jumping to the immediate industrialisation of the State, Government have certainly neglected these cottage industries and not only that these people are thrown out of employment. Sir, Government spent a large amount of money to the extent of 23 per cent in power production and that has attracted the attention of the Government to the most. But recently

what I have seen in papers? There is a statement in the paper which was reported to have been given by our Planning Minister at Calcutta that Assam is not going to have any industry till the end of the Fourth Plan due to shortage of power. It really created a sensation in the State of Assam. In it we also read that the Central Government has refused to sanction the money for industrial development of Assam because Assam could not produce power which is sufficient for its industrialisation. But in June, 1962, our Governor in a broadcast talk in the Republic Day stated and which I once before brought to the notice of the hon. Members here in this House. Sir, on that day, our Planning Minister was absent. I went to read that relevant portion of the speech of our Governor which was broadcast on the Republic Day. "Unlike the first two Plans, the Third Five Year Plan of Assam has recorded the first priority for power development with a total allocation of 27.50 crores or about 21 per cent of our total allocation. By the end of the Third Plan the total installed capacity of the power plants in commission and that now which is under construction will be of the order of 187. M. W. as against 23 M. W. at the end of Second Plan the first two important power projects on which work is proceeding are the Umiyam Hydrellectric Projects with an installed capacity of 36,000 K.W. under the first stage and Naharkatiya Thermal Station of 70,000 K.W. These two power plants scheduled to be commissioned by about 1963 will together cater to the power needs of both the Upper and Lower Assam regions. It will also be possible to develop another 40,000KW installed capacity out of the Umiyam-Umtru system in the Third Plan". Now, Sir, the two power plants scheduled to be commissioned by the year 1963 are very important. If I remember aright, the statement of our Planning Minister which I read in paper that the total requirement of power for industrial development in the State for the present is 1,31,000 K. W. If we take into consideration all these power installation and the power which is proposed to be produced during the Third Plan period, then it comes to 1,51,000 K.W. So Sir, I do, not find any sence in the statement of the Planning Minister that Assam's industrialisation cannot be taken up because the required power *i. e.*, 1,31,000 K.W., is not going to be available to the Government till the end of the Fourth Five-Year Plan. Sir, fortunately here I have got one book on industrial prospect of Andhra Province. Andhra is bigger State and it has taken up so many industries, viz: Asbestos, Barium Chemicals, Coal, Iron and Steel, Manganese, Ferry Alloys, Mica mines, Siramic raw materials, Graphates, Selicon, Limestone, Marbal Apetile, Mineral fertilizer etc. These industries they have taken up during the Third Five-Year Plan and they have given the required power which is necessary for the development of these industries. When I calculated their total power requiements, I found that they require about 1,70,000 K.W. Now, so far as our State is concerned, I do not see or find anywhere that our Government, has taken up so much industries for development during the Third Five-Year Plan. Sir, we are hearing about the Paper Pulp Mill but it has not yet come up and we do not know when it will come up because the Planning Minister, during the last March session said that the agreement with former company failed and our Government, is in search of another Company. Regarding Textile Mill, our Government have spent some money but we are yet to know which company is coming forward to establish Textile Mill in the State of Assam. We also hear about the establishment of a Cement Factory in Assam and we have been

hearing about it since independence. But unfortunately that Cement Factory has not yet come up. Then we have been hearing about the rope way between Shella-Pandu for the last 10 years but Government do not have anything to convince us that it is really going to be implemented during the Third Plan period. At present we have a Spun Silk Mill and a Sugar Mill, but the Sugar Mill does not require any power. Then if we have the co-operative Jute mill which also will not require any power. All the industrial schemes taken up by Government, do not require electricity at present. Now, if this is the position, how can we tell our people that Assam is not to be industrialised for want of power. We have already provided for 23 per cent of our total allocation, *i. e.*, 27.50 crores of rupees for the power production. We have voted the money ungrudgingly. Then who is responsible for the failure to produce the required electricity in the State of Assam? Sir, it is very unfortunate that after we have crossed one year, of Third Plan our Minister says that there cannot be any industrialisation in Assam till the end of the Fourth Plan, for want of power. So, Sir, it really creates some doubts in the minds of our people what really our Government means and where this Government is leading us to in the name of industrialisation and electrification. I may be confused because I am a layman and not an economist. I have no organisation to find out and calculate the figures. It is for the Government, which have got the machinery, to find out the accurate figures and tell us and the people correctly that this is the state of affairs and that we are marching ahead with our schemes.

