

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

The Assembly met in the Assembly Chamber, Shillong, at 11 A.M., on Monday,
the 10th March, 1947

PRESENT

The Hon'ble Mr. Debeswar Sarmah, Speaker, in the Chair, the nine
Hon'ble Ministers and sixty-six Members.

OATH OF ALLEGIANCE

The following Members' were sworn in:—

- (1) Mr. W. E. Mitchell-Innes.
- (2) Mr. R. A. Palmer.
- (3) Mr. H. J. Stevens.
- (4) Mr. Janggin Sangma Laskar.

PANEL OF CHAIRMEN

The Hon'ble the SPEAKER: I nominate the following Panel of Chairmen
for the Budget Session of the Assembly 1947:—

- (1) Dr. Emran Hussain Choudhury.
- (2) Mr. R. A. Palmer.
- (3) Babu Gopesh Chandra Pal.
- (4) Mr. B. K. J. Sarwan.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(to which oral answers were given)

Diversion of Beki River

Srijut MAHENDRAMOHAN CHOUDHURY asked:

*1. (a) Are Government aware that the Diversion of the Beki river near about
its source by the Bengal and Assam Railway authority has caused extensive and
considerable damage to lands of the people of the Kharija-Bijni Mauza of the
arpeta Subdivision?

(b) Is it a fact that the prayer from the affected people of that Mauza for
compensation has so long been not heeded to?

(c) If so, do Government propose to take immediate and necessary steps
to compensate the victims who have been so hard hit?

The Hon'ble Srijut BISHNURAM MEDHI replied:

1. (a)—Yes.
- (b) & (c)—No. Prompt action was taken by Government. The matter
is still under correspondence with the Railway authorities.

Srijut MAHENDRAMOHAN CHOUDHURY: The matter is long pending. Will Government see that it is expedited?

The Hon'ble Srijut BISHNURAM MEDHI: Reminders have been recently issued to the Railway authorities and the Central Government to expedite the matter.

Silchar Local Board Grant to Sylhet Leper Asylum

†Maulavi MAKABBIR ALI MOZUMDAR asked:

*2. Will Government be pleased to state the amount of money deducted annually from the grant of the Silchar Local Board for general purposes towards the Sylhet Leper Asylum?

*3. Are Government aware that there is a Leper Asylum some 10 miles to the east of Silchar town run by the Missionaries under the able management of Dr. Cruizer?

*4. Do Government propose to help this Leper Asylum with an annual grant for the benefit of the suffering humanity?

The Hon'ble Srijut RAMNATH DAS replied:

2.—Rupees 322-6-0 annually.

3.—Yes.

4.—This Mission Leper Colony is already in receipt of an annual grant of Rs.500.

Babu NIBARAN CHANDRA LASKER: Will the Hon'ble Minister be pleased to state whether there is any Leper Asylum now in existence at Sylhet?

The Hon'ble Srijut RAMNATH DAS: Yes, Sir.

Shri SATINDRA MOHAN DEV: Is it not a fact that the Local Bodies have no power over the allotment of this grant to the Leper Asylum?

The Hon'ble Srijut RAMNATH DAS: Yes, Sir; Government deduct this grant for the Leper Asylum.

Shri SATINDRA MOHAN DEV: Do Government propose to vest this power to the Local Bodies to use their discretion whether they will give this grant to the Sylhet Leper Asylum or to Dr. Cruizer's Leper Colony?

The Hon'ble Srijut RAMNATH DAS: That will be considered Sir; but the Leper Colony managed by the Mission is receiving a grant of Rs. 500 annually.

Babu NIBARAN CHANDRA LASKER: Will the Government be pleased to consider readjustment of the grant deducted annually from the Silchar Local Board and the Municipal Board for the Leper Colony which is situated in the district of Cachar?

The Hon'ble Srijut RAMNATH DAS: That will be considered, Sir.

Gun of Dr. Jinaram Das of Pathsala

Srijut MAHENDRAMOHAN CHOUDHURY asked:

*5. (a) Is it a fact that the D. B. B. L. gun of Dr. Jinaram Das of Pathsala in the Barpeta Subdivision was seized, when he was sentenced to imprisonment for offering Satyagraha in the year 1941?

†The questions were put by Babu Nibaran Chandra Lasker on authorisation.

(3) Is it a fact that repeated representations to proper authority to return his gun or to pay its proper price to the owner have been made without any result?

(4) Do Government propose to consider his case and order immediate restoration of his gun?

The Hon'ble Mr. BASANTA KUMAR DAS replied:

3. (a) No. The gun was seized before the Satyagraha movement was launched. The Doctor applied to transfer his gun before the movement and this showed that he did not want it.

(b) Only two applications were made for release and return of the gun. These are now under the consideration of the Deputy Commissioner.

(c) The gun was sold at Rs 100 and the amount is on Revenue deposit. Government will consider the return of the gun when stocks are procured.

Srijut MAHENDRAMOHAN CHOUDHURY: May I know who fixes the value of the gun?

The Hon'ble Mr. BASANTA KUMAR DAS: The gun was sold at Rs.100. It may be, this was the price that was offered by the purchaser and that the gun was sold before this Ministry came into office.

Srijut MAHENDRAMOHAN CHOUDHURY: Sir, my question was that the gun was seized illegally and detained illegally and several representations were made by the owner but the gun was not returned nor was any adequate price given. Now I am told that the gun has been sold at Rs. 100. If that is the case, will Government be prepared to pay the adequate price of the gun.

The Hon'ble Mr. BASANTA KUMAR DAS: Now, Sir, the policy that Government has adopted is that whenever it is possible to return the gun that will be done but whenever it is not possible to return the gun either a license will be issued or if possible proper price may be paid.

Srijut MAHENDRAMOHAN CHOUDHURY: Sir, in this case proper price has not been paid.

The Hon'ble the SPEAKER: That is an inference of the hon. Member.

Srijut DANDESWAR HAZARIKA: Sir, may I know the reason why that particular gun cannot be returned to the owner?

The Hon'ble Mr. BASANTA KUMAR DAS: That is not a particular gun which is not being returned but there are several other persons who are claiming their guns but Government are not being able to return them.

Abolition of Zemindary System

Babu RABINDRA NATH ADITYA asked:

*6. Will Government be pleased to state—

(a) The measures they have adopted to implement the programme of abolition of the Zemindary system?

(b) The measures they propose to take to expedite the completion of the programme ?

*7. Do Government propose to make a survey of all cultivable waste lands included in tea garden grants with a view to finding out best method of their utilisation ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

6. (a)—Government are examining the Flood Commission's report and have called for certain preliminary reports from the local officers.

(b)—As a first step they propose to lower the existing rates of rent and crop shares. Material for necessary legislative measures is being collected.

Babu RABINDRA NATH ADITYA : Are Government aware, Sir, that some of the Provincial Governments are far ahead with their scheme of abolition of the Zemindary ?

The Hon'ble Srijut BISHNURAM MEDHI : Government are aware that in some provinces they are also trying to abolish the Zemindary but in this Province the circumstances are quite different from those of other provinces. The difficulty with regard to taking up this measure all at once is that the settlement which took place more than one hundred years ago had changed the actual problems in Sylhet and there are a large number of intermediaries and that the fact is that if a settlement operation is undertaken, it will take several years to complete the settlement operation and to record the intermediaries between the landlords and actual occupiers. Moreover, the cost, according to some, will come to about a crore of rupees. These are the factors which will have to be taken into consideration before undertaking this measure.

Babu RABINDRA NATH ADITYA : Sir, do not the Government acquire land in permanently-settled areas exactly in the same way as in the temporarily-settled areas ?

The Hon'ble Srijut BISHNURAM MEDHI : Land Acquisition Act is only applicable when land is required for public purposes.

Babu RABINDRA NATH ADITYA : Sir, the question is that there may be dispute with regard to certain percentage of cases but not in all cases. So is that to be regarded as a bar in acquisition or delaying acquisition of Zamindaries ?

The Hon'ble Srijut BISHNURAM MEDHI : Sir, I think, the hon. Member has not been able to appreciate the thing. For acquisition of land we have to pay certain amount of money. The money is to be paid between the owners and intermediaries, etc. So unless we know who are those, it is difficult to take up the question all at once.

Babu AKSHAY KUMAR DAS : Sir, is it a fact that the abolition of the Zemindary system has been stopped at the instigation of some Sylhet Minister ?

The Hon'ble Srijut BISHNURAM MEDHI : No, Sir, it is not correct.

Srijut SARAT CHANDRA SINHA : Sir, how long Government will take to decide the matter finally ?

The Hon'ble Srijut BISHNURAM MEDHI: Sir, there is the question of finance and other problems that confront us and that is why the first relief we want to give is that the tenants should not be made to pay exorbitant rate of rent either to Zemindars or to intermediaries. It is the intention of Government to give the tenants in actual occupation as much relief as possible.

Srijut MAHENDRAMOHAN CHOUDHURY: Sir, will the Government fix a probable date to abolish the Zemindary?

The Hon'ble Srijut BISHNURAM MEDHI: Sir, it is difficult to fix a date because the settlement operation may continue for several years.

Babu JATINDRA NATH BHADRA: Sir, what steps Government have so far taken to prepare record of rights?

The Hon'ble Srijut BISHNURAM MEDHI: Sir, first of all, we have to find out finance about a crore of rupees. It may also be stated in this connection, Sir, that there are other settlement operations which are continuing and which are more lucrative. Moreover, we are in dearth of officers?

Babu AKSHAY KUMAR DAS: Sir, are Government there only for profit and not for the comforts of the tenants?

The Hon'ble Srijut BISHNURAM MEDHI: Sir, regarding the comfort of the tenants we are endeavouring to see that exorbitant rate of rent is not realised either by the Zemindars or by the intermediaries.

Babu RABINDRA NATH ADITYA: Sir, do Government propose to do that by amending the Tenancy Act?

The Hon'ble Srijut BISHNURAM MEDHI: Sir, the Flood Commission's recommendation is that relief should go to minimise and restrict the rate of rent. After that the measure for abolition of Zemindary is to be taken up.

Babu RABINDRA NATH ADITYA: Sir, are we to presume that Government is going to modify the Tenancy Act?

The Hon'ble Srijut BISHNURAM MEDHI: If necessary, we will enact fresh tenancy legislation.

Srijut MAHENDRAMOHAN CHOUDHURY: Sir, by abolition of the Zemindary a large sum of money will come to the provincial exchequer and so the sooner the Zemindaries are abolished, the better.

The Hon'ble Srijut BISHNURAM MEDHI: Sir, I think, it is not correct, because the first idea is to give relief to the tenants. Now, in some places the tenants give less rent to the Zemindars than the tenants who occupy Government land. These are the factors which will have to be taken into consideration. Moreover, it may be necessary to set up a committee to look into the matter.

Srijut MAHENDRAMOHAN CHOUDHURY: Sir, the financial reason is not a valid reason.

The Hon'ble Srijut BISHNURAM MEDHI: Sir, the financial reason is one of the reasons. The question of finance is

Babu AKSHAY KUMAR DAS: Sir, whether all these legislations or all these measures are going to be stopped at the instigation of one Minister?

The Hon'ble Srijut BISHNURAM MEDHI: No, Sir, that is absolutely incorrect.

Srijut SARAT CHANDRA SINHA: Sir, will the probable date come after June 1948 or before?

The Hon'ble Srijut BISHNURAM MEDHI: Sir, I will not be surprised if it comes after June 1948.

The Hon'ble Srijut BISHNURAM MEDHI replied:

7.—No.

Babu RABINDRA NATH ADITYA: Sir, may I know the reason for so short a "No"?

The Hon'ble Srijut BISHNURAM MEDHI: Sir, we tried to get materials for the formation of the tribal belt and after that for the protection of the interests of the tribal and backward people; after that the remaining portion of the cultivable waste land will be ascertained. We hope to form the tribal belt as early as possible. Tentative proposals have been framed and sent to local officers for their views. On receipt of these we shall consider formation of tribal belt. After that the figure of cultivable waste land outside the tribal belt will be ascertained and it will then be possible to start planned settlement.

Babu RABINDRA NATH ADITYA: My question relates particularly to the Surma Valley, where the density of population is very high. Is it possible for Government to carve out some excess area from tea gardens?

The Hon'ble Srijut BISHNURAM MEDHI: The difficulty is, as regards tea lands there are definite rights which exist with the tea companies or the proprietors of the companies on contractual basis. It is a broad fact that if legislation will have to be brought in, then the question of compensation will also come in. It will vitally affect the interests of tea. All these aspects will have to be taken into consideration. I want specific notice with regard to tea gardens. The question is very vague. The difficulty is that there is a contract existing between Government and the Estate.

†**Srijut PURNA CHANDRA SARMA:** May I know if these grants made to the tea gardens are for special cultivation of tea only?

The Hon'ble Srijut BISHNURAM MEDHI: Of course, if we find that some sort of Zemindari is being created by any tea companies, i.e., they are realising rents from tenants, then the question may come. A particular plot of land may be necessary for being kept waste. It may be for the benefit of the tea industry as a whole. If so, there cannot be a breach of contract.

Srijut GAURI KANTA TALUKDAR: Are Government aware that some of the tea estates are settling their waste lands with immigrants?

The Hon'ble Srijut BISHNURAM MEDHI: If the hon. Member will give any specific instance I will make an enquiry.

Srijut GAURI KANTA TALUKDAR: Sir, I can cite at least one instance of such practice and that is the Noanadi Tea Estate in the district of Darrang.

Babu RABINDRA NATH ADITYA: Are Government aware that in the Surma Valley certain tea gardens realise enormous amount of rent and tax by sale of bamboo?

The Hon'ble Srijut BISHNURAM MEDHI: Sale of bamboos is of course a different question. As regards rents being realised at an exorbitant rate, if information is given with regard to such tea gardens enquiries will be made.

Babu RABINDRA NATH ADITYA: What is the percentage of waste land in proportion to the area under tea?

The Hon'ble Srijut BISHNURAM MEDHI: It is very difficult to fix a percentage.

****Babu AKSHAY KUMAR DAS:** May I know if there is any Member of the Cabinet who owns tea gardens?

The Hon'ble Srijut BISHNURAM MEDHI: There are many.

****Babu PURNENDU KISHORE SEN GUPTA:** Will the Government be pleased to enquire if lands in the tea gardens are given to labourers of the gardens, so that they can have their living in a better way?

The Hon'ble Srijut BISHNURAM MEDHI: So far as I know, lands are given out free to labourers to grow their crops in some Indian tea gardens.

****Babu PURNENDU KISHORE SEN GUPTA:** In some gardens labourers are being deprived by outsiders?

The Hon'ble Srijut BISHNURAM MEDHI: Unless this matter is brought to the notice of Government, we cannot reply. We cannot give an answer to these vague questions.

Removal of Dr. Jinaram Das, L.M.P., from the List of Registered Medical Practitioners

Srijut MAHENDRAMOHAN CHOUDHURY asked:

*8. (a) Is it a fact that Dr. Jinaram Das, L.M.P., who was a registered physician has been removed from the list of Registered Medical Practitioners?

(b) If so, why?

(c) Do Government propose to consider his case and restore him to the List of Registered Medical Practitioners?

**Speech not corrected.

The Hon'ble Srijut RAMNATH DAS replied :

3. (a)—Yes.

(b)—His name was erased from the Assam Medical Register under Section 16(2) of the Assam Medical Act, 1916, his whereabouts being unknown at that time.

(c)—His identity having been established through a member of the Council, his name has since been re-entered in the Register under the provision of the aforesaid section, subject to the approval of the Assam Medical Council which will be obtained at the next meeting.

(Starred Question No. 9 was not put and answered as the Questioner Mr. Binode Kumar J. Sarwan was absent.)

Financial Adviser to the Government

Srijut MAHENDRAMOHAN CHOUDHURY asked :

*10. Will Government be pleased to state—

(a) The qualifications of their Financial Adviser ?

(b) The duties assigned to him and the salary he draws including allowances, if any ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

10. (a)—He is an officer in Class I of the Indian Audit and Accounts Service ?

(b)—As Financial Adviser to Government in the Supply Department he advises Government on all financial matters relating to the Supply Department. His primary duty is financial control of the expenditure and receipt of the Supply Department.

His salary is Rs.1,500 per mensem in the scale of Rs.1,500—60—1,800 and, in addition, he draws cost of living (war) allowance at 17½ per cent. of his pay.

****Srijut MAHENDRAMOHAN CHOUDHURY**: May I know the name of the officer ?

The Hon'ble Srijut BISHNURAM MEDHI: Mr. Balvally.

****Babu RABINDRA NATH ADITYA**: Has the Finance Department any responsibility in matters affecting the Supply Department ?

The Hon'ble Srijut BISHNURAM MEDHI: He has changed several procedure by which the interests of the Province were protected by his advice.

****Babu RABINDRA NATH ADITYA**: Is he attached to the Finance Department or to the Supply Department ?

**Speech not corrected.

The Hon'ble Srijut BISHNURAM MEDHI: He is attached to the Finance Department.

**Babu RABINDRA NATH ADITYA: Does he act in between the Hon'ble Minister and the Finance Department?

The Hon'ble Srijut BISHNURAM MEDHI: In some matters he can directly come to the Minister and in certain matters he comes through the Secretary, Finance.

**Babu RABINDRA NATH ADITYA: What is the relation between the Supply Minister and the Supply Secretary? I mean what is his relation with them?

The Hon'ble Srijut BISHNURAM MEDHI: The Financial Adviser renders advice to the Supply Department in matters involving Provincial Finance. He is kept independent of the Supply Department to enable him to criticise any proposal from the Supply Department from financial and business point of view.

**Babu RABINDRA NATH ADITYA: Is he subordinate to the Finance Secretary?

The Hon'ble Srijut BISHNURAM MEDHI: Yes, he is attached to Finance Department.

Budget of the Barpeta Local Board for 1945-46

Srijut MAHENDRAMOHAN CHOUDHURY asked:

*11. (a) Will Government be pleased to state when the Budget of the Barpeta Local Board for the year 1945-46 was presented by the Board and when it was approved by the Commissioner of Divisions?

(b) Are Government aware that the Commissioner inordinately delays the approval of Local Board's Budget?

(c) If so, do Government propose to take necessary steps to stop such delays in future?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied:

11. (a)—After four urgent and express reminders to the Chairman, the Budget Estimate was received in the Commissioner's office on 10th October 1945. As it was not drawn up properly it was returned on 14th November 1945 for revision. Four reminders had then to be issued before it was received back after revision on 1st March 1946. It was returned on 14th March 1946 duly approved.

(b)—This is not true.

(c)—Does not arise.

(Starred questions Nos. 12-14 were not put and answered as the Questioners were absent).

**Speech not corrected.

Barpeta Circuit House

Srijut MAHENDRAMOHAN CHOUDHURY asked :

*15. (a) Is it a fact that a portion of the Barpeta Circuit House is used as Dak Bungalow ?

(b) If so, do Government, in view of the inconveniences caused to the touring officers, propose to separate the Dak Bungalow from the Circuit House and have a separate Dak Bungalow constructed ?

The Hon'ble Mr. BASANTA KUMAR DAS replied :

15. (a)—Yes ; as in some other cases, the Circuit House and Inspection Bungalow are combined.

(b)—A proposition is under consideration to this end, and the question of financing many schemes which are before Government in connection with reconstruction engages attention.

Confiscation of guns of persons connected with Political Movement of 1942

Srijut DANDESWAR HAZARIKA asked :

*16. Will Government be pleased to state—

(a) The names of those persons in Assam, district by district, whose guns were confiscated by Government suspecting them to be connected with the Political Movement of 1942 ?

(b) Whether it is a fact that those persons whose guns were so confiscated applied to Government for the return of their guns ?

(c) If so, why their guns have not been returned yet ?

(d) Whether Government propose to take necessary steps for the return of those confiscated guns to the owners or to their heirs without delay ?

The Hon'ble Mr. BASANTA KUMAR DAS replied :

16. (a)—A list of owners so far as traceable, excluding those whose guns were requisitioned for Government service, is shown below.

List of owners whose guns were confiscated in connection with the Political Movement of 1942

SYLHET

GOALPARA

1. Babu Promode Chandra Dhar.

1. Srijut Binada Ray.

KAMRUP

1. Srijut Kali Charan Das.

DARRANG

1. Srijut Dimbeswar Hazarika.
2. „ Mitrardhar Sarma.
3. „ Jagat Chandra Sarma.
4. „ Durgeswar Sarma.
5. „ Boloram Bormudai.
6. „ Keshab Chandra Sarma.

(b)—Yes.

(c)—In many cases the guns have been sold and are no longer available.

(d)—Government have decided to replace guns which cannot be actually restored, or to grant new licenses in lieu.

Srijut DANDESWAR HAZARIKA: Sir, with regard to answer to Question (c), may I know the reason why in many cases the guns are no longer available?

The Hon'ble Mr. BASANTA KUMAR DAS: The guns were sold and they became properties of the persons who purchased them. How can the purchasers be compelled to return the guns, Sir?

Shri SATINDRA MOHAN DEV: Is it not a fact, Sir, that the gun of Mr. A. K. Chanda was confiscated? If the answer be in the affirmative, may I know the reason why his name is not put in the list?

The Hon'ble Mr. BASANTA KUMAR DAS: I would invite the hon. Member's attention to the answer to Question (a), where it is said 'a list of owners so far as traceable'. It may be that Mr. Chanda's name escaped notice.

Babu PURNENDU KISHORE SEN GUPTA: Is it not a fact, Sir, the gun of Mr. Dwijendra Mohan Das Gupta of Maulvibazar was confiscated and although he applied for a gun license, his application has been rejected?

The Hon'ble Mr. BASANTA KUMAR DAS: With regard to this gentleman, I may inform the hon. questioner that the gun of this gentleman was confiscated for a different reason. He applied for a gun license to the Deputy Commissioner of Sylhet who rejected his application. Then he filed an appeal which is still pending.

Shri ABALA KANTA GUPTA: What about Mr. Benode Behari Gupta?

SIBSAGAR

1. Srijut Lakhinath Sarma.
2. „ Saruram Saikia.
3. „ Kamaleswar Chutia.
4. „ Cheniram Saikia.

LAKHIMPUR

1. Srijut Thakur Nodial.
2. „ Tulashiram Bara.
3. „ Boparam Hazarika.
4. „ Manuram Baruah.

The Hon'ble Mr. BASANTA KUMAR DAS: Of course, with regard to this question, I am not ready with any information now.

