

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

(FIRST SITTING OF THE ASSEMBLY IN FREE INDIA)

THE ASSEMBLY met in the Assembly Chamber, Shillong, at 11 A. M., on  
Saturday, the 13th September 1947.

P R E S E N T

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

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(To which oral answers were given)

Allocation of the last Mela Shikar seats in Sibsagar Subdivision

Srijut BHADRA KANTA GOGOI asked :

\* 140. Will Government be pleased to state—

- (a) How the allocation of the last Mela Shikar seats was made in Sibsagar Subdivision ?
- (b) How many applicants did apply for the purpose for Mahal No.II under serial No.2 of Sibsagar Subdivision ?
- (c) Under what consideration this Mahal was opened ?
- (d) Whether it is a fact that some applicants from Mahal No.I were transferred and allowed seats in Mahal No.II ?
- (e) Whether any company applied for Mela Shikar seats or Mela Shikar Mahals in Sibsagar Subdivision ?
- (f) If so, how many ?
- (g) How many seats or Mahals were given to such companies and why ?
- (h) Whether any special distinction has been made between a company and an individual for this purpose ?
- (i) If so, what is that ?
- (j) Was there any bar to allow more than one seat on the entire Mahal to a company ?
- (k) If not, whether any company was given a single seat ?
- (l) To whom the Naga Hills Mahal No.'A' under serial No.8 was given and why ?
- (m) Whether the Naga Hills Mahal No.1 as combined with Sibsagar Mahal No.IV under serial No.2 and Naga Hills Mahal No.'A' are the same ?
- (n) If so, why was it advertised like that ?
- (o) If not, why was it given to a particular company ?

- (p) How many Khedah and Mela Shikar Mahals were given to that particular company?  
 (q) How many individual members of the Phookan family of Charing (Sibsagar) were given individual Mela Shikar seats in different divisions and why?

**The Hon'ble Srijut RUPNATH BRAHMA** replied :

140. (a)—By the Deputy Commissioner, on the basis of Kunki ownership and capacity for fulfilment of the stated conditions.

(b)—Four.

(c)—According to the assessment of need for hunting in this area made by the Deputy Commissioner and the Divisional Forest Officer.

(d)—No.

(e)—Yes.

(f)—Five.

(g)—One. The company was not registered for elephant hunting and did not produce the necessary evidence of Kunki ownership or past experience. But one seat was allotted on a certificate by the Chairman, Sibsagar Local Board.

(h)—No.

(i)—Does not arise.

(j)—No.

(k)—As already stated, one seat was allotted to the applicant company.

(l)—The Naga Hills Mahal No. 'A' was given to one Srijut Tila Kanta Phukan of Charing P. O. who was also given the mahal No. IV of Sibsagar at serial 2 in the Gazette Notification, as both mahals are contiguous and should be combined and worked jointly.

(m) & (n)—Yes. It was shown as 'A' instead of I in the Gazette Notification of the 8th August 1946 by a printing mistake.

(o)—Does not arise.

(p)—None.

(q)—Sirjut Tila Kanta Phukan of Charing was given the Kheda Mahal No. IV of Sibsagar along with Mela Shikar Mahal No. I of Naga Hills for the reason given in reply to question (l).

### **Training of Technical Personnel for Industrial Development**

**Srijut KAMESWAR DAS** asked :

\*141. Will Government be pleased to state—

- (a) Whether Government have any schemes for training of technical personnel for industrial development of the Province?  
 (b) If so, what are the schemes?  
 (c) Whether any individuals are actually getting their training for the purpose?  
 (d) If so, what are their names, home addresses and what were their qualifications at the time of selection and what is the technical line for which each selected?

**The Hon'ble Srijut GOPINATH BARDOLOI** replied :

141. (a)—Yes.  
 (b)—The training of technical personnel needed for Post-War Industrial Schemes consists of the following three parts:—  
 I. Training of 11 persons overseas.  
 II. Training of 250 persons in other provinces in India.  
 III. Training of 1,500 persons inside the province.

(c)—Yes, under part I.

(d)—A list is placed below.

*List of Central cum Provincial Overseas Scholars, 1945-46*

Name of Scholar	Qualification	Home Address	Subject of Training	Remarks
Promode Ch. Goswami	M.Sc.	Nalbari, Kamrup	Forestry.	
Dhirendranath Borbora	B.Sc. Mining.	Jorhat	Hydraulic Engineering.	
Shamsul Hussain Hazarika.	M.Sc.	Jorhat	Sericulture.	
Bhabakanta Saikia ...	M.Sc.	Nowgong	Chemical Engineering.	

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Dambarudhar Gogoi...	M.Sc.	Jorhat	Oil Technology.	
Shamsuddin Ali Ahmed.	M.Sc.	Gauhati	Textile Manufacture.	
Prassaana Ch. Goswami.	M.Sc.	Nalbari, Kamrup	Sugar Technology.	

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Amalendu Sen ...	M.Sc.	Gauhati	Paints and Varnishes.	
Girindranath Barpujari.	M.Sc.	Gauhati	Glass Manufacture.	

**Barpeta-Kholabandha Public Works Department Road**

**Srijut KAMESWAR DAS** asked :

\*142.(a) Are Government aware that the town portion of the Barpeta Kholabandha Public Works Department Road in the Barpeta Subdivision is being badly threatened of late by the erosion of the river Maranadi which runs by the Northern boundary of the Barpeta town?