If the Government with all its machinery and establishments cannot tell us correctly then a layman like me who cannot go to find out statistics, who cannot go to assess what we have achieved and what we are going to achieve, at the end of the Third Five Year Plan.

**Shri BISWADEV SARMA (Balipara)**: Sir, on a point of information, I would like to state that a booklet on the employment question of the State has been circulated to us by the Director of Information.

**Shri LAKSHMI PRASAD GOSWAMI (Laharighat)**: I am thankful to the hon. Member for pointing out this. This Motion was sent to the Secretariat more than a month ago and today when coming to this House we have found heaps of papers on our tables. I wanted to draw your attention to this that in the very beginning. Though this Motion has to be discussed on the floor of the House today, I could find only a copy of draft Third Five Year Plan in the library and there was not a sheet of paper with any information till 10 O'clock today, on the basis of which this Motion and my subject would be discussed. Coming to the House, I found heaps of papers. I am thankful to Mr. Biswadev Sarma for reminding this to me.

I am making an attempt to place what I have seen from my practical experience. That Government with all its machineries could not furnish me even with necessary papers, at least the Minister ought to have been sympathetic towards me, the Mover of the Motion, and I expected the Secretariat to be sympathetic to me in this respect.

**Shri KAMAKHYA PRASAD TRIPATHI (Minister, Industry)**: If the hon. Member had merely mentioned to me about this, I would have given all information and papers. Regarding the 3rd Five Year Plan, I think, the hon. Member is well informed and is equipped with all informations.



**Shri LAKSHMI PRASAD GOSWAMI (Laharighat):** I have already stated that I am speaking here as a layman. What I wanted to say is, if we want to learn something we learn from our practical experience in villages, when we go to villages, when we go to towns, when we meet our friends, the common man in the street, we have some experiences in talking with them and dealing with them and after this experience when we speak about all these plans and schemes of Government we cannot bring some parallel figures before the House to say definitely and I have not the courage to say that I have come equipped with papers and figures. When I dealt with this power projects, I know that it is in a confusing state of affairs. The Minister may today give some explanations but they may not tally with the Government publications sent to the people by the State Assam Information and Publicity Directorate, i.e., the papers published by the Director of Information and Publicity, Assam, Shillong, publications. These papers and publications are going to our village libraries where our mass people read them and at the same time our people also reading statements of the Minister published in the *Assam Bani* and *Natun Asonya* and there is no contradiction from the Minister, that such and such publication is not correct and when our people feel that our Governor who stated on the Republic Day that they will have all the requirements by the end of the Fifth Five Year Plan in 1973, and in the month of June, 1962, our Minister gave to the Calcutta Press, and not to this House, that Government of India is not going to give us any help in industrial development because we are short of 1,30,000 k.w. of electricity

**Shri KAMAKHYA PRASAD TRIPATHI (Minister, Industry):** May I inform, Sir, that my statement tallies with the Governor's address and there is no difference.

**Shri LAKSHMI PRASAD GOSWAMI:** I hope, Planning Minister will come forward with a statement in regard to that. He may be correct as he is an economist.

**Mr. SPEAKER:** The Minister said that there is no difference with his statement and the Governor's speech.

**Shri LAKSHMI PRASAD GOSWAMI (Laharighat):** I still differ with the hon. Minister.

**Mr. SPEAKER:** You have right to differ.

**Shri LAKSHMI PRASAD GOSWAMI:** If I remember correctly the Minister's speech and about the total requirement of electric energy for implementation of industrial schemes in our State in the 3rd Five Year Plan, I cannot forget the text of it.

**Mr. SPEAKER:** Are you concluding your speech today or you feel the necessity of speaking tomorrow also?

**Shri LAKSHMI PRASAD GOSWAMI:** With your permission, I would like to continue next day also.

**Mr. SPEAKER:** You will get your time.

**Shri LAKSHMI PRASAD GOSWAMI:** Then, Sir, for to-day, I dealt with the power shortage in Assam. Then our Minister has to speak a lot about so many things regarding co-operation in the State of Assam. I have come down to co-operation from electricity because co-operation is the only scheme through which our countryside can be developed. Co-operation is the only scheme by which the resources in the country can be mobilised. So, I want to deal on that subject from my own practical experience and about the achievement of Government so far made in that scheme.

**Mr. SPEAKER:** The Motion moved is that this House now take into consideration the Third Five Year Plan.

The House stands adjourned till 9:00 A.M. on Friday, the 22nd June, 1962.

### Adjournment

The Assembly was then adjourned till 9:00 A.M. on Friday, the 22nd June, 1962.

R. N. BARUA,  
Secretary, Legislative Assembly, Assam