Babu RABINDRA NATH ADITYA: Will Government take it that the list so far it relates to the district of Sylhet is not complete, as there are many names omitted in the list?

The Hon'ble the SPEAKER: Order, order. We now come to Unstarred Questions.

UNSTARRED QUESTIONS

(To which answers were laid on the table)

Rural Health Inspectors' Staff

Babu JAGAT BANDHU SIRCAR asked:

1. Will Government be pleased to allow a deputation from Rural Health Inspectors' staff to wait on the Pay Commission to represent their cases?

The Hon'ble Srijut BISHNURAM MEDHI replied:

1.—The matter will be considered when the Pay Commission is set up

Extra Assistant Commissioners

Maulavi ABUAL MAJID ZIAOSH SHAMS asked:

2. Will Government be pleased to state—

- (a) How many Extra Assistant Commissioners were taken from each of the Districts of Assam in course of the last 5 years commencing from 1942 in the—
 - (i) permanent cadre, and
 - (ii) temporary cadre from the bar or otherwise?
- (b) How many Muslim Extra Assistant Commissioners were taken in the permanent cadre during the above period?
- (c) The number of Muslim Extra Assistant Commissioners taken in the temporary cadre during that period?
- (d) The number of Muslim temporary Extra Assistant Commissioners absorbed in the permanent service during the aforesaid period (figures to be shown district by district)?
- (e) The number of non-Muslim Extra Assistant Commissioners absorbed in the permanent service from the temporary cadre during the above period (figures to be shown district by district)?

The Hon'ble Srijut GOPINATH BARDOLOI replied:

2. (a)—

Year	District			Permanent	Temporary	Total
1942	Kamrup	...	...	1	2	
	Nowgong	...	...	1	1	
	Sibsagar	...	...	...	3	
	Sylhet	...	...	...	3	
	Darrang	...	...	...	1	
	Lakhimpur	...	...	...	1	
				<u>2</u>	<u>11</u>	13
1943	Sibsagar	...	...	2	2	
	Lakhimpur	...	...	1	...	
	Goalpata	...	...	...	1	
	Sylhet	...	...	1	5	
	Khasi and Jaintia Hills...	...	...	...	1	
				<u>4</u>	<u>9</u>	13
1944	Sibsagar	...	...	...	2	
	Nowgong	...	...	...	2	
	Kamrup	...	...	...	2	
	Darrang	...	...	...	2	
	Goalpara	...	...	...	1	
	Sylhet	...	...	...	3	
				<u>...</u>	<u>12</u>	12
1945	Sibsagar	...	...	1	1	
	Goalpara	...	...	1	1	
	Kamrup	...	...	...	2	
	Nowgong	...	...	1	...	
	Sylhet	...	...	1	1	
	Cachar	...	...	1	1	
	Khasi and Jaintia Hills...	...	...	1	1	
				<u>6</u>	<u>6</u>	12

Year	District			Permanent	Temporary	Total
1946	Sibsagar	...	...	4	...	
	Kamrup	...	...	3	...	
	Nowgong	...	...	2	...	
	Lakhimpur	...	...	2	...	
	Darrang	...	...	2	...	
	Goalpara	...	...	3	...	
	Sylhet	...	...	12	1	
				<hr/>	<hr/>	
				28	1	29
						<hr/>
			Total	...	...	79
						<hr/>
(b)—1942	...	...	...	...	...	1
	1943	...	...	...	...	2
	1944	...	...	...	...	...
	1945	...	...	...	...	1
	1946	...	...	...	...	9
						<hr/>
						13
(c)—1942	...	...	...	...	...	4
	1943	...	...	...	...	4
	1944	...	...	...	...	4
	1945	...	...	...	...	3
	1946	...	...	...	...	...
						<hr/>
						15
(d)—1945—Sylhet...	...	...	...	...	...	1
	1946—Sylhet...	...	...	...	...	3
	Goalpara	...	...	...	...	1
	Nowgong	...	...	...	...	1
						<hr/>
						6
(e)—1943—Sibsagar...	...	...	...	...	...	1
	1945—Khasi and Jaintia Hills	...	...	...	...	1
	1946—Sibsagar	...	...	...	...	3
	Darrang	...	...	...	...	2
	Lakhimpur	...	...	...	...	1
	Sylhet	...	...	...	...	5
	Goalpara	...	...	...	...	2
	Kamrup	...	...	...	...	2
						<hr/>
						15
						<hr/>

Visit of Hon'ble Premier of Bengal to Assam

Maulavi ABUAL MAJID ZIAOSH SHAMS asked :

3. Will Government be pleased to state—

- (a) Whether the Hon'ble Premier of Bengal wanted to visit Assam in 1946 in connection with the eviction of Bengal immigrants ?
- (b) If so, when the Hon'ble Premier of Bengal expressed his desire to visit Assam for the last time ?
- (c) The full reply given by the Assam Government regarding the desirability of Bengal Premier's visit ?
- (d) Whether it was stated that the Bengal Premier's visit might cause disturbance amongst the immigrants of Assam ?
- (e) Whether any satisfaction was expressed by the Assam Government owing to the proposed visit of the Bengal Premier to Assam ?
- (f) Whether it is a fact that the expressions used by the Assam Government regarding the Bengal Premier's proposed visit to Assam indicated that the Bengal Premier's visit to Assam was undesirable ?
- (g) Whether it is a fact that the Assam Government did not approve of the visit of the Bengal Premier to Assam ?
- (h) On how many occasions the Hon'ble Premier of Assam in 1946 and in January 1947 (i) went to Bengal and (ii) passed through Bengal to other provinces ?
- (i) Whether the Hon'ble Premier of Assam recently visited Mr. Gandhi in the Noakhali district ?
- (j) Whether the Bengal Government expressed any disapproval of the Hon'ble Assam Premier's visit to or going to or passing through Bengal on any occasion either in 1946 or in 1947 ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

3. (a)–(g)—The Bengal Premier expressed his desire to discuss the eviction question with the Assam Premier when the former met the latter sometime in May 1946 in Delhi.

The Assam Premier agreed to this and invited him to Shillong. The Bengal Premier after discussion wanted to visit Mangaldai on 26th June 1946. The Assam Premier also agreed that if not himself he would request Hon'ble Minister, Revenue, to accompany him to Mangaldai.

The Bengal Premier on account of his urgent call to Delhi cancelled the programme and expressed his desire to fix up a later date.

From the report of the police officer and the Subdivisional Officer it was learnt, that on the 26th June 1946, the immigrants, not knowing that the programme had been cancelled, came to the town in a procession of several thousands, all armed with lathis, surrounded the Treasury and Kachari compound, threatened the officers, used most abusive language to the Assam Government, its Premier and the Revenue Minister and obstructed the traffic of the town for several hours.

Therefore when the Bengal Premier wanted to visit Mangaldai in August, when the atmosphere was already tense with the direct action policy of the Muslim League, the Assam Premier wrote to him to say that it would not be advisable for him to visit Mangaldai, judging by what had happened on the last occasion.

(h)—(j) It is true that the Assam Premier had to pass through Calcutta on his way to other places like Bombay and Delhi and had also gone to Noakhali, but there was no occasion for the Assam Premier to inquire into the affairs pertaining to the province of Bengal, unless they were directly connected with the administration of Provinces like the University, the killing of Assamese students in Calcutta by the Muslim mob, etc. Therefore, the question of expression of approval or disapproval by the Bengal Premier does not arise.

Labourers working in connection with the Military projects in the Province

Maulavi Dewan ABDUL BASITH asked :

4. (a) Are Government aware that several hundred labourers lost their lives while at work in connection with the Military projects in the Province ?

(b) If so, will Government be pleased to state the number of lives thus lost and in how many cases compensation has been awarded, and at what rate ?

(c) Have Government received information to the effect that the families of the deceased labourers are now in great distress ?

(d) Do Government propose to take necessary steps for giving relief to the families of these labourers without further delay ?

The Hon'ble Srijut BHIMBOR DEORI replied :

4. (a)—Yes.

(b)—(i) Government are not in possession of full particulars as the compensation claims have been dealt with by different authorities according to the agency for which a particular labourer was working at the time of death. All these authorities were addressed on the receipt of the question and the information so far received is given below :—

Authority by whom disposed of	No. of claims received	No. of cases in which compensation has been awarded	No. of cases rejected	Particulars not available	No. of case under enquiry
Controller of Emigrant Labour.	6,990	5,576	705	...	709
District Magistrates ...	347	336	Nil	...	11
Civil Porter Corps ...	964 (deaths)	846	7	7	4

No information has been received so far in respect of cases disposed of by G. H. Q., New Delhi. This information will be placed before the House as soon as it is available.

(ii) Compensation has been paid at rates admissible under the provisions of the Workmen's Compensation Act where this Act applied. In other cases an *ex-gratia* payment of Rs. 900 has been awarded.

(c) — Government have received a few complaints from time to time of delay in the payment of compensation to the families of the labourers who died while working on Defence Projects in Assam and of the consequent hardship caused to them.

(d) — Government have taken and will continue to take all possible steps to secure speedy disposal of the pending cases.

Textile Under-Secretary

Maulavi Dewan ABDUL BASITH asked :

5. (a) Is it a fact that the Under-Secretary, Textile, took a house building advance from Government for purchasing a house for his residence at Shillong in 1944-45 ?

(b) Are Government aware that the same Under-Secretary has been constructing two palatial buildings—one in Gauhati and the other in Goalpara, in these days of hardships ?

(c) If so, do Government propose to make an enquiry into the matter ?

(d) If the reply to the above question is in the negative, will Government be pleased to state why on a similar report one Muslim Textile Superintendent was prosecuted recently ?

(e) Do Government propose to remove the said officer from his present job ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

5. (a) — Yes.

(b) — So far as Government are aware the Officer concerned has no land and has undertaken no construction at Goalpara, and has done no construction at Gauhati for four years or more.

(c) — Does not arise.

(d) — The hon. Member's facts do not appear correct. The prosecution of a Textile Superintendent recently was not on such a ground.

(e) — No. He occupies a temporary post which will come under review in due course for retention or abolition.

Distribution of Cloths in Surma Valley

Maulavi MD. ABDULLAH asked :

6. (a) Is it a fact that the distribution of cloths in the Surma Valley has been made on the basis of political party affiliation ?

(b) Is it a fact that some members of the Congress Party in the Assembly are directly or indirectly connected with this ?

(c) Are Government aware that this arrangement hinders the checking officers in their normal administrative duties ?

The Hon'ble Mr. BAIDYANATH MOOKERJEE replied :

6. (a) — Distribution of cloth is done by the local officers acting on the advice of Liaison Committees in headquarter towns and Vigilance Committees in Rural areas and these Committees are comprised of representatives of all interests and concerns.

(b)—Government have no such information.

(c)—Does not arise.

Provision of free quarters for ill-paid Ministerial Officers

Maulavi Dewan TAIMUR RAZA CHOUDHURY asked:

7. (a) Are Government aware of the difficulties of the ill-paid Ministerial officers who are compelled to live outside their own Subdivisions for not getting quarters, etc., within their means?

(b) If so, do Government propose to transfer the said ill-paid employees to their home subdivisional towns immediately or to provide them with free quarters elsewhere?

The Hon'ble Srijut BISHNURAM MEDHI replied:

7. (a)—Government are aware that at the existing level of rents most people living in towns where they have no houses of their own are put to difficulties.

(b)—Postings and transfers are dictated by exigencies of service. They cannot be guided solely by the convenience of the Ministerial officers. Where exigencies of service coincide with the convenience of the officer concerned, the head of the office has the power to act. Government cannot embark on a policy of providing rent free quarters.

Operation of Forests by Zamindars

Srijut HARESWAR DAS asked:

8. (a) Do Government consider forest as a source of national wealth?

(b) If so, do Government propose to stop immediately by legislation or otherwise, the indiscriminate operation of the forests by Zamindars with a view to immediate gain on the eve of the abolition of the Zamindari system?

The Hon'ble Srijut BHIMBOR DEORI replied:

8. (a)—Government are inclined to take such a view.

(b)—The question of legislation is engaging attention on grounds of broad principle.

Abolition of Posts of Honorary Magistrates

Srijut HARESWAR DAS asked:

9. Do Government propose immediate abolition of the posts of Honorary Magistrates?

The Hon'ble Mr. BASANTA KUMAR DAS replied:

9.—The question is under consideration of Government.

Srijut HARESWAR DAS: May I know when this consideration stage will end, Sir?

The Hon'ble Mr. BASANTA KUMAR DAS: So far as this question is concerned, Sir, I may inform the hon. Member that the Government have decided upon certain principles to be followed in this matter, *i. e.* the abolition of the system of appointing Honorary Magistrates. One of the principles is that whenever the term of a Honorary Magistrate would expire, no extension of power would be granted to him. This policy has been followed and in the course of the last few months no extension of powers has been granted to

some Honorary Magistrates whose terms expired. We are now collecting information from the District Authorities as to the qualifications of each of the Honorary Magistrates and as to the quality of work done by him and on a consideration of this we shall decide whether the system should be totally abolished or not. There is a further consideration, Sir, that at present there is a great shortage of Magistrates and some Honorary Magistrates are doing very good work and if all at once this system is abolished, then there will be a good deal of congestion of magisterial work. Sir, these are the considerations which are weighing with Government and the Government are proceeding as fast as possible.

Roads under the Post-War Scheme in Goalpara District

Srijut HARESWAR DAS asked :

10 Will Government be pleased to state the names of the roads, construction of which is to be undertaken under the Post-War Scheme in the Goalpara district? (Length and estimated cost of each of the roads to be shown separately.)

The Hon'ble Rev. J. J. M. NICHOLS-ROY replied :

10 A statement is given below.

GOALPARA DISTRICT

District Roads	Length in miles	Estimated cost (excluding major bridges, i.e., bridges of 100' length & over) Rs.	Order of Priority	Remarks
†1 Road from 23rd mile Assam Trunk Road (Barkanda) to Sapat- gram Railway Station and thence to Datma.	20	4,90,000		
*2 Daimra-Dalgoma ..	12	4,47,000	(Interim)	
Total. 32 miles				

VILLAGE ROADS GOALPARA SUBDIVISION

*1 Rangjuni-Simalutala ..	15.0	1,98,484	(Interim 1)	
†2 Krishnai-Mendipathar ..	10.0	93,000	10th	
*3 Nibari to Trunk Road (Paikan-Bogendoba).	12.0	3,83,808	7th	
†4 Jogighopa to Chapar ..	9.0	83,700	3rd	
Total. 46.0				

DHUBRI SUBDIVISION

†1 Golakanj to Soulmari via Gaikhowa thence to Binyachera Kacharighat.	5.0	56,000	4th	
†2 Improvement of the Road from Dimakuri (A. A. Road) to Mahamayahat via Agamani, Kaldoba, Gharialdanga (thence to Bazirghat 4½ miles).	13.0	1,21,000	9th	
*3 Dhubri-Patmari ..	11.0	2,45,125	(Interim 2)	

* Estimates drawn up with pre-war rates plus 100 per cent. extra for execution in the current year.

† Estimates not yet drawn up and the figures are based on flat mileage rate assumed with 50 per cent. extra over pre-war rates.

District Roads	Length in miles	Estimated cost (excluding major bridges, i.e., bridges of 100' length & over) Rs.	Order of Priority	Remarks
†4 Bashbari via Joldoba to D. K. Road between Tamarhat and Dinga- dinga.	16.0	1,49,000	2nd	
†5 Kokrajhar to Paltapur (Chapar via Cahibari)	15.0	1,39,500	5th	
†6 Salkocha village road to Lakhiganj.	10.0	93,000	1st	
†7 Gouripur to Tipkai via Modath and Gambhira- khata.	15.0	1,39,500	6th	
†8 Bijni Panbari via Bagar- gaon.	12.0	1,11,600	8th	
†9 Diara to Kakapani	5.0	46,500	11th	
	Total, 103.0			
	Grand Total 149.0			

Local Board Dispensaries in South Sylhet Subdivision

Maulavi MAYEENUD-DIN AHMED CHOWDRY asked :

11. (a) Are Government aware of the miserable condition of Bhunabir Dispensary under Srimangal Police Station and that of the Prithimpassa Dispensary under Kulaura Police Station of the South Sylhet Subdivision ?

(b) If so, do Government propose to make some special grants to the said Dispensaries ?

12. (a) Are Government aware that there is no Dispensary in between Maulavi Bazar and Srimangal towns in the South Sylhet Subdivision ?

(b) If so, do Government propose to provide a Dispensary at a suitable place in between Maulavi Bazar and Srimangal towns ?

The Hon'ble Srijit RAMNATH DAS replied :

11. (a)—Government are aware of the unsatisfactory conditions in any Local Board Dispensaries including these two.

(b)—Government have already made increased grants for medicines to all the Local Board Hospitals and Dispensaries. These are Local Board Dispensaries, and if any special grant is required, the Board should apply through proper channel as required under rule 115 of the Local Self-Government Manual.

12. (a)—Yes.

(b)—No. This is the responsibility of the South Sylhet Local Board.

Berry-White Medical School Students

Maulavi MAYEENUD-DIN AHMED CHOWDRY asked :

13. Will Government be pleased to state—

(a) The number of students who appeared at the last Final Examination from the Berry-White Medical School ?

† Estimates not yet drawn up and the figures are based on flat mileage rate assumed with 50 per cent. extra over pre-war rates.

- (b) How many of them passed?
- (c) How many of them were regular and how many of them were not?
- (d) How many students from Surma Valley appeared and how many passed?
- (e) The name of the Examiner of Surgery in the last Final Examination of the Berry-White Medical School?
- (f) Whether he is a specialist in surgery or is a Licentiate of Obstetrics and not a Surgeon?
14. Will Government be pleased to state—
- (a) How many subjects are there at the Final Examination of the Berry-White Medical School?
- (b) What are the rules for appearing at the partial examination?
- (c) Do Government propose to change the existing rules in order to provide facilities to students failing in more than two subjects?

The Hon'ble Srijut RAMNATH DAS replied :

13. (a) Twenty-two students appeared in the final License Examination held in May 1946 (13 regular and 9 irregular).

(b) Eight.

(c) One regular and seven irregular.

(d) Five students from the Surma Valley appeared in the Final License Examination and only two passed out.

(e) Dr. J. C. Das, M.B. (Cal.), L.M. (Dub.).

(f) Besides being a Licentiate in Obstetrics (Midwifery) L.M. (Dublin) he had surgical training in Great Britain and is a specialist in Surgery. He has been acting as an Honorary Surgeon for the Gauhati Civil Hospital for the past several years with credit.

14. (a) Five viz., Surgery, Medicine, Medical Jurisprudence, Midwifery and Gynaecology and Hygiene and Vaccination.

(b) A candidate is to re-appear in all the subjects if he fails in more than two subjects and if he fails in less than three subjects, he is to re-appear in the subjects in which he failed.

(c) No.

Shaistaganj-Habiganj Railway line

Maulavi NURUL HOSSAIN KHAN asked :

15. (a) Are Government aware that the Habiganj public are agitating for the restoration of the Shaistaganj-Habiganj Branch Railway line for a long time?

(b) Are Government aware that there is a genuine public grievance for the non-restoration of the Railway line?

(c) Are Government aware that the Railway service between Shaistaganj and Habiganj was stopped as a temporary War measure?

(d) Are Government aware that a deputation consisting of Rai Bahadur Gopendra Lal Das Choudhury and Maulavi Abdur Rahman, ex-M.L.A. and some other waited upon the Central Railway authorities in New Delhi on November 29th, 1946 and urged upon the authorities there for the immediate restoration of the Shaistaganj-Habiganj Branch Railway line?

(e) Are Government aware that the Central Railway authorities have sanctioned the restoration of the line provided that the Government of Assam agree to the reduction of the Motor Transport Services between Shaistaganj and Habiganj to the Pre-war level?

(f) Will Government be pleased to state if this decision of the Central Railway authorities has been communicated to the Government of Assam, and if so, when?

(g) If the answers to the above question (f) is in the affirmative, will Government be pleased to state, what action if any, Government have taken in the matter since then?

(h) Will Government be pleased to state if the desired undertaking for reduction of Motor Transport on the Shaistaganj-Habiganj line to the Pre-war level has been given by the Government of Assam?

(i) If not, do Government propose to expedite the matter?

The Hon'ble Rev. J. J. M. NICHOLS-ROY replied :

15. (a)—Yes.

(b)—Believed so.

(c)—Yes.

(d)—Yes.

(e)—Yes.

(f)—A communication was received from the General Manager, Bengal-Assam Railway dated the 12th September 1946.

(g) & (h)—Government have given the assurance required.

(i)—Does not arise.

Confiscation of a gun belonging to Srijut Lakhi Kanta Barua, Contractor of Golaghat

Srijut DANDESWAR HAZARIKA asked :

16. (a) Will Government be pleased to state the reasons why the gun belonging to one Srijut Lakhi Kanta Barua, Contractor of Golaghat was confiscated and sold in auction?

(b) Is it a fact that the said gun was sold to one Police Officer for a nominal value?

(c) If so, will Government be pleased to state the name of the Officer who purchased the gun and the price at which it was purchased by him?

(d) Do Government propose to consider the case and see that the gun is returned to the owner early or adequate compensation paid with a license granted to enable him to buy a gun?

The Hon'ble Mr. BASANTA KUMAR DAS replied :

16. (a)—His gun was seized on account of his activities in the 1942 movement and the license confiscated since the District Magistrate did not consider him a fit person to hold it.

(b) & (c)—It was sold to Deputy Superintendent, Maulavi M. A. Haque at a price of Rs.100.

(d)—Government intend in such cases to replace such weapons when they can procure stocks.

Gur and Molasses Purchase Officers

Maulavi MAKABBIR ALI MOZUMDAR asked :

17. Will Government be pleased to state—

- (a) Whether they have lately appointed some officers to purchase Gur and Molasses ?
- (b) If so, what are their names and what pay or special pay they will draw ?
- (c) For what period they are so appointed and what will be the cost of Government on their account ?
- (d) Whether these posts were advertised and filled up in consultation with the Public Service Commission ?

The Hon'ble Mr. BAIDYANATH MOOKERJEE replied :

17 (a) Yes.

(b)—(1) Babu Sailendra Kumar Kar as Deputy Director of Supply (Gur purchase) with his grade pay of Sub-Deputy Collector *plus* special pay of Rs. 200 per mensem.

Messrs. Amalendu Syam and Nagendra Sankar Guha as Assistant Directors of Supply (Gur purchase) with their grade pay of Assistant Rationing *plus* special pay of Rs. 100 per mensem each.

(c)—For a period of three months for the present ; for which the total cost will be about Rs. 3,540.

(d)—No.

Abolition of Zemindary System

Maulavi ABDUL HAI asked :

18. Will Government be pleased to state—

- (a) Whether they propose to abolish the Zemindary System from the Province ?
- (b) If so, when and what steps they are taking for its abolition ?
- (c) If not, why not ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

18. (a)—Yes.

(b)—Government are examining the various steps recommended by the Flood Commission and for the present intend to explore fully the suggestion that the level of existing rates of rent and crop share should be lowered.

(c)—Does not arise.

Eradication of Water-Hyacinth

Srijut GAURI KANTA TALUKDAR asked :

19. Will Government be pleased to refer to the reply given by them to Unstarred Question No. 69(d) asked by the Questioner during the last Session of the Assembly regarding eradication of Water-Hyacinth in the Province (page 1135 of the Assembly Debates) and state—

- (a) Whether Government have considered the matter as promised ?

- (b) If so, what decision the Government have since arrived at and what measures they have decided to take ?
- (c) If not, why not ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

19. (a)—Yes.

(b)—The eradication mainly concerns the local bodies who as is well known are not financially in a position to tackle the problem. Government is also not in a position to subsidise the Local Bodies for the purpose due to financial stringency.

(c)—Does not arise.

Srijut GAURI KANTA TALUKDAR : Do Government recognise the magnitude of the damage that is being done by the water hyacinth.

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR : Certainly, Sir, Government do recognise it and hence steps are being taken to eradicate this menace.

Srijut GAURI KANTA TALUKDAR : May I know what steps have been taken by Government in this respect ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR : I would invite the attention of the hon. questioner to the answer given in reply to question 19(a).

Srijut GAURI KANTA TALUKDAR : That shows Government is not going to do anything.

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR : Sir, it is under the consideration of Government to eradicate water-hyacinth. But as it involves a huge amount of money, I think it cannot be done all at once. Very shortly the hon. members will learn when the Budget will be presented that we are already in a deficit.

Srijut GAURI KANTA TALUKDAR : Is it the attitude of the Government, Sir, that owing to financial difficulties the Government are not going to take any steps in the matter of eradicating water-hyacinth ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR : It is quite clear, Sir, that Government as yet has not taken any step.

Srijut GAURI KANTA TALUKDAR : In view of the damage done by this water-hyacinth pest should not Government divert a certain portion of the money that is being spent for the Grow-More-Food Campaign in checking the spread of this mischievous plant ?

The Hon'ble Srijut BISHNURAM MEDHI : We are awaiting to see the result of the experiment that is going on somewhere in England.

Srijut GAURI KANTA TALUKDAR : Has the experiment been undertaken at the instance of this Government ?

The Hon'ble Srijut BISHNU RAM MEDHI: We gather that a substantial program has been made in the experiment that is going on in England and we are awaiting the result.

Srijut GAURI KANTA TALUKDAR: My question is whether this Government propose for the present at least to utilise a certain portion of the money that is being allotted for the Grow More Food Campaign in combating the water-hyacinth pest?

The Hon'ble Srijut BISHNU RAM MEDHI: Yes, I think there is some and this will be utilised by the Government.

Officers in-charge of Thanas in Habiganj Subdivision

Maulavi NURUL HOSSAIN KHAN asked:

20. Will Government be pleased to state—

(a) Whether at present all the officers in-charge of the different thanas in the Habiganj Subdivision are Hindus except Baniyachung and Bahubal?

(b) Whether the officer in-charge of the Habiganj Police Station, Babu Bikash Chandra Burman was recently under order of transfer and that one Maulavi Arshad Ali was transferred there as Officer in-charge, but all of a sudden this order was cancelled?

21. If the reply to question (b) above be in the affirmative, will Government be pleased to state the reason thereof.

The Hon'ble Mr. BASANTA KUMAR DAS replied:

20. (a) —No. The officer in-charge, Chunarighat Police Station also is a Muslim.

(b) The transfer order posting Sub-Inspector Arshad Ali as Officer in-charge, Habiganj Police Station had to be cancelled in the interest of the public service.

21.—The retention of Sub-Inspector Arshad Ali as Officer in-charge, Sylhet Police Station was necessary on administrative grounds.

Scarcity of Mustard Oil in Surma Valley

Maulavi Md. ABDULLA asked:

22. (a) Are Government aware that there is now a serious famine of Mustard Oil in the Surma Valley?

(b) Will Government be pleased to state who are the Procuring Agents for Mustard Oil, Subdivision by Subdivision in that Valley?

(c) Are Government aware that these Procuring Agents are discharging their responsibilities?

(d) If so, what measures Government propose to take to do away with this serious position?

The Hon'ble Mr. BAIDYANATH MOOKERJEE replied:

22. (a)—Yes.

(b)—A statement is placed on the Library table.

(c)—The fault does not lie with the Procuring Agents but with the supplying areas (*viz.* United Provinces and Rajputana) who failed to fulfil their obligations.

(d)—The matter is being taken up with Government of India for making the supplying Provinces and States honour their commitments. The Government are also taking steps to purchase Mustard Seeds officially and establish complete control over the production and distribution of Mustard Oil.

Control of Commodities and Prices

Srijut HARESWAR DAS asked :

23. (a) Are Government aware of the futility of controlling commodities and their prices, which are not in adequate supply ?

(b) Are Government aware that in some cases while Government permit holders failed to import commodities, non-permit holders succeeded to import them and that as a matter of fact it is the last class of traders, who have kept the Province supplied with the necessities of life ?

(c) Do Government propose to give full facilities to all traders, with or without permits, to import and dispose of all commodities ?

The Hon'ble Mr. BAIDYANATH MOOKERJEE replied :

23. (a)—Control of commodities and prices, when supply is inadequate, is not sufficiently effective, but not futile.

(b)—Government agents are required to procure commodities at controlled prices. That being the case it is possible that private traders have sometimes succeeded by resorting to the black market where Government agents have failed.

The answer to the latter part of the question is in the negative.

(c)—Government are not competent to propose such a course unilaterally without the consent of the Centre and the Provinces from which we are to obtain our supply.

Ministerial Establishment in Deputy Commissioner's Office, Silchar

Maulavi MAKABBIR ALI MOZUMDAR asked :

24. Will Government be pleased to state—

(a) The number of clerks both temporary and permanent in the Deputy Commissioner's establishment in Silchar ?

(b) The number of *bonafide* inhabitants of the district and the number of domiciled clerks and outsiders separately ?

(c) How many of them are Hindus and how many Muslims ?

(d) Whether it is a fact that recently two outsiders have been appointed against two permanent vacancies ?

(e) Whether Government are aware that this has caused great resentment among the people of Cachar ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

24. (a) — Permanent 91, temporary 41.
 (b) — 108 are of indigenous families. The remaining 24 include 20 who, or whose families, came from Sylhet and 4 not indigenous to nor domiciled in the Province. There is no recognised domiciliary restriction as between districts in Assam and only those not indigenous to or domiciled in the Province may be classed as outsiders.
 (c) — Hindus 68, Muslims 58.
 (d) — No. The two persons appointed were from Sylhet.
 (e) — No.

Present arrangement of conducting cases in the Calcutta High Court

Maulavi Dewan ABDUL BASITH asked :

25. (a) Is it a fact that the Government of Assam is going to change the present arrangement of conducting cases in the Calcutta High Court?
 (b) If so, what are the reasons for changing the present arrangement?
 (c) What is the existing arrangement?
 (d) What will be the new arrangement and from what date it will be given effect to?
 (e) Will Government be pleased to state the names of Advocates of this Province who are practising in the Calcutta High Court?

The Hon'ble Mr. BASANTA KUMAR DAS replied :

25. (a) — Yes.
 (b) — For entrusting the work of conducting cases from Assam to the Advocates of the Province practising in the High Court.
 (c) — On receipt of a contribution from Assam the Government of Bengal makes the necessary arrangement through their Solicitor, Standing Counsel, Legal and Deputy Legal Remembrancer, Senior and Junior Government Pleaders. This arrangement was entered into under section 263 of the Government of India Act, and expires on March 31st, 1947.
 (d) — A Senior Government Advocate and two Junior Advocates from Assam practising in the Calcutta High Court will be appointed to conduct Assam cases. A solicitor will be appointed *ad hoc* as and when required. This arrangement will come into force from 1st April 1947.
 (e) — List of names of Advocates practising in the Calcutta High Court is given below :—

1. Mr. Nuruddin Ahmed.
2. Mr. Girindra Kumar De.
3. Mr. Satyendra Kishore Ghosh.
4. Mr. Harendra Nath Bhattacharjee.
5. Mr. Juan Nath Borah.
6. Mr. Holiram Deka (Joined Government Service).
7. Mr. Topodheer Kumar Roy Dastidar.
8. Mr. Bhabesh Ch. Barua.
9. Mr. Ashrafuddin Choudhury.
10. Mr. Harendra Nath Sarma.

11. Mr. Sudhir Ranjan Dutta.
12. Mr. Tapendra Kumar Paul.
13. Mr. Dharani Nath Dutta.
14. Mr. Syed Modaris Ali.
15. Mr. Narmada Kumar Gupta.
16. Mr. Nalini Mohan Dam.
17. Mr. Mono Mohan Singha.
18. Mr. Nurul Amin.
19. Mr. Sabita Ranjan Pal.

Cess levied on controlled food-stuffs

Maulavi MAYEENUD-DIN AHMED CHOWDRY asked :

26. Will Government be pleased to state—

- (a) Whether it is a fact that a cess is levied on all the controlled food-stuffs including salt imported to Assam from outside ?
- (b) If so, the amount of such cess levied on each imported commodity ?
- (c) The provision under which such cess is levied ?

The Hon'ble Mr. BAIDYANATH MOOKERJEE replied :

26. (a)—An administrative charge is levied on food-stuff imported against Assam's quota on permits issued by Government.

(b)—3½ per cent. on purchase price.

(c)—The charge is levied to meet the administrative expenses incurred by Government in connection with the import of food-stuffs and the cost of staff. It is not a tax and hence the question of any provision, under which it is levied, does not arise.

North Sylhet Civil Hospital

Maulavi Dewan TAIMUR RAZA CHOUDHURY asked :

27. (a) Are Government aware that the North Sylhet Civil Hospital is one of the biggest Hospitals in the Province ?

(b) Is it a fact that there is a heavy rush of female patients daily in that Hospital ?

(c) Are Government aware that there is only one Lady Doctor in that big Hospital ?

(d) Is it a fact that in order to assist the Lady Doctor daily, young male Doctors are very often deputed to examine the female patients ?

(e) If so, do Government propose to consider the desirability of engaging at least one Assistant Lady Doctor in that hospital with immediate effect ?

(f) If not, do Government propose to enquire into the matter immediately ?

The Hon'ble Srijut RAMNATH DAS replied :

27. (a)—Yes.

(b)—There has been no unusual heavy rush of female patients in the Sylhet Civil Hospital in comparison with attendance in previous years.

(c)—Yes, as in the much bigger hospitals at Gauhati and Dibrugarh.

(d)—Yes. Male doctors when available are deputed to the female side in all hospitals to help the Lady Doctor as required and also for the purpose of the former having some training in the treatment of diseases of women and children. Government Medical Officers during the early part of their service are usually placed on supernumerary duty in the headquarters stations, whenever

possible, for training in the various departments of a hospital. Though male doctors are deputed to the female side, no case desirous of being examined by a Lady Doctor is examined by them. This is a practice all over the world and cannot be abandoned.

(c) This will be considered by Government

(f) No enquiry is necessary.

Junior clerical staff of the Secretariat

Srijut BHADRA KANTA GOGOI asked :

28. (a) Will Government be pleased to state the number of junior clerical staff confirmed in the Secretariat during the year 1946 ?

(b) Is it a fact that some such confirmed clerks were in the service for a lesser period of time than many of their co-workers who are still remaining unconfirmed ?

(c) If so, do Government propose to remove these anomalies ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

28. (a)—Twenty-five in the Lower Division and 5 in the Sub-grade.

(b) & (c)—Yes, it does not follow that there was any anomaly. Some men could not be confirmed because they have not been approved for selection by the Public Service Commission. Communal proportions must also be observed.

Restoration of Telegraph Office at Baniyachung

Maulavi NURUL HOSSAIN KHAN asked :

29. Will Government be pleased to state—

(a) What steps they have taken for the restoration of the Telegraph Office at Baniyachung since September, 1946 ?

(b) Whether land for the Post and Telegraph Office and Post Master's quarters at Baniyachung has been acquired as expressed in reply to Unstarred Question No. 277 during the last September Session of the Assembly ?

The Hon'ble Rev. J. J. M. NICHOLS-ROY replied :

29. (a)—Attempts were made by the Posts and Telegraphs Department to open the Telegraph branch in one of the two existing Extra Departmental Post Offices at Baniyachung, but without success, as none of the Extra Departmental Post Agents knows telegraphy and no other telegraph knowing Extra Departmental Agent is available. It was not also possible to open the Extra Departmental placing the office in charge of a Departmental Sub-Postmaster for want of residential accommodation.

(b)—The answer is in the negative. It is not possible for the Posts and Telegraphs Department to acquire land and construct a Departmental building at present in view of the orders of the Government of India, which forbid construction of any office accommodation for Central Government offices owing to the uncertainty of the future constitution of the Central Government.

Damages done by Military people during their stay at Barpathar in Golaghat Subdivision

Srijut DANDESWAR HAZARIKA asked :

30. (a) Are Government aware that during the last war great damages were done by the Military people during their stay at Barpathar in Golaghat Subdivision to the people of Deopani Barchoagiri and some other villages by destroying their bamboo trees, sugarcane cultivations and plantain Baris ?

(b) Are Government aware that goats, ducks and fowls of the poor villagers were taken away by the Military people without their permission ?

(c) Is it a fact that Government are not taking any steps to compensate the damages though several petitions of claims have been submitted by the villagers ?

(d) If so, do Government propose to enquire and pay all compensations to those villagers without any further delay ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

30. (a)—It is possible that some damage of the kind may have been caused.

(b)—No such reports were received nor any claim preferred by any one.

(c) & (d)—It was reported in November last that compensation statement for damage referred to in question 30 (a) above was under preparation by the Deputy Commissioner and it is presumed that payment has been made by now.

Srijut DANDESWAR HAZARIKA : Will Government be pleased to take it from me that nothing has been done as yet ?

The Hon'ble Srijut BISHNURAM MEDHI : Yes, Sir, I will make an enquiry.

Srijut DANDESWAR HAZARIKA : Will Government make an enquiry and supply me the information during the sitting of this Session ?

The Hon'ble Srijut BISHNU RAM MEDHI : I have already asked for the information and the hon. Member will be informed of the result.

Construction of a Railway Bridge over the Brahmaputra

Srijut HARESWAR DAS asked :

31. (a) Has the attention of the Government been drawn to the reply given by the Central Government in the last session of the Indian Legislative Assembly to question No.403 put by Sree R. K. Choudhuri regarding the construction of a railway bridge on the Brahmaputra at Goalpara ?

(b) If so, will Government be pleased to state in what position the matter stands now ?

(c) Do Government propose to move the Central Government for its early construction on the ground of its strategic importance ?

The Hon'ble Rev. J. J. M. NICHOLS-ROY replied :

31. (a)—Government have obtained a copy of questions and answers referred to.

(4) The matter stands at the position that it did, viz. that the matter is still under consideration of different Departments of the Central Government.

(5) The Government of Assam are urging on the Central Government the necessity of construction of this bridge, but Railways being a Federal subject the decision must rest with the Central Government.

*Srijut HARESWAR DAS: Has Government any information by now, Sir?

*The Hon'ble Rev. J. J. M. NICHOLS-ROY: The Central Government is considering the question and they are discussing the matter between different Departments of the Government of India.

Bagchung Naragaon (Nagabali) Grazing Reserve

Srijut DANDESWAR HAZARIKA asked:

32. (a) Will Government be pleased to state the total area of Bagchung Naragaon (Nagabali) Grazing Reserve in the Golaghat Subdivision?

(b) Whether the same is a Public or Village Grazing Reserve?

(c) Is it a fact that some portions of the above Reserve is under the occupation of some private persons?

(d) If so, will Government be pleased to state how and when they obtained the settlement with the names of such persons and the area under occupation of each of them?

(e) Is it a fact that half the public of Golaghat Town and the people of four or five villages have been vehemently opposing against such settlement on the grounds that, that is the only burial ground of both the Hindus and the Muslims of the Town and that it is the only place for Grazing of about two thousand to three thousand cattle of both the town and the villages?

(f) If so, will Government be pleased to state whether any steps have been taken by Government to evict the encroachers?

(g) If the reply to question (f) above be in the negative, do Government propose to take immediate steps to evict them?

The Hon'ble Srijut BISHNURAM MEDHI replied:

32. (a) The total area of the reserve is 131 B. 3 K. 9 L.

(b) It is a village grazing reserve.

(c) & (d) Srijut Gangadhar Bhuyan was apparently allowed by local officers to occupy about 8 Bighas temporarily for the purpose of a Saw Mill. It is alleged that he has encroached on more land. The question of settlement of the land occupied by him is under consideration of Government. Full particulars have been called for from the local officers and the matter will be decided on receipt of the information.

(e) & (f)—It appears that there have been objections from the quarters mentioned. As stated the matter is under consideration of Government.

(g)—Does not arise.

Sale of Defence Savings Certificates by Government Agents

Srijut DANDESWAR HAZARIKA asked:

33. (a) Are Government aware that Defence Savings Certificates were sold by the Government Agents by force to the poor villagers of the Barpathar and Sorupathar Mouzas of the Golaghat Subdivision without granting them proper receipts?

*Speech not corrected.

(b) Are Government aware that on the petition of the villagers of the above Mouzas a criminal case was registered and investigated by the Golaghat Police some months back against some persons who were directly or indirectly responsible for such collections ?

(c) If the answer to question (a) above is in the affirmative, will Government be pleased to state whether any investigation was made into the matter ?

(d) If so, what is the result of that investigation ?

(e) If not, whether Government propose to take immediate steps for its proper investigation ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

33. (a)—Yes.

(b)—Yes.

(c)—Yes.

(d)—Full investigation of the case has been made, but criminal prosecution could not be instituted for want of evidence. Government are considering the question of drawing up departmental proceedings against the officer concerned as recommended by Commissioner.

(e)—Does not arise.

Appointments made in the Science Department in both the Colleges

Maulavi MAYEENUD-DIN AHMED CHOWDRY asked :

34. Will the Hon'ble Minister-in-charge of Education be pleased to state—

(a) Whether it is a fact that he and the Director of Public Instruction, Assam, verbally instructed the Principals of both the Government Colleges to find out and appoint only Hindus in vacancies that occurred due to the extension of Science Department in both the Colleges ?

(b) If so, the principle under which such instructions were given ?

(c) Whether it is a fact that one Adhir Babu has been appointed in the Physics Department when suitable Muslim candidates with previous experience were available ?

(d) Whether it is a fact that the Hon'ble Ministers and the Congress Members of Legislative Assembly constantly interfered in the matter of admission to the Science classes in Government Colleges on the last occasion ?

(e) If so, why ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

34. (a)—No ; the question appears fantastic.

(b)—Does not arise.

(c)—No.

(d)—No.

(e)—Does not arise.

Present Revenue Sheristadar in Sylhet

Maulavi MD. ABDULLAH asked :

35. (a) Will Government be pleased to state the number of Muslim Ministerial officers superseded in the appointment of the present Revenue Sheristadar in Sylhet ?

(b) Will Government be pleased to state the reasons for such supersession ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

35. a) None.
b) Does not arise.

Babu RABINDRA NATH ADITYA : Are the Government aware of the recommendation of the Ministerial Officers' Conference to change the designation of Revenue Sheristadar of Sylhet to that of Office Superintendent ?

The Hon'ble Srijut BISHNURAM MEDHI : I do not exactly remember, Sir.

Babu RABINDRA NATH ADITYA—In view of the heavy responsibility of office was it not recommended that some powers should be given to the officer ?

The Hon'ble Srijut BISHNU RAM MEDHI—He has got all necessary powers, I think.

Tour of the Hon'ble Local Self-Government Minister in the interior of Hailakandi Subdivision

Maulavi MAYEENUD-DIN AHMED CHOWDRY asked :

36. Will the Hon'ble Minister-in-charge of Local Self-Government be pleased to state the place or places visited by him on the 5th of November while touring in the interior of the Hailakandi Subdivision from the 4th to the 6th November 1946 ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :
36.— On the 5th November 1946, I visited Ujankupa, Barjurai and Matijuri.

Secretary, Public Welfare Association

Maulavi Dewan ABDUL BASITH asked :

37. Will the Hon'ble Minister-in-charge of Agriculture be pleased to state what steps have been taken on the petition dated the 21st December 1946 of M. Gous Ahmed, Secretary, Public Welfare Association ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :
37. Information cannot be supplied without knowing the subject-matter of the petition and its addressee.

Public Works Department Roadside surrendered lands

Maulavi MAYEENUD-DIN AHMED CHOWDRY asked :

38. Will Government be pleased to state why they did not give in settlement the large acreage of Public Works Department Roadside surrendered lands in the Sylhet District to the original owners ?

The Hon'ble Srijut BISHNURAM MEDHI replied :
38.— The question is too vague to be subject-matter for enquiry. If the hon. Member will specify the place and time in sufficient detail, enquiry will be made and information furnished.

Officers appointed in the Procurement Department

Srijut BHADRA KANTA GOGOI asked :

39. Will Government be pleased to state—
(a) The number of officers appointed in the Procurement Department community by community ?
(b) Whether the case of the backward communities was considered specially in making such appointments ?

(c) If not, whether Government propose to consider the same hereafter?

The Hon'ble Mr. BAIDYANATH MOOKERJEE replied:

39. (a)—The statement is given below.

STATEMENT OF ASSAM VALLEY PROCUREMENT

Designation	Assam Valley Hindu	Surma Valley Hindu	Assam Valley Muslim	Abom	Assam Valley Schedule	Tribal plain	Demarcated	Indian Christian	Total	Remarks
1. Deputy Directors of Procurement.	2	1	1	..	..	..	..	..	4	
2. Assistant Director of Procurement.	1	..	1	..	..	1	..	..	3	
3. Controllers.. ..	3	..	..	..	..	..	..	..	3	
4. Inspectors	20	..	12	3	2	1	..	1	39	
5. Sub-Inspectors ..	8	..	3	..	..	1	..	..	12	
6. Assistant Sub-Inspectors.	5	..	4	1	..	..	1	..	11	
Total	39	1	21	4	2	3	1	1	72	

STATEMENT OF SURMA VALLEY PROCUREMENT

1. Deputy Director of Supply (Procurement).	..	..	..	..	..	..	..	..	1	
2. Assistant Director of Supply (Procurement).	1	..	..	..	..	..	..	..	1	
3. Controllers .. ..	..	3	..	..	..	..	..	..	3	
4. Inspectors	12	11	..	..	..	..	..	..	23	
5. Sub-Inspectors ..	3	3	..	..	..	..	..	..	6	
6. Assistant Inspectors ..	..	2	..	..	..	..	..	..	2	
Total	16	20	..	..	..	..	..	..	36	

(b)—Yes.

(c)—Does not arise

†The Hon'ble Srijut **GOPINATH BARDOLOI**: With reference to Question No 39, Sir, I want to correct a reply. From the printed reply it would appear as if the appointments in Surma Valley have been filled up by Assam Valley Hindus and Surma Valley Muslims. The fact is that the heading Surma Valley Hindu and Surma Valley Muslim over columns 2 and 3 of the "Statement of Surma Valley Procurement" has been omitted. Thus the reply will read thus: Surma Valley Hindus—Assistant Director of Supply 1, Inspectors 12, Sub-Inspectors 3; the number of appointments of Surma Valley Muslim will be—Surma Valley Muslims—Deputy Director of Supply 1, Controllers 3, Inspectors 3, Sub-Inspectors 3, Assistant Inspectors 2.

Babu AKSHAY KUMAR DAS: Is it not a fact that there was a Scheduled Caste as Inspector for Surma Valley and that the present Government have driven him to his old post of School Teacher?

I made a representation to Hon'ble Prime Minister personally.

The Hon'ble Srijut **GOPINATH BARDOLOI**: If a representation was made to the Government the case must have been considered.

Professor NIBARAN CHANDRA LASKER: Is it the intention of Government to wipe out the existence of the scheduled caste from the Surma Valley?

The Hon'ble Srijut **GOPINATH BARDOLOI**: It is an unjustified charge. All these appointments were made on valley basis. The appointment in Surma Valley was done by the last Government and if there has been any defect in selection, it was the last Government which was responsible for it. As regards Assam Valley it would be found that all communities were represented.

Shri SATINDRA MOHAN DEB: Sir, as regards appointments for Surma Valley Procurement we find only 2 columns representing Assam Valley Hindus, and Surma Valley Hindus, and the column for the total, but there are no other columns to show the number of appointments from the Surma Valley Muslim community and others.

The Hon'ble Srijut **GOPINATH BARDOLOI**: No, Sir, I have corrected the statement.

Professor NIBARAN CHANDRA LASKER: Then, Sir, the total number of appointments from the Assam Valley Hindus comes to 55.

The Hon'ble Srijut **GOPINATH BARDOLOI**: No, Sir, the correction mentioned by me shows otherwise.

The Hon'ble the **SPEAKER**: Let us pass on to the next Question.

Government Agents for purchasing Gur and Salt

Maulavi MAYEENUD-DIN AHMED CHOWDRY asked:

40. Will Government be pleased to state the names of the persons who have been appointed Agents of Government to purchase "Gur" and salt for Assam?

†The Hon'ble Srijut Gopinath Bardoloi replied to the supplementaries in the absence of the Hon'ble Minister-in-charge.

41. (a) Is it a fact that some officers are being deputed to purchase "Gur", etc., on behalf of the Government from the United Provinces?

(b) If so, will Government be pleased to state the names of the officers who are being so deputed with reasons for their selection?

The Hon'ble Mr. BAIDYANATH MOOKERJEE replied:

40.—Messrs. New Assam Valley Supply Syndicate, Gauhati, Messrs. Choudhury and Company, Shillong and Messrs. United Commercial Syndicate, Tezpur were appointed Agents to purchase Gur. Salt has been decontrolled and the question of appointment of agents to purchase salt does not arise.

41. (a)—Yes.

(b)—Messrs. Sailendra Kumar Kar, Amalendu Syam and N. S. Guha. The selection was made on basis of availability of officers and their suitability for the work.

Agriculture Training Class, Sylhet

Maulavi Dewan ABDUL BASITH asked:

42. (a) Will Government be pleased to state how many students came out successful last year from the Agriculture Training Class, Sylhet?

(b) How many of them have been provided so far?

(c) How many students are there at present in that class?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied:

42. (a)—9.

(b)—7.

(c)—14.

Director and Assistant Director of Procurement

Maulavi MAHAMMAD ROUFIQUE asked:

43. (a) Is it a fact that Government have recently appointed three officers as Deputy and Assistant Directors of Procurement for procuring Gur from outside the Province?

(b) Is it a fact that these posts were filled up without advertising for applications?

(c) If so, why?

(d) Is it a fact that the incumbents selected are all from only Caste Hindus?

(e) If so, why the claims of officers belonging to other communities were not considered?

The Hon'ble Mr. BAIDYANATH MOOKERJEE replied :

43. (a)—Yes.

(b)—Yes.

(c)—This being a case of extreme necessity and temporary deputation only of three officers on special duty (in connection with Gur purchase in United Provinces) the question of advertisement did not arise.

(d)—Yes it happens to be.

(e)—It is not the policy of the Government to consider communal representation in cases of such emergent and temporary deputation.

Inclusion of the subject of Cost Accounting for Foreign Scholarships

Srijut BELIRAM DAS asked :

44. (a) Is it a fact that the Education Department of the Government of India has included the subject of Cost Accounting for the purpose of awarding foreign scholarship in connection with Post-War Reconstruction Scheme?

(b) If so, whether this subject has been included in the list advertised for foreign scholarship from this province?

(c) If not, do Government propose to include the subject of Cost Accounting for foreign scholarship in connection with the Post-War Reconstruction Scheme of this province?

The Hon'ble Mr. BAIDYANATH MOOKERJEE replied :

44. (a)—Yes.

(b)—No.

(c)—It is too late to consider this subject for this year's scholarships but Government will consider it for next year.

Condolence on the deaths of Babu Shibendra Chandra Biswas, Srijut Jogendra Chandra Nath, Srijut Krishna Nath Sarma and Pandit Madan Mohan Malavya.

The Hon'ble Srijut GOPINATH BARDOLAI: Sir, before we take up the other items of the agenda, I should like to mention the passing away of some of the ex-Members of this Assembly and place on record a condolence resolution which, I hope, this House will pass.

You know, Sir, that three of our beloved Congress Friends have in the meanwhile, even within the time after the last session of this House, left us. They are Srijut Shibendra Biswas, Srijut Jogendra Chandra Nath and Srijut Krishna Nath Sarma. It grieves me to have to make a reference of this to this House. They were earnest followers of the Congress that has been fighting this battle of freedom with all the sacrifice that is possible during the last 27 years. We know, Sir, how everyone of them gave his all in the cause of the fight which I hope is coming for a termination very soon. As regards Srijut Biswas, the venerable old Friend, whom most of the hon. Members sitting on this side of

the House had the opportunity to know, we realize how in his loss, we have missed a dear, charming and pleasing personality and a good and earnest worker both inside and outside this House. I would be failing in my duty if I do not speak in earnest terms about our young friend Srijut Jogendra Chandra Nath who has left us in the meanwhile. He began his life as a fighter and remained so till the last breath of his life. Coming to Srijut bearing the esteem in which he was held would be judged by the epithet "Mama", with which name he was known throughout our districts. Everyone of us know how beloved he was to all (*one voice: Not all*). Constructive work was the ambition of his life and for that he sacrificed his all. In the last opium movement, we know how valuable was his service to this cause and how earnestly he worked in that movement. Today they have all left us. And the tragedy seems all the keener to all of us, when we see that the freedom for which they all fought with us together, is within our sight.

I, therefore, consider it my duty to mention this matter to this House with the earnest hope that the House would be pleased to send to their families messages of condolence at their demise; and I request you, Sir, that you, on our behalf, would send this message of condolence to the bereaved families.

I would also like to mention in this House about the demise of that great Indian patriot Pandit Malavya, one of the greatest Indian that has lived during the last 50 years. It goes without saying in what esteem he was held by his countrymen throughout India. A great builder and thinker like him, India will find it difficult to replace. India is surely poorer today on account of the loss of this great personality, and a great constructive worker. We also want to associate ourselves in feeling the great loss the country now sustains and I do request you, Sir, to convey our condolence to the bereaved family as well.

Mr. W. R. FAULL: Mr. Speaker, Sir, we, on this side of the House, also share the sorrow of the Hon'ble Leader of the House particularly for the loss of three of his comrades—Messrs. Biswas, Nath and Sarma. I remember Mr. Sarma; I was personally acquainted with him and he was a friend of mine. Sir, we share the desire of the Hon'ble Leader of the House that you should send a message of condolence to the bereaved families.

The Hon'ble the SPEAKER: I associate myself with all that have been said by the Hon'ble Leader of the House and the hon. Leader of the European group.

Pandit Madan Mohan Malavya, whose loss we mourn to-day was a great son of India. He was a *Rishi* of the *Koli Yuga*. For all the time to come he will be remembered as one of the greatest constructive workers not only of India but of the whole world. The monument which he has left—I mean the Benares Hindu University—will commemorate his selfless work for ages to come. Although the name of the university is Hindu University, I hope, hon. Members know that students of all communities are entertained there.

Srijut Shibendra Chandra Biswas was a venerable selfless worker with whom we had been working together in this Assembly. His sincerity was unparalleled. Even at his old age and with failing health he never spared himself any trouble for the cause in which he devoted himself heart and soul.

Srijut Jogendra Chandra Nath was a young colleague of ours and it may be truly said that he breathed his last prematurely mainly on account of his unremitting efforts in the cause that he espoused without caring for his health and comfort. He had been working day and night and even during his illness also he was trying to further the cause—namely the fight for freedom of the people.

In Srijut Krishnanath Sarma we the Congress members have lost an elder brother. He was called *Mama* by all of us. In time of difficulty and embarrassment we used to consult him and his advice was always sound. He was also a constructive worker of first rank.

It is unfortunate that when Opium Prohibition is to take effect in Assam, Srijut Krishnanath Sarma, the ceaseless fighter for prohibition of opium, is no more with us. We sadly miss him now.

I will carry out the wishes of the House in sending the condolence messages to the betrayed families.

Is it the wish of the House that we adjourn for a quarter of an hour in respect to the memory of the departed souls?

The Hon'ble Srijut GOPINATH BARDOLOI: We agree that the House should adjourn.

Mr. W. R. FAULL: When I did not mention Pandit Madan Mohan Malavya I intended no disrespect to his memory. It was my intention that my hon. colleague Mr. Tunstall, who had the privilege of having personal contact with Pandit Malavya should say a few words. Now, with your permission, Sir, Mr. Tunstall may speak.

Mr. A. C. TUNSTALL: Mr. Speaker, Sir, it is very many years since I met Pandit Madan Mohan Malavya whose loss we mourn to-day, but I vividly recollect his charm and transparent sincerity. I think, India and, in fact, the world are fortunate that he should have been spared long enough to bring to fruition his constructive work on education. Not only the Benares Hind University is a great memorial to his work, but I think, we should say that his greatest memorial is in the heart of the thousands of students and others of every race, caste and creed who owe their inspiration to him. With these words, I associate myself with what have been said by the Hon'ble the Leader of the House.

Adjournment

The Hon'ble the SPEAKER: The Assembly remains adjourned till 12-15 P.M.

After adjournment

Governor's Message communicating allotment of days for the Presentation of Budget, General Discussion of Budget, Voting on Demands for Grants, etc.

The Hon'ble the SPEAKER: The Secretary will please read out His Excellency's order (item No. 4 of the agenda).

The SECRETARY TO THE ASSEMBLY: His Excellency's message is as follows:—

“For the purposes of sub-section (1) of section 78, section 79, sub-section (2) of section 80 and section 81 of the Government of India Act, 1935, and in pursuance of Rules 13, 15(1), 16(1), 18(1), 18(2) and 19 of the Assam Legislative Assembly (Governor's) Rules, 1, Andrew Gourlay Clow, hereby appoint the following days for the presentation to the Legislative Assembly of the Statement of Estimated Receipts and Expenditure of the Province for the year 1947-48 and for the subsequent stages in respect thereof and for the presentation to the Legislative

Assembly of the Supplementary Statement of Expenditure for the year 1946-47 and for the subsequent stages in respect thereof in the Legislative Assembly during its March-April Session, 1947, namely:—

- | | | |
|---|-----|---|
| Monday, the 10th March | ... | Presentation of the Budget for the year 1947-48 in the Legislative Assembly |
| Thursday, the 13th March, Friday the 14th March, Saturday, the 15th March. | } | 1. Presentation of Supplementary Statement of Expenditure for 1946-47 in the Legislative Assembly. |
| | | 2. General discussion of the Budget in the Legislative Assembly |
| | | 3. Discussion, if any, of estimates of expenditure charged upon the revenues of the Province other than estimates relating to expenditure referred to in paragraph (a) of sub-section (3) of section 78 of the Government of India Act. |
| Monday, the 17th March, Tuesday, the 18th March, Thursday, the 20th March, Friday, the 21st March, Saturday, the 22nd March, Monday, the 24th March, Tuesday, the 25th March, Thursday, the 27th March, Friday, the 28th March, Saturday, the 29th March. | } | Voting on Demands for Grants. |
| Monday, the 31st March |  | ... | 1. Discussion, if any, of Supplementary Statement of Expenditure charged upon the revenues of the Province during 1946-47. 2. Voting on Demands for Supplementary Grants for 1946-47. |
| Tuesday, the 1st April, 1947 | ... | Placing of the authenticated Schedules of authorised expenditure before the Assembly. |

2. This order shall be subject to my revision, if necessary, from time to time.

Statement re-Course of Government Business

A. G. CLOW,
Governor.

The Hon'ble the SPEAKER: We pass on to item No. 5.

The Hon'ble Srijut GOPINATH BARDOLOI: With your permission, Sir, I desire to make a statement about the course of Government business during the Session.

The Government Business which is to be taken up to-day and to-morrow is shown in the agenda, a copy of which has been placed on each Member's table. I need not detail it again. If the motions for taking into consideration of (1) The Assam Finance Bill, 1947, (2) The Assam Professions, Trades, Callings and Employments Taxation Bill, 1947, (3) The Assam Sales of Motor Spirit and Lubricants Taxation (Amendment) Bill, 1947, (4) The Assam Legislative Chambers (Members' Emoluments) (Amendment) Bill, 1947, (5) The Assam Maintenance of Public Order Bill, 1947, (6) The Assam New Motor Cars (Control of Commercial Sales) Bill, 1947, (7) The Assam Revenue Tribunal (Amendment) Bill, 1947, (8) The Assam Committees of Enquiry (Appointments and Evidence) Bill, 1946 and (9) The Shillong Civil Courts and Laws Bill, 1946 are accepted by the House either to-day or tomorrow we propose that the Assam Finance Bill be considered clause by clause on the 1st and 3rd April and the rest on the 7th and 8th April 1947.

If the Motions for reference to a Select Committee of (1) The Assam Sales Tax Bill, 1947 and (2) The Assam Opium Prohibition Bill, 1947 are also accepted by the House either today or to-morrow we propose to present the Reports of the Select Committees on these Bills as also of (1) The Assam Committees of Enquiry Evidence Bill, 1946 and (2) The Assam Primary Education Bill, 1946 on the 1st and 3rd April 1947 and then to move that all these four Bills as reported by the Select Committees be taken into consideration. If such a motion with regard to each of these four Bills is accepted by the House on these days we propose that these Bills be considered clause by clause on the 7th and 8th April, 1947 and then to move that they be passed.

On the 1st and 3rd April 1947 we also propose to take up the following Government business:—

(1) Motion for formation of an Advisory Committee for Embankment and Drainage Works

(2) Motion (a) for consideration of the Report of the Public Accounts Committee, 1946 and (b) for approval of the excess expenditure, if any, recommended by the Committee

(3) (a) Consideration of the amendments to the Assam Motor Vehicles Rules, 1940, item by item and (b) Motion for adoption (in case there is notice of further amendments)

(4) Motion for taking into consideration of the amendments made by the Assam Legislative Council on the Sylhet Non Agricultural Urban Areas Tenancy Bill, 1946 and if this is accepted by the House, we propose to take it up again on the 7th April for consideration of further amendments, if any, to the amendments made by the Council.

Any Government Bills which remain unfinished on previous days will be taken up on the 10th and 11th April. On these dates we also propose to take up the following Government business:—

(1) Motion regarding Food and Supply position of the Province.

(2) Statement regarding Post-War Reconstruction Programme.

Mr W. R. FAULL: Sir, may we have the privilege of having a copy of the Hon'ble Prime Minister's statement for study? He read too quickly for us to take notes.

The Hon'ble the SPEAKER: Yes, a copy will be given.

Committee on Petitions Relating to Bills

The Hon'ble the SPEAKER: We pass on to item No. 6. Under Rule 112(1) of the Assembly Rules, I nominate the following members to constitute a Committee on Petitions relating to Bills for the current session of the Assembly:

- (1) Maulavi Mudabbir Hussain.
- (2) Mr. E. W. B. Kemy.
- (3) Srijut Beliram Das.
- (4) Mr. B. K. J. Sarwan.

Under the Rules, the Deputy Speaker will be the Chairman of the Committee.

House Committee

The Hon'ble the SPEAKER: Under Rule 126 of the Assembly Rules, I nominate the following members to constitute a House Committee for the current session of the Assembly:

1. Maulavi Abdul Bari Chaudhury,
2. Maulavi Nurul Hussain Khan,
3. Babu Rabindra Nath Aditya.

[10th May]

MESSAGE FROM THE ASSAM LEGISLATIVE COUNCIL RE: THE SYLHET NON-AGRICULTURAL URBAN AREAS TENANCY BILL, 1946

4. Srijut Mahendramohan Choudhury,
5. Srijut Sarat Chandra Singha, and
6. Srijut Dandeswar Hazarika.

Message re: assent to certain Bills

The Hon'ble the SPEAKER: I now authorise the Secretary to the Assembly to read out the message from His Excellency the Governor regarding assent to certain Bills.

Secretary to the Assembly: Information has been received from the Secretary to His Excellency the Governor of Assam that, under the provisions of Section 75 of the Government of India Act, 1935, His Excellency the Governor has assented to the following Bills which were passed by both Chamber of the Assam Legislature:

- (1) The Assam Urban Areas Rent Control Bill, 1946
- (2) The Assam Local Self-Government (Amendment) Bill, 1946
- (3) The Assam Sales of Motor Spirit and Lubricants Taxation (Amendment) Bill, 1946.
- (4) The Assam Amusements and Betting Tax (Amendment) Bill, 1946
- (5) The Assam Sales of Motor Spirit and Lubricants Taxation (Second Amendment) Bill, 1946.
- (6) The Industrial Statistics (Further Provisions and Validating) Bill, 1946
- (7) The Assam Forest (Amendment) Bill, 1946.
- (8) The Assam Local Self-Government (Amendment) Bill, 1946.
- (9) The Assam Land and Revenue (Amendment) Bill, 1946.

Message from the Assam Legislative Council re: the Sylhet Non Agricultural Urban Areas Tenancy Bill, 1946

The Hon'ble the SPEAKER: The Secretary will please read out the message from the Assam Legislative Council.

Secretary to the Assembly: The following message has been sent by the Secretary, Assam Legislative Council:—

“In pursuance of rule 106 of the Assam Legislative Council Rules, I am directed to inform you that the Bill to make better provisions relating to the law of landlord and tenant in respect of non-agricultural tenancies in the urban areas of the District of Sylhet which was passed by the Assam Legislative Assembly on the 21st September 1946 was passed by the Assam Legislative Council at its meeting held on the 12th November 1946 with the following amendments, namely:

- (1) In clause 2, Proviso (i),—
 - (i) Sub-clause (c) was omitted, and sub-clauses (d) and (e) were re-numbered as (c) and (d) respectively, and
 - (ii) In sub-clause (d) as so renumbered, for the word “and”, the word “or” was substituted.
- (2) In clause 4,—
 - (i) In sub-clause (1), for the word “ten”, the word “twelve” was substituted.
 - (ii) In sub-clause (2), for the word “ten”, the word “twelve” was substituted.

2. The Assam Legislative Council requests the concurrence of the Assam Legislative Assembly to the amendments”.

Sir, under rule 135 of the Assam Legislative Assembly Rules, I lay on the table the Bill as amended by the Assam Legislative Council.

The Bill was already circulated to the hon. Members.

**Presentation of the Budget for 1947-48 and Budget
Speech of the Hon'ble Finance Minister**

The Hon'ble Srijut BISHNURAM MEDHI : Mr. Speaker, Sir, I have the honour and privilege of presenting the annual financial statement and the Budget Estimates of the province of Assam for the year 1947-48 under section 78 of the Government of India Act. While introducing the Budget for 1946-47 I mentioned the financial difficulties that confronted the Finance Minister after the introduction of Provincial Autonomy. It may not be out of place to mention once again that since the inauguration of the Provincial Autonomy in 1937 it has been repeated on the floor of the House by the successive Finance Ministers in their budget speeches the financial difficulties that confronted the province due to financial injustice meted out to a poor and undeveloped province like Assam without any elastic sources of revenue. Assam which produces petroleum, kerosene, tea, etc., and contributed more than 30 crores of rupees to the Central Government in the shape of excise duties during the last decade, was left to run the new constitutional scheme imposed under the Government of India Act of 1935 with all the paraphernalia of a top-heavy administration, with a subvention of a trilling sum of Rs.30 lacs, while the amount granted to each of the provinces of North-West Frontier and Sind was one crore and one crore and ten lakhs per annum respectively.

The representation backed by an unanimous resolution adopted by the Assembly for a substantial share of the excise duties to meet the financial difficulties of the province was turned down by the then Government of India.

Due to this unjust, inequitable and unfair financial treatment and in spite of the best effort of the Congress Ministers to tap all available sources of revenue by levying tax under—

- (1) Agricultural Income-tax Act,
- (2) Amusement and Betting Tax Act,
- (3) Motor Vehicles Taxation Act,
- (4) Motor Spirit and Lubricants Taxation Act,

the provincial administration had not been able to undertake a single major project, viz., training of rivers and other measures for preventing floods which are causing widespread distress in the province (or any measures for improving the economic condition of the people). These taxation measures merely wiped out the deficit in the Budget. In spite of the fact that they have exhausted all available sources of revenue, the provincial finance is incapable of maintaining even the existing administration and is not sufficient to balance the Budget which shows a deficit of about 1/2 crore of rupees in case the amount of Trs. 20,00 due from South East Asia Command for 1944-45 and 1945-46 is left out of consideration.

In the matter of education, public health, rural water supply, development of rural areas, the province has not been able to make much headway. It is disappointing to mention that even now Assam neither enjoys judicial autonomy nor she possesses a Medical College, Agricultural College, Veterinary College, an Engineering College, nor a University for the cultural progress of her people.

There is a large population of tribal and backward people and tea garden labourers inhabiting the vast area of hilly and plains of Assam and the province in spite of its anxiety has not been able to do much for the development of the vast tribal areas or for the general uplift and welfare of the tribals and ex-tea garden labourers and labourers of different provinces working in the tea gardens due to financial difficulty.

The Central Government have also some responsibility of placing adequate funds at the disposal of the provincial administration for development and educational uplift of the various tribes inhabiting the vast excluded area.

Assam, forming the important eastern frontier, is the only province in which war actually entered and served not only to undermine the economic and cultural fabric of the province but also caused great loss to buildings and properties in the excluded areas and damage to roads and bridges throughout the province.

In view of all the difficulties we have moved the Government of India for a substantial share of the excise duty on petrol and kerosene pending the conclusion of a fair and equitable financial settlement between the centre and the province. We have no other course open to us than to ask for a substantial annual subvention for solution of our financial difficulties.

Now, that the preoccupation of the war is over and an Interim Government has been formed at the centre by the leaders of public opinion and popular representatives of various parties having a sympathetic outlook are at the helm of the Central Government we reiterate our demand and press our claim for a substantial share of the excise duties and export duties on the commodities produced in Assam and expect that the past injustice will be righted and due and sympathetic consideration will be given to the needs and difficulties of this undeveloped province and to her just claim for a substantial share of the excise duties on petroleum and kerosene, and export duty on tea in the shape of an annual subvention of at least 60 $\frac{2}{3}$ per cent. of the excise and export duties on the commodities produced in Assam. Section 140 of the Government of India Act leaves enough scope to the Central Legislature even under the present constitution for distributing part or whole of the excise duty and export duty on the commodities to the producing provinces just as under sub-section (2) of section 140, 62 $\frac{1}{2}$ per cent. of jute duty is at present distributed to jute growing provinces of Orissa, Bihar, Bengal and Assam.

Pay and emoluments of Government servants.—There has been a persistent demand for increase of pay and allowance from all grades of officers complaining of the inadequacy of the relief granted from time to time in order to enable them to meet the increasing high cost of living. The Government fully realise the difficulty and hardship of Government servants who have been placed in less advantageous position than those engaged in business and trade owing to the decrease in the purchasing power of money and many on low rates of pay have found great difficulty in balancing their domestic budget due to the present economic condition and short supply of all essential commodities. Government would like to take the public into confidence and point out what they have done and are doing to alleviate the hardship as far as practicable within the limited resources of the province.

It has been estimated that a sum of about Trs.77,28 is spent out of the provincial revenue in giving dearness allowance, war allowance and free ration, rice concession, etc., to Government servants and out of this amount a sum of about Rs.70 lacs goes to Government servants drawing pay up to a limit of Rs.300 as dearness allowance, rice concession, free ration. (In addition to this amount an emergency bonus given to Police officers involves a further expenditure of about Trs.3,29). The total normal pay bill of this class of officers is about Rs.113 lakhs per annum.

During the current year Government decided to grant to officers the present rates of dearness allowance and war allowance with retrospective effect from 1st July 1944 and about Rs. 11,26,371 had to be spent on this relief measure during the current year.

An interim relief at the flat rate of Rs. 4 per mensem to all officers drawing salary up to Rs. 150 involving an expenditure of Rs. 11,19,840 per annum was also granted from 1st August 1944 in the current year. Taking the limitation of Government resources it will be appreciated that the amount of relief given is not inconsiderable. The cost of living (war) allowance granted to Government servants drawing pay above Rs. 300 per mensem is roughly Rs. 11 lakhs.

In addition, Government have granted in the current year relief to the tune of Rs. 7½ lakhs per annum to the primary and middle vernacular teachers in the shape of dearness allowance. From the communiqué published by Government it will appear that the increase in some cases of Government servants in lower scale of pay comes up to 180 per cent. of their pay.

We must remember in this connection the rapid shrinking of the revenue receipt on different heads and the gradual fall of excise revenue which in time will almost disappear with the adoption of the scheme of total prohibition of drugs and drinks.

Under the circumstances, on economic grounds, the public will not expect Government to enter recklessly upon a revision of pay or any permanent increase in salaries which under the present system of Government take up a major portion of provincial revenue.

However, it will always be the endeavour of the Government to keep the services contented and above want but the needs of the services should be subject to general economic condition of the province and the interest of the communities who are our masters. The general tax-payers would not allow their interest to be jeopardised or sacrificed for the sake of indiscriminate increase in the pay and emoluments swallowing up the provincial revenue leaving practically nothing to be utilised for the benefit of the public at large.

The Ministry have further accepted the need for examination of the question of revision of pay and re-organisation of the services and departments. It is the intention of the Government that everyone of their employees receives a fair living wage and he has reasonable prospect of promotion and that pay and prospect for similar type of work are similar. The rates of pay should be such as to attract well qualified and right type of candidates and keep them contented

during their tenure of service. Government servants should however consider themselves as limbs of the Government and should be imbued with the spirit of self-sacrifice and service to the people who are their ultimate masters. With these objects in view, a senior officer has been appointed to collect statistics and facts for the Pay Commission to be set up after the Budget Session. Facts and figures and the findings of the Pay Commission of different provinces and the Central Government are being collected to help us arrive at a right solution of this problem.

Before proceeding to review the financial position of the province it may not be out of place to recall the various calamities Assam had to face beginning with the disastrous hail storm and tornado which swept over Sunamganj subdivision on the 23rd March 1946 during the last Budget Session and caused unprecedented damage to *Boro* crop and a large number of houses blown down over a wide area affecting a large number of villagers who had to be given gratuitous relief. Agricultural loans were issued also and grants and loans had to be sanctioned for introducing spinning and weaving industry in the locality to enable the people in distress to earn their living till the next harvest.

This was followed in quick succession in July by sudden and high floods in both the Assam Valley and the Surma Valley. The district of Cachar and Karimganj subdivision were the worst affected areas. The flood level in Cachar almost reached the disastrous level of 1929. The *Aus* crop and *Sail* seedlings were almost entirely destroyed in the low-lying areas; huts and granaries were washed away and a large number of people had to take shelter on high land; gratuitous relief had to be continued even after the flood-water subsided and the Government had to open as many as 12 centres for distribution of seeds at concession rate in order to enable the cultivators to avail of the opportunity of the thick layer of silt deposit for sowing seeds.

In the Assam Valley, the districts of Lakhimpur, Sibsagar, Nowgong and Kamrup were seriously affected by the over-flooding of the Brahmaputra which rose higher than the flood level of 1942. Due to the formidable obstruction than the flood level of Noadihing flood-water diverted entirely along its course the rose suddenly 5 feet above its previous highest level, and 21 mauzas in Dibrugarh subdivision were seriously affected and extensive damage was caused to livestock, granaries and crops. Houses and granaries and cattle were washed away in many places. In the Sibsagar district the Brahmaputra flood was closely followed by the

over-flooding of two of its tributaries—Dihing and Dewang and about a lac of people were affected by the flood. Not only the granaries and houses were under water but some of them were washed away along with a large number of cattle. The seedlings in the area were completely destroyed.

In Kamrup damage to crops and seedlings due to flood was also very extensive. The district of Nowgong was however the worst affected in the Assam Valley. Incessant rains in early July caused a sudden rise in the Kopili river over-flooding its banks and causing extensive damage to standing crops, seedlings, houses and cattle. The low-lying villages were completely submerged and the people had to find shelter on railway and road embankments and high land. The sufferers had hardly recovered from the effects of the flood in July when a second flood during the first week of October overtook them again. The flood water suddenly rose about 10 feet in some places. Crops hastily grown after the July flood and houses over an area of about five hundred square miles were extensively damaged. The Assam Trunk Road was breached at several places and vehicular traffic was closed for about a month. The railway between Dharamtul and Chaparmukh was also breached and the railway communication over the line was suspended for more than a fortnight. A large number of people had to be rescued by boat to safe places. Innumerable houses were damaged and washed away. In the lower reaches a large number of cattle were swept away by the flood and the people in the affected areas were in extreme distress and without shelter. Gratuitous relief had to be given to more than a lac of people in fourteen different centres as their houses and properties were under water. In connection with these relief measures in different districts Government had already sanctioned about 20 lakhs of rupees for gratuitous relief and for agricultural loan and subsistence loan and thereby exceeding the budget provisions by more than 18 lacs in giving relief to flood-affected people of different localities. An additional amount of about one lakh has been spent as test relief work for improvement of flood-damaged roads. It appears more money will be necessary to give further relief to those who are yet unable to earn their living. Besides, Government may have to grant land revenue remission to the actually helpless cultivators in the flood-affected areas. The amount is likely to be considerable. To meet such unexpected demands it has been decided to create a Famine Relief Fund from next year. The balance remaining after expenditure in any particular year will be invested and will be available at the time of abnormal flood and calamities without changing the Budget for the next year.

We convey our thanks to the generous public who made handsome contribution and to the various non-official and official Relief Societies organised for the purpose of giving relief to the distressed and Government fully appreciate the services rendered by those organisations and by the officials and non-officials under very difficult and trying circumstances.

These repeated floods in different localities causing destruction of valuable crops and property worth several lacs of rupees are only symptoms indicating how we have neglected these rivers and have left them uncared for for ages without any measures to keep them under control. These recent floods causing destruction of crops and widespread distress throughout the province bring to the forefront the need for devising long term and short term measures for prevention of flood by these rivers. To me as a lay man it appears that a long term proposal for flood control, as is being done in other parts of the world, will be to provide storage reservoirs for hill streams wherever possible and provide the water for generation of hydro-electric power, for irrigation, etc. Multi-purpose schemes of this nature for controlling flood, for irrigation and generation of hydro-electric power require elaborate survey and collection of data over a long period. Schemes of this nature cannot be undertaken without adequate financial help and expert advice. We should however collect data and undertake the necessary survey for such schemes so that the Central Government can be moved to help us in tackling this problem. The magnitude of the work involved in guiding the rivers to a definite course rendering them harmless and keeping their discharge below their banks by studying the characteristic of so many rivers is not very easy. But we must make a beginning. We cannot leave these rivers uncontrolled but should strive our utmost to train some of them and utilise the silt-laden water of these rivers while in flood to enter into the low-lying areas and draining it out after it has deposited its rich fertile silt for improving the fertility of the soil. I am glad to inform the House that steps are being taken as a short time measure by the Public Works Department to give immediate relief within the limited resources at our disposal for impeding the progress of further destruction by these rivers by taking such measures as will afford immediate relief to the people for saving their land and long-established villages threatened to be damaged by flood and erosion of river. Various schemes and measures have at present been undertaken involving several lacs of rupees and more than one crore of rupees have been allotted under the post-war development scheme under the head 'Drainage and Embankment' to complete the various projects to prevent floods in different areas. Out of this a sum of Rs. 5 lacs has been

provided for 1947-48 to deal with erosion and flood which is a burning problem awaiting our solution. In addition to this a sum of Trs. 10,36 is proposed to be spent under 'Navigation, Embankment and Drainage' in next year. A programme involving a sum of Rs. 9 lacs for prevention of flood and reclamation of low-lying areas has already been taken in hand in the current year.

Food.—In spite of the flood damaging and destroying crops over an extensive area throughout the province, we are lucky that our province continues to be a surplus province so far as rice and paddy are concerned. It is however painful to state that our province with such fertile soil is almost entirely dependent on other provinces for almost all other foodstuffs, *e. g.*, dal, mustard oil, gur, sugar and wheat products.

On account of the acute shortage of foodstuffs throughout India the provinces and States grossly underestimate their surplus in order to safeguard the interest of their traders and consumers. Allotment is made by Government of India on this underestimated surplus declared by the provinces and States. Neither the Government of India nor the Provincial Governments of the deficit areas have any say in the matter of declaration of surplus. So long as such widespread shortage of production of foodstuffs continues and so long as Assam has to depend solely on other provinces and States for these essential commodities, we will have to undergo hardship to some extent (due to the short supply of these commodities).

The amounts of foodstuff we had to import from different provinces are given below :—

Commodities	1944-45	
	Value	Quantity
	Rs.	Maunds
<i>Gur</i>	28,67,137	2,52,845
<i>Mustard Oil</i>	13,49,380	61,777
	30,29,330 (1945-46)	
<i>Masur Dal</i>	36,73,336	2,07,655
<i>Gram Dal</i>	1,44,964	9,469
<i>Moong Dal</i>	10,77,546	59,319
<i>Khesari Dal</i>	15,54,344	1,23,549
<i>Arhar Dal</i>	9,05,271	64,137
<i>Sugar</i>	63,28,772	3,65,748
<i>Wheat product</i>	44,11,813	44,11,813

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It appears in 1944-45 our province had to import *dal* worth about Rs.73,55,461 including *Khesari Dal* worth more than 15½ lacs which can be grown in abundance in our province in addition to mustard oil and *gur* worth about 13½ lacs of rupees, and Rs.28,67,137 respectively. These commodities can be easily grown and produced to make our province a self-sufficient unit. The scarcity and difficulty regarding these essential foodstuffs can be removed to some extent if we make an earnest effort to grow more of these essential foodstuffs in our province.

In view of the alarming rise in price of these imported foodstuffs and other essential commodities, we made representations to the Government of India to raise the price of paddy and rice in proportion to the rise in the price of other commodities to benefit our cultivators. The Government of India however declined to do so but gave an explicit assurance that the price of all other commodities will be scaled down. But unfortunately they have not succeeded in bringing down the prices of other commodities. In consequence our cultivators who are to purchase all other commodities at alarmingly high price levels are the worst sufferers as they had to part with paddy and rice at an uneconomical price.

Under the circumstances the only remedy lies in our effort for production of more of these essential commodities instead of depending on other provinces for supply of our vital needs. Assam can hardly afford to allow herself to be drained annually to the tune of Rs.1,15,71,978 in purchasing essential food crops such as *gur*, mustard oil and pulse only.

Assam was practically self-sufficient in the matter of foodstuffs and cloth while she was independent. She cannot afford now to be dependent on others for her vital needs if she is to take her rightful place as an autonomous unit of the Independent Indian Republic. I appeal to the people and youths of the country to shake off the lethargy and inertia and devote all their energy for production of these deficit food crops in abundance with a view to turning the beautiful province of Assam into a self-sufficient unit in the matter of food.

In order to meet the situation a plan is being drawn up to achieve increased production of food materials such as *dal*, mustard seed and *gur* (specially those which are mainly imported at alarmingly high level of prices). It will be the endeavour of the Government to encourage formation of collective farms on co-operative basis in different areas for cultivation of deficit food crops, such as *dal*, mustard seed, sugarcane, over large blocks for

production of these commodities on an extensive scale wherever possible with the help of tractors and other modern implements. The Government will help those cultivators who voluntarily organise themselves to work on these lines with seed, etc. A sum of Trs.2,25 has been provided in the Post-war budget for helping in the establishment of collective farms on Co-operative basis. Besides another sum of Trs.5,65 for the distribution of seeds and manures and a sum of Trs.4,60 for small Irrigation Schemes have been provided under Grow More Food Campaign for the next year. Co-operative Department and Agricultural Department should exert their utmost to devise ways and means to help the cultivators who are prepared to work on these lines for production of deficit food crops such as *dal*, mustard, sugarcane, etc. In the Chaporis land these crops can be grown in abundance but unfortunately for paddy and jute are the only main crops grown by the Bengal immigrants who want to have money only. Before the advent of these new-comers from outside the province, the Assamese cultivators, Hindus, Muslims, tribals and scheduled, who used to live together in peace for years without any clash of interest developed a way of life which made for all-round peace, progress and contentment. They used to carry on their shifting cultivation and grow pulses and mustard in abundance in these riverain areas during the dry season to make the villages self-sufficient units in the matter of foodstuffs and certain areas were set aside for professional graziers who not only supplied milk and milk products to villages and towns but also draught cattle for ploughs and carts. Unfortunately the recent occupation of almost all available riverain areas by the new-comers leaving practically no land in Chaporis for carrying on shifting cultivation by the local indigenous people for production of pulse and mustard and the encroachment on the Professional Grazing Reserves has not only upset the entire economic life of the indigenous people but also has been responsible mainly for the shortage of pulses and mustard seeds in the province. I appeal to all hon. Members of this House and the public at large to take this aspect of the matter into consideration dispassionately and help the Government to solve this economic problem confronting the people of Assam instead of complicating the already complicated matter by directly or indirectly encouraging these land-hungry people to come in numbers and deprive the indigenous people of these riverain parts where they used to grow these deficit food crops, such as *dal*, pulse.

In reviewing the financial position of the province, I think it is unnecessary for me to go into the details of the Budget as variations have been explained as far as possible in the Budget Memorandum which is already with the hon. Members. At the

outset, I would draw the attention of the hon. Members to the change which has overtaken our budgetary position in the course of the last 8 or 9 years by comparing the figures of revenue and expenditure as shown in the Budget for 1938-39. The revenue receipts and the expenditure amounted in the year 1938-39 to Trs 2,58,48 and the expenditure to Trs.2,99,48 whereas the revenue receipt and expenditure for 1947-48 have gone up to Trs.9,43,16 and Trs.11,80,61. The figures given below will show how expenditure on Education, Public Health, Medical, and Civil Works Departments and Embankments has increased almost three times that spent on those heads in the year 1938-39—

	1938-39	1947-48
	Trs.	Trs.
Education	33,00	80,70
Public Health	7,69	20,43
Medical	10,00	24,03
Civil Works and Irrigation, etc. ...	45,22	1,92,64

Actuals for 1945-46.—I propose to take the hon. Members first through the accounts of the year 1945-46 which serves as a background in relation to the revised and original estimates. The accounts for this year having closed, we can compare the result of the actual working with the original-estimate and the revised estimate.

	Budget	Revised estimate	Actuals
	Trs.	Trs.	Trs.
Revenue Receipts... ..	5,38,13	5,83,16	5,50,75
Revenue Expenditure	5,40,44	5,40,07	6,76,37
Surplus (+) Deficit (—)	—2,31	+43,09	—25,62

From the above figures it will be seen that though the receipts and expenditure proved to be the highest and more than double of those of the pre-war receipts and expenditure, yet the result for the year was a revenue deficit of Trs.25,62 against the original anticipation of the deficit of Trs.2,31 only and a surplus of Trs.43,09 in the revised. The revised estimated a surplus on account of the anticipated large receipts from income-tax, land revenue and most of the ordinary revenue-yielding heads and no excessive increase in

expenditure over the Budget was anticipated. While the actuals in respect of receipts were higher than expected, the expenditure also rose very high due to non-recovery from the Defence Department for war time timber supplies and Rail Force before the close of the year, and partly due to high expenditure under Civil Works for undertaking special repairs. The actuals of 1945-46 under Revenue and Capital and Debt heads receipts went up by Trs. 67,59 and Trs. 57,78,94 respectively from the revised. The expenditure under the revenue heads also rose up by Trs. 1,36,30 and under the Capital and Debt heads by Trs. 54,45,26 respectively, the net result being that the estimated closing balance of Trs. 1,07,90 rose up to Trs. 3,72,87, as shown at page 7 of the Budget. It is however no indication of affluence, but this temporary inflation of assets was due to treasury bills which remained outstanding at the end of the year to the extent of 3½ crores.

Revised estimates for 1946-47.—The table below will explain the position of the revised for the current year and the budget for the next year—

	Budget 1946-47	Revised 1946-47	Budget 1947-48
	Trs.	Trs.	Trs.
Revenue Receipts	5,15,59	6,82,95	9,43,16
Revenue Expenditure	5,05,32	6,84,34	11,80,61
Surplus (+) Deficit (—)...	+ 10,25	—1,39	—2,37,45

It may be recalled that according to the original Budget Estimate a surplus of Trs. 10,25 was anticipated, but the revised shows a deficit of Trs. 1,39. The total revenue receipt now expected in the revised is likely to reach Trs. 6,82,95 showing an increase of Trs. 1,67,36 over the current year's original estimate. It may be mentioned here that this receipt includes a sum of Trs. 95,94 as outright grant from the Government of India for expenditure on Post-War Development Schemes during the current year and a sum of Trs. 1,03 being the contribution by Government of India for maintenance of National Highways and is shown on the Revenue side under the head "Extraordinary receipts". The yield from normal sources of revenue is thus expected to be Trs. 5,85,98. The revised basic revenue of the province shows an increase over the current year's original Budget Estimate by Trs. 70,39. The variations are stated in the Budget Memorandum in detail. I only mention a few to show the improvement.

Adjournment

The Assembly was then adjourned for lunch till 2 p.m.

(After lunch)

The Hon'ble Srijut BISHNURAM MEDHI : (1) The most important improvement being larger yield due to the share of the net proceeds from export duty on jute assigned to the province and it is expected to go up by Trs.9,13.

(2) The increase in taxes on income is also expected to rise up by Trs.25,46 due to increase in the share of proceeds of the Central Income tax pool (Trs.20,46) and better collection of Agricultural Income-tax (Trs.5,00) due to the large amount of profit earned by the tea companies. The revenue receipts under Forests also are expected to improve by Trs.26,62 as a result of larger demands for timber than was anticipated. The increase of Trs.26,30 in the revised under head "Police" is due mainly to a sum of Trs.26,00 representing recoveries from the Government of India for 1944-45 and 1945-46 on account of expenditure on Rail Force. The increase in the revenue receipts is however counter-balanced by a decrease under Land Revenue (Trs.8,77) on account of the bad financial condition of the people in the flood-affected parts of the province and also a decrease under Civil Works Trs.15,37 mainly due to the fact that the estimated amount of Trs.20,00 from the South-East Asia Command is not expected to be recovered during the current year. This amount which is due for the year 1944-45 and 1945-46 has however been taken in the next year's Budget. The total revenue expenditure also shows an increase of Trs.1,79,02 including a sum of Trs.95,94 under Post-War Development Schemes to be met from the outright grant from the Government of India. The revenue expenditure shows increases in almost all the heads as a result of interim relief, payment of arrears of dearness allowance, and financing of new schemes totalling about Rs.24 lacs passed in the last September session of the Assembly and in distribution of a sum of 5½ lacs as grants to different Local Bodies for the improvement of roads and flood damage repairs out of the fund under the Motor Vehicle Taxation Act. An increase of revenue expenditure under Police is mainly due to non-adjustment of Trs.14,50 as India's share for the Rail Force. The expenditure on Civil Works shows a large increase of Trs.59,20 on account of the increase in the length of roads and better standard for maintenance and the number of buildings and roads requiring special repairs. The expenditure on famine relief shows an excess of about Trs.5,24 owing to increased demand for gratuitous relief from the flood-affected areas in different parts of the Province. The increase in revenue expenditure is however counterbalanced by Trs.30,44 under Forests due to larger recoveries of outstanding advances from the Defence Department. The capital receipts show a remarkable decrease of Trs.20,05,72 due mainly to the change of policy in the procurement of rice and paddy directly by the Government instead

of through agents and importation of almost all the foodstuffs from outside into the province through trade channel without involving Government in a financial liability. On account of this change of policy Government are not required to take treasury bills and ways and means advances to the extent anticipated in the Budget as large and frequent advances were no longer necessary under the present changed policy of Government. The Government neither run any risk such as transit losses, shrinkage or wastage during storage, nor are they required to invest money involving financial liability. The capital expenditure also shows a corresponding decrease of Trs.18,54,78 for the same reason and partly due to large recoveries on account of sale proceeds under head "85A Capital Outlay on Provincial Schemes." It is estimated that the year will close with a revenue deficit of Trs.1,39 against the original budgeted surplus of Trs.10,27. The closing balance is estimated at Trs.1,53,64 instead of Trs.51,27 shown in the Budget Estimate but actually it will come down to Trs.53,64 only if account is taken of treasury bills of Trs.1,00,00 which will remain outstanding on the 31st March 1947. As no surplus is estimated in the revenue account, no amount has been taken in the revised for the Post-War Reconstruction Fund.

Budget for 1947-48.—I now turn to the financial year 1947-48. The total revenue receipt estimated for the coming year is Trs.9,43,16 including a sum of Trs.3,63,02, of which a sum of Trs.2,83,47 represents outright grant from the Government of India for the Post-War Development Schemes and the rest for National Highways amounting to Trs.79,55. The basic revenue receipt therefore amounts to Trs.5,80,14 against Trs.5,85,98 in the revised.

On the expenditure side the total estimate for the coming year is Trs.11,80,61. This includes a sum of Trs.5,68,19 representing the loan of Trs.2,05,17 for productive schemes and an outright grant by the Central Government for Post-War Development Schemes and National Highways. The basic expenditure for 1947-48 therefore stands at Trs.6,12,42 against Trs.5,87,37 in the revised. The basic or normal receipts and expenditure for 1945-46 (actuals), the revised Budget Estimate for the year 1946-47 and the Budget Estimate for the coming year are given below for ready reference.

		Actuals	Budget	Revised	Budget
		1945-46	1946-47	1946-47	1947-48
		Trs.	Trs.	Trs.	Trs.
Revenue	...	6,50,75	5,15,59	5,85,98	5,80,14
Expenditure	...	6,76,37	5,05,32	5,87,37	6,12,42
		<hr/>	<hr/>	<hr/>	<hr/>
		—25,62	+10,27	—1,39	—32,28

I said in the last budget speech that this anticipated surplus of Trs.10,27 in the Budget for 1946-47 was not real. In fact, the deficit would have been much greater as I anticipated but for the unexpected improvement in the revenue receipts to the extent of Trs.70,39 under different heads as stated before. (It will be apparent from what has been stated above that both revenue receipts and expenditure for the coming year are inflated on account of the Post-War Development Schemes and National Highways and expenditure on Forests which is also likely to be high as compared with the revised due to recoveries of all arrears from the Defence Department expected to be adjusted in the current year.) The net result is a deficit of Trs.2,37,45 mainly on account of the Post-War Development Schemes for which a sum of Trs.2,05,17 has been provided in the capital side as loan from the Government of India for productive schemes. The basic deficit on the normal Budget as shown in the above table amounts to Trs.32,28 which we propose to meet by treasury bills and ways and means advances. This deficit would have been increased by Trs.20,00 had the amount due from the South-East Asia Command been realised in the current year. The expected improvement on the revenue side in 1947-48 is due to the yield from the jute export duty (Trs.4,20) and share of income-tax which is also expected to go up by Trs.10,58 counter-balanced by a decrease of Trs.5,00 in the Agricultural Income-tax. The increased expenditure in the Budget is mainly due to full provision being made for the new schemes involving an ultimate expenditure to the extent of Trs.48,81 passed in the September session of the Assembly and for interim relief and consequent increase in dearness allowance and inclusion of a further sum of Rs.15 lacs for new schemes given in Appendix A and provision for National Highways—Trs.79,55 and Post-War Development Schemes—Trs.5,08,26. Out of this sum Trs.2,83,47 has been taken on to the receipt side as India's expected grant of which Government of India have already agreed to pay a grant of Trs.2,25,00 and for the balance they are being moved. A sum of Trs.2,05,17 has been taken on to the capital side of the receipt as loan from the Government of India to finance State-owned industries. The balance of Trs.19,62 being the Provincial Government's share on account of the Grow-More-Food Campaign, and Cinchona cultivation, the closing balance will be Trs.1,83,31, but the outstanding treasury bills will be about 2 crores.

Education.—The redeeming feature of the new proposals in the Budget is that out of the total provision of new proposals in the about 5 lacs, a sum of 4 lacs has been recurring grants of Education Department. On account of the allotted to the prevailing in Calcutta and other places a large number of condition students

receiving education in various educational institutions outside the province had to come back. These students found it highly inconvenient to go back to their respective institutions and, in consequence, there was a heavy pressure for admission, especially in the Science classes. To meet the demand provision had to be made involving an expenditure of about Rs.50,000 to increase the seats in the Science classes in the Muranchand and Cotton Colleges in the current year to accommodate a large number of students in the I. Sc. and B. Sc. classes on a temporary basis which will continue for the next year. A further provision has also been made for increased grants to different Aided Colleges for opening science courses for admission of students up to the Intermediate standard and to meet the growing demands for admission in the Science classes and to relieve the congestion in the Gauhati and Sylhet Colleges. Provision has also been made for starting M. A. classes in Botany, Economics, Philosophy, Arabic, Sanskrit and also for affording facilities to students of Zoology up to B. A. standard and Anthropology up to Intermediate standard.

In the absence of an Engineering College and School in Assam, additional provision has been made to educate a large number of students in the Engineering Colleges of Jaldypur and Benares and the Asanulla Engineering School to meet the growing requirement of the Public Works Department.

Government are alive to the difficulties of the teachers of the aided schools including aided Mokhtabs and Madrassas and Tols and also of the teachers of the Primary Schools under the Local Board, and provision has been made to raise the pay of the trained teachers of Primary and Middle Vernacular Schools to Rs.25 per month. Besides, dearness allowance had already been granted to all teachers of Primary and Middle Vernacular Schools involving an expenditure of seven and half lacs. Provision has also been made for opening new training centres for training a large number of Primary School teachers.

A sum of Rs.1,39,000 has been allotted for maintenance grants to new secondary schools to be brought on the aided list and for giving increased grants to existing ones including grants for vocational subjects, and for teaching elementary science in aided schools. A sum of Rs.60,950 has been set apart for expansion and improvement of the Mass Literacy Campaign in the present in a moribund condition with a view to revitalise the organisation for spread of adult education in the province. Effort will be made to utilise the services of existing teachers in Primary and Middle Vernacular schools in this campaign and thereby augment

their income by Rs.12 per month. An additional sum of Rs.1 lac for mass literacy and adult education has been provided under the Post-War Development Scheme. A sum of Rs.85,000 including Rs.30,000 for expansion of primary education has been set apart for maintenance grants to venture Primary Schools and Moktabs and Primary Schools for ex-tea garden labourers, tribals, schedules and immigrants to be brought on to the aided list for, running these institutions effectively. Under the Post-War Development Scheme Government proposed to start basic schools and a Training College in which instructions for training teachers for academic High Schools and for Technical High Schools, can be given, and a number of teachers for basic education had already been deputed to Wardah and Jamia Millia at Delhi. Six new centres have already been opened for training of teachers for the primary schools. A sum of about 18 lacs including a sum of 1½ lacs for expansion of primary education in excluded areas have been set apart under the Post-War Development programme for various schemes detailed in the pamphlet.

Post-War Development.—The entire amount required for development projects in the current year as well as in 1947-48 is being met by grants from the Government of India, but those schemes which are productive and self-financing and which are expected on completion to yield adequate return over the outlay, will be financed by loans from the Central Government. For the non-productive schemes for development in the current year as well as in 1947-48 an outright grant of Trs.3,79,41 will be made by the Central Government to cover the actual expenditure in these two years. The effect of this financial arrangement is that no part of this expenditure relating to the development projects included in these estimates devolves on the normal revenue of the province for these two years. The basic budget is not affected by these programmes for which an outright grant has been made. In future years however the Government of India not only expect a substantial contribution from the Provincial revenue but also have made it clear that further annual grants will depend in some measure on the extent the Provincial Government exploit their own sources of revenue, and in case the Provincial contribution towards expenditure of India is disproportionately small, the Central Government may reduce or withhold the grant altogether. It is needless to say that the recurring expenditure on account of Post-war Development schemes will increase from year to year and at the end of five years, the entire recurring expenditure on these schemes will have to be borne by the Provincial Government. With that object in view, the Government propose to introduce measures for enhancing the revenue

receipts from sources which have not yet been tapped. Provisions for both productive and non-productive schemes financed by the outright grant and by loan from the Centre have been made under the appropriate major heads in the Revenue section of the Budget, while the loan to be received from India has been shown under the capital head outside the Revenue accounts.

It may be recalled that in the course of a statement made at the last September session/ my Hon'ble Colleague in-charge of Planning and Development informed the House of the action that Government had taken and were taking in the sphere of Post War Reconstruction and Development. The progress in this behalf has recently been reviewed in a brochure issued by the Government under the title "The Progress of Assam Planning", a copy of which has been supplied to each hon. Member. That brochure makes it unnecessary for me to make more than a passing reference to what has been or is proposed to be done in the various branches of its activities, particularly when a detailed statement will be made towards the end of this session by Hon'ble Mr. Mookerjee. As will appear from the brochure, Government are engaged in three items of activities, viz. (the formulation of the fourth draft of their five-year plan, implementation of interim schemes, preparatory to the formal commencement of the plan and the preparation of the scheme for 1947-48 as the first formal instalment of the plan.

Interim Schemes.—The fourth draft involving an expenditure of 42 crores as against 26 crores proposed by our predecessors, is ready and will soon be published.

It is hoped that by the end of the current financial year a sum of about Rs.96 lacs will have been spent on the interim schemes a detailed estimate of which has been given in the brochure referred to above. Those of the interim schemes which have been taken up but not completed this year will be continued in the next year.

Schemes for 1947-48.—Though the interim schemes were an integral part of the five-year plan they were more or less of a preparatory character. The schemes to be implemented in 1947-48 including the interim schemes which will be continued next year will be the first of the five annual instalments of the plan proper. The original programme for 1947-48 involves an expenditure of about Rs.8,74 lacs including Rs.3,08 lacs for financing State industries as loans and Rs.5,66 lacs as grants. The Central Government have now promised a grant of Rs.2,25 lacs for

1947-48 and are prepared to give an advance of Rs.3,08 lacs as loan. Our programmes have accordingly been reduced. It is proposed to spend Rs.5,08 lacs including loans which we propose to reduce from Rs.3,08 to Rs.2,05 lacs. We will however make representations to the Government of India again to increase their outright grant so as to cover the excess over their promised grant of Rs.2,25 lacs. The loan is proposed to be applied to productive schemes, *viz.*, major industries—Rs.2,00 lacs, Cooperative Housing and Building Societies Rs.3 lacs, Goalpara Tramway Rs.2 lacs.

Rural Development. One of the most important items of development which the Government propose to undertake is the establishment of rural welfare training centres with a view to train up a large number of rural welfare workers needed to bring about an all-round improvement in the life of the rural masses. These training centres are expected to be the nucleus around which will grow a net-work of rural welfare centres which the Government propose to increase gradually and distribute equitably throughout the province. Government have accordingly appointed an honorary organiser to organise and supervise the work and a sum of Rs.2,50,000 has been allotted for the purpose.

Agriculture and Animal Husbandry.—It is proposed to undertake work to the extent of about Rs.17 lacs under the Post-War Development Schemes and also about Trs.50,83 under the Grow-More-Food Campaign which the Government of India have sanctioned for five years in advance of the rest of provinces. Of the rest of the Provincial plans, it is proposed to start an Agricultural College and also some experimental farms and small irrigation projects with a view to obtain improved varieties of seeds and to improve the productivity of the soil to enable the province to be self-sufficient in the matter of essential foodstuffs. A sum of Rs.19 lacs has been provided for undertaking various schemes in 1947-48 under Post-War Development programme for Excluded and non-Excluded Areas out of which Trs.2,34 is proposed to be spent for development of agriculture in the hills. A sum of Rs.1,11,000 has been allotted for training a large number of Veterinary Field Assistants who will be deputed after training to villages to help the villagers during cattle epidemic and to advise them generally. Besides a sum of Trs.3,82 has been provided for various other schemes, *viz.*, establishment of Veterinary Vaccine Depôt and establishment of 10 Veterinary Hospitals and other improvement.

Forest.—The programme of work in the Forest Department is mainly directed towards the re-generation and improvement of forests and betterment of lives in forest villages. It is further proposed to provide training facilities to Foresters and with that object in view it is proposed to establish a Foresters' Training School and a sum of Rs.1,50,000 has been allotted for that purpose and a sum of Trs.19,29 has been provided for various other projects detailed in the booklet for the next year.

Industries and Co-operative. After a careful consideration and in order to expedite establishment of industries to the maximum benefit to the people, it has at present been decided to establish a few big State enterprises and for that purpose orders have been placed for importation of spindles and looms allotted to the province for the establishment of four Cotton Mills and Government is considering the desirability of establishing Sugar Mills and Paper Mills also. It will be the endeavour of Government to encourage cottage industries and for that purpose provision of 1½ lacs has been made for training of technical personnel and establishment of cottage industries institutes at different centres to impart technical education and also to enable trained men to set up village industries and a sum of Trs.3,35 has been provided for that purpose.

There is provision also for the expansion of the Jodhat Prince of Wales' Technical School and the Surma Valley Technical School and Government also propose to start a Co-operative Training Institute.

Public Health and Medical. To afford better facilities for supply of medicine in rural areas to the needy and suffering villagers, a sum of Rs.76,000 has been provided for increasing the grants to Local Board dispensaries for purchase of medicine for distribution in 1947-48. At present the existing subsidised dispensaries in rural areas do not regularly function due to dearth of qualified doctors and adequate grants for medicine. A sum of Rs.29,000 has been allotted for increasing the subsidy of the existing subsidised dispensaries for purchase of medicine and for increasing the monthly allowance of doctors to Rs.65 per month with a view to attract qualified doctors and for opening 15 more subsidised dispensaries in backward and unhealthy areas.

To meet the urgent and immediate need for improvement of water-supply in rural areas, a sum of Rs.2½ lacs has been placed at the disposal of the Public Health Department for equitable distribu-

tion amongst the various Local Boards for providing tanks, wells and tube-wells for supply of good drinking water in their respective jurisdictions. Besides, a further sum of Rs.5 lacs has been set apart under the Post War Reconstruction Schemes for improvement of rural water-supply. A scheme is being prepared for that purpose and as soon as it is ready, it will be put into operation to remove the growing needs of rural areas for good drinking water.

Under the Post-War Development Schemes Government intend to undertake measures on a large scale to promote the health of the province by taking up big schemes in connection with anti-malaria, anti-tuberculosis, anti-leprosy, anti-small-pox work, maternity and child welfare and nutrition. But the expenditure involved in these original proposals had to be reduced in proportion to the reduction in the Central Government grant. A sum of Rs.12,79,000 in addition to Rs.5 lacs for rural water-supply has been provided for various schemes for the year 1947-48 as detailed in the brochure. A scheme for raising the present Berry-White Medical School to the college standard and for opening a Post-graduate Institute for imparting higher medical training to medical graduates and an abridged course of the licentiate medical practitioners has been prepared by an expert committee involving Rs.72½ lacs of non-recurring and Rs.20½ lacs recurring expenditure and is being submitted to the Central Government for approval. A sum of Rs 13 lacs had already been spent in purchasing equipment from the American hospitals mostly for the medical college and Post-graduate classes but there will also be sufficient equipment left for the expansion and needs of the district hospitals. Government expect to start a college next year if the Central Government approve the scheme. Government however is trying to reduce the recurring expenditure involved in this project. Five of the remaining district hospitals now under the management of Local Boards and the Chest Hospital at Shillong are proposed to be provincialised for which a provision of about Rs.14½ lacs has been made.

Communications and Embankment—(Public Works Department).—It is proposed to improve the District and Village Roads so as to connect them with the main roads and important business centres for development of rural areas which is so essential. A sum of Rs.79 lacs has been provided for 1947-48 for this purpose out of a total grant of Trs.5,32,00 under the Post-War Development Scheme. The five-year Post-War programme envisages an increase of 319.05 miles of District Roads and 1857.56 miles of Village Roads in the plains districts and 33 miles of District Roads and 178.5 miles of Village Roads in the hills. It may be mentioned that the Central Government have undertaken the entire charge for maintenance and

improvement of almost all Trunk Roads described as National Highways and will pay a sum of Trs.79,55 for the next year if that amount is spent. The amount so long spent for maintenance of these roads will also be available for improvement of other roads. The road improvement programme during the year 1947-48 under the Post-War Interim Road Scheme includes 65 new roads and major bridges covering a mileage of 675. Some have already been taken up for improvement and some are being surveyed for preparation of estimates for their improvement. The anticipated expenditure on these projects during the current financial year is about Rs.31 lacs. New projects inclusive of strengthening bridges for improvement of roads under ordinary communication during the year are estimated to cost about Rs.5 lacs. Five incomplete roads for improvement have been taken out of the Petrol Tax Fund, one had already been undertaken in the flood affected area of Nowgong with the consent of the Government of India. As regards the others, estimate is being prepared and some have already been sent to the Government of India for approval. The total anticipated expenditure on these projects is estimated at Rs.6,92,000. It is further proposed to spend about Rs.12 lacs on improvement of roads other than those included in the Post-War programme and also a sum of Rs.20 lacs is proposed to be spent on improvement of other roads under the Petrol Tax Fund. We hope that by the end of five years the majority of important villages will thus have easy access to all important places and business centres.

Irrigation, Drainage and Embankment. A programme under Irrigation, Drainage and Embankment has been prepared Rs.15 lacs for the Surma Valley and Rs.21 lacs for the Assam Valley at an estimated cost of Rs.9,47,278 and the actual expenditure is estimated at Rs.7,60,000. These projects are likely to reclaim a considerable area of land which will be culturable for production of foodstuff and also will protect a large area of low lying land against ravages of flood. It is also proposed to spend about 5 lacs of rupees in devising ways and means to prevent floods in the flood affected areas under the Post-War Reconstruction programme for the year 1947-48. Besides, the department proposes to undertake a further programme involving an expenditure of Rs.10,36,000 under the Navigation, Embankment and Drainage Scheme during the next year under the ordinary programme.

Budget.—The picture which I have drawn up before the House to depict the real budgetary position of the province is not very bright. In spite of so many difficulties and handicaps, there is however no cause of despair. We must rise up to the occasion and put our best effort and marshal all our resources for the development

of our province so that it may take its rightful place in the coming days. The Government must also do their best for the general, mental and physical development and for improving the financial condition of people of diverse sects, religions and tribes inhabiting the province. With this object in view, the Government have introduced the Primary Education Bill to make education compulsory at an estimated ultimate cost of rupees one crore. Besides, the Government propose to undertake several other schemes under the Post-War Reconstruction for the improvement of water supply, rural medical help, establishment of Medical College, Engineering College, Teachers' Training College, measures for training of rivers and for prevention of floods, schemes for cultivation and production of more deficit food products, *viz.*, dal, mustard, sugarcane, and for establishment of State industries, like sugar mills, cotton mills, etc. to make our province a self-sufficient unit. The recurring expenditure on account of the Post-War Development Schemes proposed to be taken up will increase from year to year and at the end of 5 years it will amount to a very big sum which will ultimately devolve on the province. Besides, the Government of India, before advancing any money on the Post-War Schemes, will see that the province is capable of bearing the recurring expenditure at the end of 5 years. In order to meet the increasing recurring expenditure at the end of 5 years, these Post-War Schemes enumerated above and also for introduction and spread of basic education, irrigation and other measures for raising the economic condition of the people in the villages, we must augment the resources of the province and improve the financial position. The Government, therefore, propose to introduce two new taxation measures, *viz.*, the Assam Sales Tax Bill, Professions, Trade, Callings and Employment Taxation Bill, and we hope the House will dispassionately consider these two Bills and pass them into law. The former Bill, even if passed in this session, is not likely to yield any revenue during the financial year 1947-48. It will however be possible to set up the necessary machinery for giving effect to the provisions of the Bill in order that we may get a substantial revenue in the year 1948-49. The second Bill, if passed into law in this session, is likely to bring rupees 2 lacs. The Sales Tax Bill is expected to bring about rupees 15 lacs. The Sales measures are expected not only to improve the financial position of the province but will ultimately meet a fair portion of the probable recurring expenditure involved in the Post-War Reconstruction Schemes. These measures are expected to be the seeds of great expansion of the revenue of the province provided planning is made for increasing the various capacity of the people. Long term and short term schemes for development and improvement of village industries, collective farms

on co-operative basis and other measures for production of more food crops are expected in the coming few years to improve the financial position of the people and, it is hoped, Assam will be one of the self-sufficient provinces in India. Moreover, Assam expects to derive about two to three crores of rupees per annum from excise duty on tea, petroleum and kerosene and export duty on tea produced in the province as her legitimate share, subject of course to the financial adjustment which will be made along with the inauguration of the new constitution which is being framed by the Constituent Assembly for the United Indian Republic.

• Before I conclude, I would like to emphasise the urgency of making this province self-sufficient in the matter of essential food-stuff. Agriculture, Industry, Public Health, Medical improvement and measures for prevention of flood, development of rural areas are some of the essential subjects which must receive utmost attention, but no Government activity can lead to the desired result unless backed by willing and intelligent public co-operation. I therefore appeal to all sections of this House to extend their hand of co-operation and good-will in all the proposed measures.

In the end, I would urge the hon. Members to discuss all matters dispassionately and help Government with constructive criticisms of the measures brought before the House. I thank the Finance Secretary and the staff for the co-operation and assistance that I have received from them. Sir, with these remarks, I beg to introduce the Budget for the year 1947-48 for approval of the House.

(Cheers from Government Benches)

Point of privilege raised for non-inclusion of non-official business

* **Maulavi ABDUL HAMID**: With your permission, Sir, I should like to make a few observations with regard to non-provision of non-official days in the present session. Sir, I express my sense of gratitude for the consideration you gave in the matter. Sir, I am sorry, instead of all these no date could be provided for transaction of non-official business. Sir, I am reminded at this moment of what I expressed in 1934 when complaint was made that there were only two sessions of the Council. The wordings, if my memory serves me aright, were: The calling of Assam Council reminds me of the calling of Parliament by that good monarch King Charles I. He made it a point to call the session of Parliament only when he needed money. So the Government of Assam called the Council in March because the Government of India Act has thrown them into the unpleasant necessity of getting certain Grants and they called it in September for the Supplementary Grants. The headquarters of Assam Government thus remained isolated from public opinion throughout the year. Afterwards if the sessions of the Council was made frequent and numerous, it was certainly in Assam. In view of that, Sir, I think, consideration should be given in the matter

*Speech not corrected

of provision of non-official days for each session. I hold, Sir, it is mandatory that every session of the Assembly should have some days fixed for the transaction of non-official business. I hold, Sir, it is not proper to obviate the mandatory provision by adjourning the House *sine die*. Adjournment for the purpose of giving days for the transaction of non-official business would have been proper if the House had been adjourned for a week. *Sine die* adjournment will not enable to get over the difficulty of the mandatory nature of the direction to provide days for the transaction of non-official business.

Further, Sir, the Hon'ble Prime Minister discussed the matter with the Chair, but the other side was not given the opportunity. The Hon'ble Prime Minister will hold that his business is the most urgent. None is there to controvert him.

With your permission, Sir, may I make some reference to the sort of business that is coming to the House? The Bills that are coming are the Finance Bill, the Assam Sales Tax Bill, the Assam Professions, Trades, Callings and Employment Taxation Bill. Assam could go on without the Sales Tax Bill for a pretty long time. The Hon'ble Finance Minister has just now said that he is not expecting to receive much money in the current year from it. It might have been postponed to a further session within the year. He also said that from the Assam Professions, Trades, Callings and Employment Taxation Bill he does not expect to get much within the year.

***The Hon'ble Srijut BISHNURAM MEDHI:** I said, I expect to get much during the current year.

***Maulavi ABDUL HAMID:** Any way, this also could have been passed later on.

The Assam Sales of Motor Spirit and Lubricants Taxation (Amendment) Bill is a small measure. The Assam Legislative Chambers (Members' Emoluments) (Amendment) Bill is a short Bill. The Assam Maintenance of Public Order Bill and the Assam Opium Prohibition Bill are not so very urgent as to induce anyone to override the mandatory provision for the provision of non-official days for the ventilation of public grievance. Only two sessions we have in the Province. We are to represent the grievances of 10 millions of people and we are not given any day. The explanation which has been given in the letter which you were good enough to issue to Members is alarming. You say, Sir, that the Members will have an opportunity to ventilate grievances through Cut Motions that may be introduced, that they will have an opportunity of discussing matters regarding food and supply position in connection with the Motion of the Hon'ble Supply Minister or in the Post-War Reconstruction programme. Sir, all matters cannot be discussed under these things. You will at once pull me up if I bring in any irrelevant matter while discussing a Cut Motion. Similarly, supply matters pin us to discussion of specific things. So this means a definite denial of the right provided for the ventilation of the grievances of private Members in this House. On this plea, we are greatly apprehensive that in future also steps would be taken to deprive non-official Members of having an opportunity to ventilate public grievances.

***The Hon'ble Mr. BASANTA KUMAR DAS:** Sometimes you miss the opportunity.

*Speech not corrected.

*Maulavi ABDUL HAMID: Further it is said, adjournment *sine die* will keep alive the matters notice of which was given, viz., Bills, Resolutions, etc. Adjournment *sine die* will deprive the Members the right of giving notice of Resolutions and Bills for the next three months. Adjournment *sine die* will deprive Members of tabling fresh Resolutions, fresh Bills or bringing fresh business before the House, which is rather a limitation of the rights of Members than helping the Members.

In this view of the matter I do hold that the non-official Members are actually deprived of their privileges and when once you have allowed this it will become a precedent for all time to come. I say, 'for all time to come', because every Prime Minister—every Government—will be taking shelter under this precedent and deprive non-official Members of their rights.

Maulavi ABDUL BARI CHAUDHURY: Sir, I want to speak in respect of the point of privilege raised by the hon. Deputy Leader of the Opposition.

The Hon'ble the SPEAKER: I might just remind the hon. Member that if such matter is to be raised, it should be mentioned immediately after the Question hour.

Maulavi ABDUL BARI CHAUDHURY: I shall take only five minutes. Sir, in the letter that has been addressed to hon. Members by the Secretary, Assembly Department, he has said that during the last two days, hon. Members would be able to ventilate their grievances on the supply question and also they shall have ample time to discuss the post-war plan. I submit that according to the programme as it is arranged, my apprehension is that some of the Bills will be left over for the last two days, and all time may be taken up by those Bills and the discussion on the supply matters and also on the post-war schemes may not take place. Then again, Sir, in course of business it is probable that some of the Bills will not be finished during the course of the session. So, Sir, to all intents and purposes, Government would be compelled to convene another Session in July and also there is a contingency that some of the Bills might be amended in the Upper House and in that case, Sir, Government would be compelled to convene a Session in July.

So, my submission is that adjournment of the House *sine die* bears no meaning. With all respect, Sir, I beg to submit that it is only a clever move on the part of Government to curtail the privileges of the Members of the House and thereby a special injustice has been done to the Opposition.

*Babu RABINDRA NATH ADITYA: On a point of order, Sir. It is the right of the Speaker to adjourn the House *sine die*. How can they question that authority of the Chair?

The Hon'ble Srijut GOPINATH BARDOLOI: Mr. Speaker, Sir, the Deputy Leader of the Opposition need not have taken such a long time in order to demonstrate that so far as this Session is concerned they shall not have enough time for transaction of private Members' business. You have been pleased, Sir, to state how within the privileges given to Government for conducting their business, opportunity will be given even to the Members of the Opposition for functioning as such, in the nature of speeches on Budget and Cut Motions on Demands. But broadly speaking, I do admit that there has not been enough time allotted for private Members' business in this Session. As a matter of fact in that not merely the Opposition suffer, but I think some Members of the

*Speech not corrected.

Government Benches, who are also as willing and as desirous of coming forward with certain Bills, are also in a handicap. But it should not be thought, just as it might have been thought before, that the Session concludes with the transaction of its present business. You have been pleased, Sir, to inform them that the Session is going to be kept alive and that it will be a mere matter of adjournment. The hon. Members very well know that when a long Session continues, there must be intervals, and the question is if at all the rights and privileges of the Opposition are curtailed thereby. It is not possible for any House to continue sitting for any length of time at a time, and the mere fact that the House adjourns at a particular time surely does not mean that it will take away the rights and privileges of private Members. Resolutions and Bills which have been tabled by the Opposition as well as by Government are there before the House and they do not lapse. They are there to be taken up at any proper time.

Sir, I wish to say a word or two in connection with the legislative works which we shall have before us. I can tell the hon. Deputy Leader of the Opposition as well as other Members of the House that during the current year possibly we shall have more works to do than at any time we had during the last several years of our parliamentary life. As you have seen the Budget is expanded and the legislation work of Government must also expand accordingly; and it will be necessary to take the Members of the Opposition and other Members of the House into confidence for the purpose of transacting and other. Naturally, therefore, even for the ordinary transaction of business we shall require much more time than we have taken hitherto. But apart from that, you might know also that this House has also taken certain part in the framing of the Constitution for the Province and possibly for the Constitution for the whole of India and it is not unlikely that the House shall have to sit also to determine certain matters which may be referred to us by the Constituent Assembly of the Union. All these matters will require, I am absolutely certain, more sessions than we had before. Therefore, Sir, I feel that the Opposition is not going to be prejudiced in the least on account of this adjournment and even for the purpose of adjournment *sine die*. I can only tell the hon. Members that it is only for the sake of convenience that we are really wanting you to agree in having the House adjourned *sine die* instead of a particular date being fixed. I hope, Sir, the Deputy Leader of the Opposition as well as other Members of the House shall have no objection to this. It is not only for the purpose of passing many Bills that we have come here; I can assure that there will be more work for us to do in future for which we need co-operation from all sections of the House.

Maulavi ABDUL BARI CHAUDHURY: Mr. Speaker, Sir, I have not got any reply to the question that I have brought before the House.

The Hon'ble the SPEAKER: At the very outset I assure the hon. Members that as far as I can look into it there will be no encroachment upon the privileges of the Members of the House. The privileges of the hon. Members of the House mean the rights of the people of this Province. I do appreciate that. If I agreed to the present programme of business, it was because there was no alternative left to me and I was also personally satisfied that under the prevailing circumstances not only of the Province but also of the country as a whole the conditions were so peculiar that probably the Government as a could not help it. Now, as early as 30th September, 1946, that is, soon after the last Session I wrote a D.O. letter to the Government, *i.e.*,

to the Hon'ble Premier and the Hon'ble Minister-in-charge of Legislative Department. I am reading out the contents of that letter for the information of the hon. Members:—

“ I send you herewith complete copies of the proceedings of the Privileges Committee for favour of your perusal and necessary action. I think in compliance with the wishes of the hon. Members, out of necessity and in public interest also, the ensuing Budget Session should include about 34 working days at least, as follows—14 days for Demands for Grants + 3 days for general discussion on the Budget + 7 days for other Government business + 10 days for private Members business. The Session should end well ahead of the Bihoo holidays. ”

The Bihoo holiday, as hon. Members will remember, comes off on the 14th April.

Thereafter again there was some correspondence, which it is not necessary to read. I wrote to the Hon'ble Premier that if Government would agree to my proposal communicated in my above-mentioned D. O. letter of the 30th September that the ensuing Budget Session should include about 34 working days, it would be too late for the session to commence in the 2nd week of March as the Budget and the Authenticated Schedule of Expenditure will have to be passed and presented respectively before the 31st of March. I then wrote to Government that the Session should commence not later than the 3rd March. The Hon'ble Premier also agreed that the Session should commence from the 3rd March. If that were so, we should have at least 4 or 5 days for private members' business. Then some unforeseen circumstances arose and the Government could not arrange to hold the Session by the 3rd of March and it was postponed till 10th. Such were, in fact, the circumstances and I assure the hon. Members that it was furthest from our thought to curtail the privilege of the Members. Things were beyond my control. It was I who suggested that if the private Members could not get time the session should adjourn *sine die* for another early session and the understanding was that it would come up in June or at the latest early July. I hope that in future Government will remember what the hon. Members have said on the floor of the House on this occasion and that the Budget session should commence at the latest in mid-February as in some other Provinces. Now, as the hon. Members have learnt already that 13th, 14th and 15th have been allotted for general discussion of the Budget, I propose, if the hon. Members agree, to sit till 5 p.m. on these days so that we could get 3 clear hours which means nearly a day. I suppose hon. Members will not object to this.

***Maulavi ABDUL HAMID**: There will be difficulty, Sir. One of the days is a Friday and most of the hon. Members will have to say their prayer. I may also point out that where 7 days were allotted by the Privileges Committee for the discussion of the Budget Government has only given two and half days.

The Hon'ble the SPEAKER: I would request the hon. Leaders of the Parties to give me the names of the Members who would participate in the discussion by to-morrow so that I can allot time accordingly.

Maulavi ABDUL BARI CHAUDHURI: Mr. Speaker, Sir, what about the last two days' programme?

The Hon'ble the SPEAKER: The debate of the previous occasions took 2 or 3 days. So naturally on this occasion 2 days will be inadequate.

* Speechnot corrected.

Another point I want to explain for adjournment *sine die*. The difficulty was that Bihoo holidays are coming up. These holidays are very important for the Assam Valley Members. If there be holidays for 4 or 5 days it will tax the exchequer rather heavily. That is why the session was adjourned *sine die*.

Maulavi ABDUL BARI CHAUDHURY: Only 2 days have been allotted for those two subjects.

The Hon'ble the SPEAKER : May I know from the hon. Members whether they are prepared to sit on Wednesdays and Sundays.

Mr. W. R. FAULL: Mr. Speaker, Sir, I do not think we will be able to sit on Wednesdays and Sundays. The Budget, according to the Hon'ble Finance Minister, is three times larger than that normal in recent years, yet we appear to have been given even less time than usual for study and discussion. As a group we found it necessary to confer for most of last Sunday, and it is likely that we shall have need to meet as a group on most Wednesdays and Sundays during the Session, and be unable to sit in the Assembly on those days.

Maulavi ABDUL HAMID: Perhaps there is a standing order for the House to sit for such and such hours and such and such days and beyond that how can it be possible for the House to sit on Wednesdays and Sundays?

The Hon'ble the SPEAKER: With regard to the Demands for Grants the hon. Members are aware of the days that have been fixed by His Excellency the Governor. I have got a time-table prepared allotting the time that should be devoted to the discussion of each of the Demands during this Session. Copies of the time-table have already been circulated to the Leaders of Parties. I would request them to examine the same and inform the Secretary of their views, if any, on the said time-table before 12 noon to-morrow, the 11th March. Printed copies of the time-table will be circulated to the hon. Members after it is approved. I may, however, inform the hon. Members that the last date and time for receipt of Cut Motions on Demands for Grants to be taken up by the House on the 17th March is before 3 p. m. on the 13th March, 1947.

Presentation of certain Amendments to the Assam Motor Vehicles Rules, 1940

The Hon'ble Mr. BAIDYANATH MOOKERJEE: Sir, I beg to present certain *amendments to the Assam Motor Vehicles Rules, 1940, under Section 133 (3) of the Motor Vehicles Act, 1939. Copies of the same have already been supplied to the hon. Members.

Presentation of the Report of the Public Accounts Committee on the Appropriation Accounts for 1944-45

The Hon'ble Srijut BISHNURAM MEDHI: Sir, I beg to present the Report of the Public Accounts Committee, 1946, on the Appropriation Accounts for the year 1944-45.

*See Appendix A.

Election of Members to the Public Accounts Committee

The Hon'ble Srijut BISHNURAM MEDHI: I beg to move, Sir, that the Assembly do elect seven Members to the Public Accounts Committee under rule 102 of the Assembly Rules for the year 1947-48.

The Hon'ble the SPEAKER: Motion moved.

"That this Assembly do elect seven Members to the Public Accounts Committee under rule 102 of the Assembly Rules for the year 1947-48".

The question was then put and adopted.

The Hon'ble the SPEAKER: Under the Rules I hereby fix 28th March, 1947, and 4 p. m. as the time or as soon as the business of the day is finished, whichever is earlier, for holding the election to the Public Accounts Committee. The voting will be held on the floor of the House.

Presentation of the Assam Indian Cotton (Control) and Foreign Cotton Control Ordinance, 1946

The Hon'ble Mr. BAIDYANATH MOOKERJEE: Sir, I beg to lay copies of the Assam Indian Cotton (Control) and Foreign Cotton Control Ordinance, 1946, under Section 88 (2) (a) of the Government of India Act, 1935. Copies of the same have already been supplied to the hon. Members.

Presentation of the Assam Maintenance of Public Order Ordinance, 1946

The Hon'ble Mr. BASANTA KUMAR DAS: Sir, I beg to lay out copies of the Assam Maintenance of Public Order Ordinance, 1946 under Section 88 (2) (a) of the Government of India Act, 1935 copies of which have already been supplied to the hon. Members.

Presentation of the Assam new Motor Cars (Control of Commercial Sales) Ordinance, 1946

The Hon'ble Mr. BAIDYANATH MOOKERJEE: Sir, I beg to lay copies of the Assam New Motor Cars (Control of Commercial Sales) Ordinance, 1946 under Section 88 (2) (a) of the Government of India Act, 1935 copies of which have already been supplied to the hon. Members.

The Assam Finance, Bill, 1947

The Hon'ble Srijut BISHNU RAM MEDHI: Sir, I beg to introduce the Assam Finance Bill, 1947, and to move that the Bill be taken into consideration. This Bill is not a new one, but is exactly the same as the Bill that was passed on the last occasion without any change, and in view of this, this Motion may be passed by this Hon. House.

The Hon'ble the SPEAKER: Motion moved:

"That the Assam Finance Bill, 1947 be taken into consideration."

Maulavi ABDUL BARI CHAUDHURY: Mr. Speaker, Sir, I want to make a few observations in this respect.

After the lengthy discussions on the floor of this House last year, we were almost confident that the Government would see their way to effect some change in their annual Finance Bill, so as to give a much needed relief to the cultivators, a relief, on which all sections of this House were almost unanimous. But,

our hopes did not materialise and we have been presented with the same monotonous Bill, even without the change of a dot or comma by the Hon'ble Finance Minister. This is something really deplorable.

The hon. Members are aware that the Assam Finance Bill is an annual feature with the Government of Assam. Every year we are being confronted with the self-same Bill. It owes its origin to the Assam Agricultural Income-tax Act, 1939, wherein it has been stated that the rate of Income-tax under this Act would be annually fixed by a Finance Act. I would refer to Section 3 of the Assam Agricultural Income-tax Act.

The question naturally arises why this was made an annual measure, why the rates of Income-tax were not fixed by the Assam Agricultural Income-tax Act itself? Also why the Assam Finance Act was not made a permanent Statute? The answer is not far to seek. The Assam Agricultural Income-tax Act provided that it should be an annual measure so as to have a definite bearing on the agricultural condition, a bearing on the price-index of agricultural produce from year to year. If we go through the debate at the time of passing the Assam Agricultural Income-tax Act in 1939, it leaves no ground for doubt that the sole intention in making it an annual measure was to provide for varying rates to fit in with the fluctuating agricultural prices so that it might not cause much hardship to the agriculturists. But unfortunately the good intention of the framers of the main Act has been frustrated. Beginning from the year 1939 up to the present day, there has been no change in the rate of income-tax and we have been confronted with the self-same Finance Bill every year.

During these few years, we have passed through a number of crises and the price of agricultural produce has increased by at least three hundred per cent. Naturally a far larger number of agriculturists—mostly ordinary cultivators—have come under the clutches of the Act. Such was never the intention of the framers of the main Act. It might be urged that when the cultivators were getting a good price for their commodities, why should they not pay? But have their economic conditions been improved? Certainly not. They are far worse off than they were in 1939. The cost of production has enormously increased. The foodstuff and essential articles can only be procured at a high and prohibitive prices and most of them also from the black market. In the circumstances, it was essentially necessary to frame the Finance Act in such a way so as to give adequate relief to the agriculturists—especially the non-tea cultivators. Otherwise, what is the utility of making it an annual Act?

Many of the hon. Members are aware that the Assam Agricultural Income-tax Act was modelled according to the Bihar Act. But while in Bihar, the minimum, taxable income is Rs.5,000, it was made Rs.3,000 in Assam. I am not convinced Sir, that the conditions of the Bihari cultivators are worse off than those of our cultivators in Assam.

The tax on agricultural income has a close bearing on the Central Income-tax. Last year, the Government of India raised their minimum taxable income and gave some relief in the matter of rate of the tax. This year, Sir, very recently the Government of India have raised the minimum taxable income from Rs.2,000 to Rs 2,500. All these facts should have guided the Government of Assam to increase the minimum taxable limit under this Act.

In the last Budget session of the Assembly, I attempted to move an amendment to the Finance Bill so as to raise the minimum taxable income to Rs.5,000. The amendment however could not be moved and you rightly ruled, Sir, that such an amendment could not be made without effecting a similar amendment to Section 6 of

the Assam Agricultural Income-tax Act. But hon. Members realised the force of my argument and some of them were pleased enough to suggest that the relief sought for could be given by amending the main Act.

I appealed to the Hon'ble Finance Minister for coming forward with the necessary amending Bill. But he demurred and did not give a definite undertaking, but still we hoped. But when I realised that the Hon'ble Minister did not intend to introduce such a Bill, I myself gave notice of such an amending Bill so as to raise the minimum taxable income to Rs. 5,000 and approached His Excellency the Governor of Assam for his previous recommendation under section 82 of the Government of India Act. But it was really surprising that the recommendation which is generally a formal matter was refused by His Excellency as the Government was stated to be opposed to the Bill. Now, Sir, about the raising of the minimum taxable income to Rs. 5,000, I might read out, with your permission, some extracts from the speeches of some of the hon. Members who are now adorning the Government Benches. In the Budget session in 1945, when I was allowed to move a similar Motion, hon. Babu Rabindra Nath Aditya was pleased enough to say as follows:

"For the last two years, it is well-known to most of the Members of this House that the rupee has been devaluated to 25 per cent. of its pre-war value. This is why the income of Rs. 3,000 which was regarded as quite sufficient for taxation in 1939 is not at all sufficient in the year 1945, when the prices of commodities, the cost of production and every thing else have gone up so high. This is why we cannot but support the Amendment moved by my Friend, Maulavi Abdul Bari Chaudhury". Then again he said "they won't mind giving this small facility to our agriculturists and small Tea Industries and Landlords."

Now, Sir, I will refer to the speech of Hon'ble Mr. Mookerjee on that occasion, which is as follows:—

"Mr. Speaker, Sir, for the last five years, I tried my level best by moving Amendments to persuade Government to raise this amount and to give some special concession to the small Tea Concerns. Sir, I always got some hope but ultimately I find in the next year that nothing has been done although hopes and promises were held out by Government. Sir, being disgusted, this is the first time that I did not move any Amendment and I find that my Friend, Maulavi Abdul Bari Chaudhury, has moved this Amendment and it has already received the support of the Congress Group as well".

Sir, I had a mind to refer to some more speeches of hon. Members on the Government Benches, but I will not refer to them for want of time. If the condition of the agriculturists was bad in the year 1945, I maintain that it is far worse in the year 1947. So, it is necessary that the taxable minimum income should necessarily be raised. With these words, Sir, I oppose the Motion.

Maulavi ABDUL HAI: Mr. Speaker, Sir, I rise to speak only a few words on this Bill. I find the Bill is an ambiguous and discriminatory one. As regard the ambiguity, I like to refer to one of its provisions.

Under clause 2 (a) it is provided that in the case of every Hindu undivided or joint family the agricultural income-tax shall be at the rate applicable under the list of rates contained in paragraph B below to a sum equal to the share of a brother if such share exceeds Rs. 5,000. Then, if the share of the income be Rs. 5,000 or less, it will be governed by (b). According to paragraph B, Sir, in the case of every individual, firm and other association of persons (other than Companies) the rate on the first Rs. 1,500 is nil. Here it is not clear, if the share of a brother in a Hindu joint family comes up to say Rs. 2,500, whether Rs. 1,500 is to be deducted or not, or whether the whole amount of the income of Rs. 2,500 is to be taxed.

As regards discrimination I want to say that according to paragraph A in the case of every Hindu undivided or joint family if the share of the brother is Rs. 5,000 or less the rate is four pies in the rupee. The Muslims, the Christians or the other communities do not get this benefit. It is a well-known fact that the Muslim Law does not presume joint family and the income of each member is to be taken separately. But here I would like to say that if they can prove that they live jointly, although the law does not presume that, they should be entitled to the benefit of a joint family as custom is more forcible than law. But the proposed law definitely states only "Hindu undivided or joint family". This is one of the discriminations the Government have made.

The other point is, Sir, that if two Muslim brothers' income is Rs. 8,000 then each of the brothers will pay for Rs. 4,000; at the rate of nine pies per rupee the tax comes to Rs. 117-3-0. But if there are two Hindu brothers and their income is Rs. 8,000, i.e., less than Rs. 5,000 on each share, the tax comes to Rs. 84-5-4 only, that is less than half the amount which a Muslim brother is to pay for the same income. Then, Sir, if the amount of Rs. 1,500 is deducted in that case also the Muslim brother shall have to pay more, because from Rs. 4,000 if we deduct Rs. 1,500, there remains Rs. 2,500. At the rate of nine pies per rupee the tax comes to Rs. 117-3-0, whereas taking the whole 4,000 of the Hindu brother at the rate of 4 pies in the rupee the tax comes only to Rs. 84-5-4 pies. This is the discrimination, Sir, which has been made by the Congress Government, which proclaim to the world that they are not communal. Under these circumstances, we cannot accept the principle of the Bill.

The Hon'ble Srijut BISHNURAM MEDHI: Mr. Speaker, Sir, my hon. Friend has taken objection to the Congress Government introducing this new Bill. I am asking him to recollect that this Bill has been in the Statute Book since the year 1938-39, and it was being continued by the Muslim League Ministry. The Leader of the Muslim League Party was the Premier of Assam and this Statute was continued for the years 1940, 1941, 1942, 1943, 1944, 1945. So, there is no discrimination (*A voice:* That was wrong, and it cannot be corrected by another wrong).

Maulavi MAYEEN-UD-DIN AHMED CHOWDRY: When the Muslim League Ministry was generous to the Hindus, why should Congress Government be not generous to the Muslims?

The Hon'ble Srijut BISHNURAM MEDHI: Sir, there is no discrimination at all; rather the Muslims are in an advantageous position. They are exempted from paying any income tax up to an income of Rs. 3,000. If a Muslim brother earns Rs. 3,000 and another brother earns Rs. 3,000, they are not liable to pay any tax under this Act. But if one Hindu brother earns Rs. 3,000 and another brother earns Rs. 3,000 then they are liable to pay tax at the rate of 4 pies in the rupee because their total income exceeds Rs. 5,000. So, if there is any discrimination, it is for the advantage of the Muslims.

* **Maulavi ABDUL HAI:** On a point of information, Sir. What will be the case if the income of the Hindu and Muslim brothers is Rs. 4,000 each?

The Hon'ble Srijut BISHNURAM MEDHI: I am only pointing out this fact that if there was any discrimination it was in favour of the Muslim masses. But, Sir, in fact there was no discrimination, as will appear from the fact that if two Hindu brothers live together with an income of Rs. 3,000 each, they

are liable to assessment whereas the Muslim brothers even if they live jointly and earn Rs. 3,000 each they are not liable to any assessment because there is no presumption of their living in the same joint family. Then, Sir, if there are 3 Muslim brothers with total income of Rs. 9,000 they are not liable to assessment whereas in the case of Hindu brothers they will be assessed. Therefore, Sir, it is evident that the benefit of this legislation goes to the Muslims.

As regards the objection raised by my hon. Friend, Maulavi Abdul Bari Chaudhury, I venture to say that no real cultivator is actually liable to assessment under this Act. The majority of the assesses are tea planters and Zemindars. I doubt how many of the actual cultivators earn more than Rs. 3,000 after deducting necessary expenses of production and marketing. There is therefore hardly any chance of any real cultivator being assessed to tax under this Act. On the contrary there is a cry that the rate of assessment should be raised. There is great agitation for the abolition of Zemindari system, some of them also want to impose further taxes on the Tea Industry. So, I do not find any substance in the objection raised by Maulavi Abdul Bari Chaudhury that the limit of assessment should be raised. The Muslim League Finance Minister in the Central Assembly has put the limit of exemption at Rs. 2,500 only, *i e.*, Rs. 500 less than what we have proposed.

In view of all these, Sir, I suppose the hon. Members will see their way to withdraw their objections.

The Hon'ble the SPEAKER : The question is :

"That the Assam Finance Bill, 1947, be taken into consideration".

The question was adopted.

The Assam Sales Tax Bill, 1947

The Hon'ble Srijut BISHNURAM MEDHI : Sir, I beg to introduce the Assam Sales Tax Bill, 1947 and to move that the Bill be referred to a Select Committee consisting of :—

1. Srijut Motiram Bora,
2. Babu Kamini Kumar Sen,
3. Srijut Kameswar Das,
4. Babu Rabindra Nath Aditya,
5. Mr. Prabhu Dayal Himatsingka,
6. Mr. C. W. Morley,
7. Maulavi Abdul Hamid.
8. Maulavi Sayidur Rahman, and
9. The Hon'ble Minister-in-charge.

Four Members will form a quorum.

The Committee should submit its report by the 24th instant.

The Hon'ble the SPEAKER : There should be 7 days time.

The Hon'ble Srijut BISHNURAM MEDHI : In that case the Committee should submit its report on the 19th.

Sir, in introducing this Bill I refer the hon. Members to my Budget Speech where I have already stated the main reasons for introduction of this measure. Regarding the suggestion whether this Bill could have been postponed for a few months, I should like to point out that that suggestion cannot be accepted because to establish the machinery for the purpose of giving effect to the rules of this Bill will take a lot of time and about three months' time is necessary for the retail dealers to get themselves registered under the provisions of this Bill and hence it is difficult to postpone it as it will take about six months' time to prepare rules and other machinery necessary for the purpose of giving effect to the Bill. So it is not practicable to postpone it. If we postpone it for some months, it may not be possible to give effect to the provisions of this Bill even by the beginning of 1948-49. This Sales Tax Bill has been introduced in other parts of the civilized world. Madras was the first province to introduce it. Bengal, Punjab, Bihar, Bombay and Orissa have also introduced this Sales Tax Bill which has been found to be a good source of revenue in all the provinces and the tax, as it appears, is intended mainly to be a tax on retail sales and will be levied on the turnover of a dealer. All dealers with an annual turnover amounting to or exceeding the minimum taxable quantum, *i.e.*, Rs.10,000 will be registered and the tax realised from them. A dealer's certificate of registration will specify the goods he sells and goods which may be sold to him tax free. Apart from sales of goods by one registered dealer to another, sales of essential commodities, *e.g.*, food-grains and cheap cloths will be exempt from taxation. Similarly certain goods, the sale of which is already subject to a provincial tax under special Acts will be exempt and also the sale of cotton yarn and, subject to certain condition, agricultural implements, text and sacred books. I feel inclined to exclude books and medicines and include them in the list of exemptions. From the exempted list it will appear that the main purpose of this Bill is to exempt all necessities, that is, those things that are essentially necessary for people to live, namely, food and clothings. It is mainly the things of luxury, that is, things without which people can live, that are only proposed to be taxed under this Bill. There is also the provision for authorising the Government by notification to exempt other items which are found to be essentially necessary for people in the villages. So we have exempted not only hand-spun and hand-woven cloths, but also mill-made yarns. We have exempted *hookka* tobacco and also other essential commodities, *e.g.*, food, cereals, betel nuts, etc.

There is another principle that is incorporated in the Bill, *viz.*, dividing the other goods which are not exempted into goods of luxury which are used by people of lesser means. But these luxurious goods which are used by the Rules. For all goods there is a flat rate in Bengal of nine pies, so that trade in the Province may not be assessed at higher rates will be decided in the schedule at the time of framing the rate for ordinary goods to six pies, so that trade in the Province may not be affected in the least.

Then there is another provision. The power to reduce the rate is left to Government by notification.

Maulavi ABDUL BARI CHAUDHURY: Also the question of increasing the rate is left to Government.

Hon'ble Srijut BISHNURAM MEDHI: Because if all on a sudden Bengal reduces the rate, it may be necessary for us also to reduce the rate. There may not be sufficient time to come to the Legislature and get it passed. So this tax depends on co-operation between Provinces.

Then, there is some impression that in Assam we generally purchase things from Bengal and that these are taxed under the Bengal Act and will be liable to tax in Assam again, but I may inform the House that under the Bengal Act things purchased in Bengal and despatched to Assam are outside the Sales Tax. So there will be no double taxation in view of the exemption given by Bengal to goods which come out of the Province. There is no fear that there will be double taxation.

In view of this I hope hon. Members will accept the Motion.

The Hon'ble the SPEAKER: It will not suit my office if the report of the Select Committee on the Sales Tax Bill is returnable by the 19th. It appears that the item comes on the 1st of April or on the 3rd of April. If on the 1st, the Report will have to be made available on the 22nd. But the Assembly office will take some time before this goes to the print. It all depends on the volume of the Report. Let us make it 17th, Monday.

The Hon'ble Srijut BISHNURAM MEDHI: It will be very short, we will try to get it printed.

The Hon'ble the SPEAKER: Motion moved:

"That the Assam Sales Tax Bill, 1947 be referred to a Select Committee consisting of the following Members:

1. Srijut Motiram Bora,
2. Babu Kamini Kumar Sen,
3. Srijut Kameswar Das,
4. Babu Rabindra Nath Aditya,
5. Mr. Prabhudayal Himatsingka,
6. Mr. C. W. Morley,
7. Maulavi Abdul Hamid,
8. Maulavi Sayidur Rahunan, and
9. The Hon'ble Minister-in-charge.

(Four Members to form a quorum and the Select Committee to submit its Report on or before 17th March, 1947).

***Maulavi ABDUL BARI CHAUDHURY:** May I know from the Hon'ble Minister-in-charge if a Special Officer was deputed to Bengal to study the operation of the Sales Tax?

The Hon'ble Srijut BISHNURAM MEDHI: We will examine him as a witness in the Select Committee.

***Maulavi ABDUL BARI CHAUDHURY:** Has he submitted a report?

The Hon'ble Srijut BISHNURAM MEDHI: That is not available. He will be brought in as a witness in the Select Committee.

***Mr. C. W. MORLEY:** I should like to speak a few words on this Bill in order to make our position quite clear.

The Hon'ble the SPEAKER: Are you speaking to-day or to-morrow?

***Mr. C. W. MORLEY:** I will speak to-morrow.

Adjournment

The Assembly was then adjourned till 11 A.M., on Tuesday, the 11th March, 1947.

SHILLONG:
The 12th April 1947.

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

The Hon'ble Mr. Baidyanath Mookerjee to move:—Sir, I beg to lay the following amendments to the Assam Motor Vehicles Rules, 1940, on the table:—

(1) In rule 96, clause (iii) after the word 'person' *insert* a comma and the words 'save a medical practitioner requiring accommodation in order to visit the site of a road accident or to attend a case of serious illness'.

[Home Department Notification No. HMV. 24/46/4, dated 1st May 1946.]

(2) *Substitute* the following for Rule 151.

151. *Condition*.— On such routes as the Transport Authority may specify, the passengers' seats of every Public Service Vehicle shall be provided with fixed or movable cushions which shall be covered with leather, cloth of good quality or any other suitable material capable of being kept in a clean and sanitary condition.

[Home Department Notification No. HMV. 52/46/5, dated 6th May 1946.]

(3) I. In Rule 2 (*f*) *substitute* the word "and" *for* the fullstop at the end and *add* "for the purpose of inspection of vehicles belonging to the Public Works Department it shall include the Mechanical Engineer and the Assistant Mechanical Engineer of the Public Works Department."

II. In sub-rule (*e*) of rule 46 At the end of the sub-rule as amended, *delete* the comma and *add* the words "or a vehicle belonging to the Public Works Department".

III. In the "Note" below sub-rule (*h*) of rule 46—*delete* the fullstop at the end of the 'Note' and *add* the words "or any vehicle belonging to the Govern-ment."

[Home Department Notification No. HMV. 11/46/11, dated 29th June 1946.]

(4) For sub-rule (*c*) of Rule 62 *substitute* the following:—

"The members whose presence shall constitute a quorum shall be four for a meeting of the Provincial Transport Authority and three for a meeting of a Regional Transport Authority."

[Home Department Notification No. HMV. 102/45/53, dated 5th July 1946.]

(5) I. In rule 105, the following shall be added as new clause:

"(*f*) The provisions of this rule shall not apply to motor vehicles registered under section 39 of the Act".

II. The existing entry against "Rule No. 170" shall be numbered as (*a*) and the following new entry shall be inserted:

"(*b*) The Superintendent of Police may by order in writing and subject to any conditions authorise the driving at night without lights of motor vehicles registered under section 39 of the Act during the hours and on the route or routes or in the area, within his jurisdiction specified in the order."

[Home Department Notification No. HMV. 78/46/18, dated 31st July 1946.]

(6) *Insert* the following as new Rules after Rule 206 in Chapter VI:—
Chapter VII—Insurance of Motor Vehicles against Third Party Risks.

Rule 207—Policy of Insurance.—A policy of Insurance in respect of a Motor Vehicle shall not be deemed to comply with the requirements of Chapter VIII of the Act unless it covers any liability arising under the provisions of the Workmen's Compensation Act, 1923 (India Act VIII of 1923), in respect of the death of or bodily injury to, any paid employee engaged in driving or otherwise in attendance on, or being carried in such motor vehicle.

208. *Duty of Insurer.*—An insurer required under section 105 of the Act to notify the cancellation or suspension of a policy of insurance shall notify such cancellation or suspension to the registering authority having jurisdiction over the place where the owner of the vehicle covered by the policy of insurance normally resides or has his place of business.

209. *Production of certificate of insurance.*—The owner of a Motor Vehicle when applying (whether by payment of a tax or otherwise) for authority to use the vehicle in a public place shall produce a certificate of insurance relating to such vehicle which complies with the requirements of Chapter VIII of the Act and the Rules framed thereunder by the Central or the Provincial Government, and which is valid for the period for which such authority is being applied for.

Provided that the owner of a vehicle exempted under subsection 2 of section 94 of the Act shall forward, in place of such certificate of insurance, the certificate prescribed in Rule 12 of the Motor Vehicles (Third Party Insurance) Rules, 1946, made by the Central Government.

210. *Co-operative Insurance.*—A Co-operative Society of public service vehicle owners allowed by the Provincial Government under subsection 1 of section 100 of the Act to transact the business of an insurer for the purposes of Chapter VIII of the Act shall lodge the fund referred to in clause (b) of that subsection in the Custody of the Reserve Bank of India at Calcutta.

[Home Department Notification No. HMV 183 of 1946, dated 9th August 1946.]

- (7) 1. After sub-rule (b) of rule 6, insert the following as a sub-rule:
 (c) Notwithstanding anything contained in section 7 of the Act a person who proves to the satisfaction of the licensing authority that at the commencement of the Act he held a current licence granted under the provisions of the Motor Vehicles Act, 1914 and that by reason of service of not less than six months in any of the Armed Forces of the Crown between the 3rd day of September 1939 and the 1st day of April 1946, being service from which he was honourably released or discharged, he failed to apply for a new licence under the Act within twelve months of its commencement, and who applies within one year of his discharge or release for the issue of a new licence to drive any of the classes of vehicle covered by the original licence shall, if the licensing authority decides to issue the licence, be entitled to receive it on payment of a fee of Rs 3.
2. After sub-rule (d) of rule 12, insert the following as a new sub-rule:
 (e) Notwithstanding anything contained in sub-rule (c) of this rule a person who would otherwise be required to pay a fee for a test of competence to drive, but who proves to the satisfaction of the licensing authority that he served for not less than six months in any of the Armed Forces of the Crown between the 3rd day of September 1939 and the 1st day of April 1946 and that he was honourably released or discharged from such service and that either he qualified as a grade I, II or III driver or as a Service Tradesman and that either he qualified as a grade I, II or III driver or as a Service Tradesman of an equivalent grade as hereinafter described during the service as aforesaid, or that at the commencement of the Act he was the holder of a current licence issued under the Motor Vehicles Act, 1914, authorising him to drive the class of vehicle mentioned in his application shall, if he applies for a licence within two years of the date of his discharge or release, be entitled to undergo not more than one test of competence to drive without the payment of any fee.

Driver, Grade I.
 Driver Mechanic.
 Motor Mechanic.
 Crew Driver Mechanic—Grade II.
 Crew Motor Mechanic—Grade I.
 Driver M. T. (Leading Aircraftsman).

Driver, Grade II.

Driver Mechanic (Cinema) — Grade I.

Driver M. T. (A. C. I.)

M. T. Mechanic.

Driver, Grade III.

Driver Operator—Grade II.

Driver M. T. (A. C. 2)

3. After rule 27, *insert* the following as a new rule :—

"27A. Notwithstanding anything contained in section 11 of the Act, a person who proves to the satisfaction of the licensing authority that he was granted a licence under that Act and that by reason of service of not less than six months in any of the Armed Forces of the Crown between the 1st day of April 1939 and the 1st day of April 1946 being service from which he was honourably released or discharged, he failed to renew the licence within 15 days of its expiry, and who applies for renewal within one year of his discharge or release shall, if the licensing authority decides to renew the licence, be entitled to have it renewed on payment of a fee of Rs. 3."

[Home Department Notification No. HMV. 70/46/15, dated 7th September 1946.]

(8) *Insert* the following as a new Rule 96A :—

96-A. *Conduct and duties of Agents or Canvassers of Public Service Vehicles.*—An Agent and/or Canvasser engaged for selling tickets to intending passengers in a Public Service Vehicle—

- (i) Shall not behave in a disorderly manner towards passengers/or intending passengers ;
- (ii) Shall not in soliciting custom cause any obstruction or nuisance ;
- (iii) Shall not, save for good and sufficient reason, refuse to issue tickets to any person tendering the legal fare and ;
- (iv) Shall not demand more than the legal fare from any passenger.

[Home Department Notification No. HMV. 76/45/23, dated 28th September 1946.]

(9) *Insert* the following after the words "any other Regions" in the 4th line of Rule 74(a) of the Assam Motor Vehicles Rules, 1940 :—

"or to any region in an Excluded Area, where a portion of any route of a Non-excluded Area falls within its jurisdiction".

[Home Department Notification No. HMV. 139/46/4, dated 17th October 1946.]

(10) *Substitute* the following for Rule 209 published with the Home Department Notification No. HMV. 184/45/131, dated the 9th August 1946.

Rule 209—Production of certificate of insurance.—The owner of a Motor Vehicle applying to pay tax on the Vehicle shall forward with the application a certificate of insurance relating to the Vehicle and complying with the requirements of Chapter VIII of the Act and valid—

- (a) if the application is made prior to the commencement of the period for which tax is tendered, on the first day of that period ; or,
- (b) if the application is made during the period for which the tax is tendered, on the date on which the application is made ;

Provided that the owner of a vehicle exempted under sub-section (2) of section 94 of the Act shall forward in place of the certificate of insurance the certificate prescribed in rule 12 of the Motor Vehicles (Third Party Insurance) Rules, 1946.

[Home Department Notification No. HMV. 184/45/191, dated 28th October 1946.]