(b) If the answer to question (a) above is in the affirmative, will Government be pleased to state what steps they propose to take to check and prevent the erosion in time?

(c) If the answer to question (a) above is in the negative, do Government propose to enquire and take immediate necessary steps to prevent the erosion?

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

142. (a)—Yes.

(b)—A survey of the river with necessary cross sections and flood velocities, etc., and an estimate for proper and permanent protection measures has been called for. The Executive Engineer has also been instructed by the Superintending Engineer to provide, in the meantime, some bamboo matting and bamboo cages to protect the threatened portion for the time being as a temporary measure.

(c)—Does not arise.

## UNSTARRED QUESTIONS

(To which answers were laid on the table)

**Mileage of Proposed metalled Roads in Kamrup and Sibsagar Districts****Mr. P. M. SARWAN** asked :

542. (a) Will Government be pleased to state the mileage of roads proposed to be metalled this year in Kamrup and Sibsagar Districts separately ?

(b) Do Government propose to increase the mileage of roads to be metalled this year in Sibsagar District ?

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

542. (a)—Kamrup ... .. 4.12 miles.  
 Sibsagar ... .. 1.4 miles.  
 (b)—Yes, by 0.4 mile.

**Concessions to Exporters of Fruits and Vegetables****Srijut GAURI KANTA TALUKDAR** asked :

543. Are Government aware—

(a) That during the pre-war days exporters of fruits and vegetables from Assam to Calcutta, Dacca, Lucknow and other towns used to enjoy certain concessions called the " $\frac{1}{4}$ th Parcel Rates" over the Bengal Assam and other Railways ?

(b) That during the war this concession was withdrawn on grounds of Military necessity ?

(c) That during the war times the withdrawal of this concession did not affect the Assam fruit and vegetables growers as the internal demand for these articles was very high due to the presence of the army within the Province ?

(d) That with the withdrawal of the army the internal demand for fruits, particularly pineapple and oranges has diminished considerably and now the surplus of these fruits must find outside market with a view to save the growers ?

(e) That though the concession has been restored to some extent, the concession has failed to give fruit and vegetable growers substantial and equitable relief when compared with the terribly high cost of cultivation and production ?

(f) That the present exorbitant transport charges are causing great hardship to growers of fruits and vegetables in exporting these articles ?

544. With a view to give some relief to the growers of fruits and vegetables of the province, do Government propose to move the Railway Authorities concerned to allow the Assam exporters to enjoy the pre-war concession *i.e.*, " $\frac{1}{4}$ th Parcel Rates" as early as possible ?

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

543. (a)—Yes.

(b)—Yes.

(c)—Yes.

(d)—Yes.

(e)—Government have no information of the extent of the restoration of the concession, but is enquiring.

(f)—Government have no information of the present transport charges in the Railways but is enquiring.

**Srijut GAURI KANTA TALUKDAR**: Regarding replies to Questions (e) and (f), may I know whether Government have received any reply now from the Assam Railways ?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY**: We have not got reply as yet. We have written to the Railway Authorities about this.

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

544.—Government have brought this to the notice of the Bengal Assam Railway Authorities. No reply has been received, and the matter is being referred to the Assam Railway Authorities.

**Srijut GAURI KANTA TALUKDAR**: May I know whether any reply has been received from the Assam Railway Authorities by now to the reference made to them by the Government ?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY**: As a matter of fact the Railway Authorities have already been referred to.

**Srijut GAURI KANTA TALUKDAR**: In view of the reply that the matter is being referred to the Railway Authorities, may I know whether Government got any reply from this newly created Assam Railways to whom the Question must have been referred to ?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY**: Yes, we have referred to them and a reply is awaited. Now there is no Bengal Assam Railway; this Railway is divided into three portions. The Assam portion of the Railway is known as Assam Railway, the portion in Pakistan or East-Bengal is known as East-Bengal Railway and the portion in the West-Bengal is known as West-Bengal Railway. The Assam Railway has got its headquarters at Pandu and now we have referred this Question to them.

**Srijut GAURI KANTA TALUKDAR**: I know that Assam Railway has been constituted. I want to know whether any reply has been received to the reference made to the Assam Railway ?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY**: The reply is already there. The Government have brought this to the notice of the Assam Railway Authorities. We have already written to them. We are waiting for their reply.

### Damages to crops by floods of Buri-Dehing and Sessa rivers

**Srijut LAKSHESVAR BOROOAH** asked :

545. (a) Are Government aware that the floods of the Buri-Dehing and Sessa cause devastation to crops of cultivators almost annually in Tengakhat, Madarkhat, Larua and a part of Jaipur mouzas ?

(b) If so, do Government propose to undertake a survey and take up Embankment and Drainage projects in Tengakhat, Madarkhat, Larua and Zamira mouzas ?

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

545. (a)—The Government are aware of a severe flood in the district of Lakhimpur in 1946 which was due to very heavy rainfall simultaneously in the catchment areas of all the rivers in the Tirap Frontier Tract and a formidable block in the Noa-Dehing river in the Singpho Country diverting the bulk of the flood discharge through the Noa-Dehing river and flooding the valley. The block has since been dealt with.

(b)—The question of flood control, river training and drainage of water-logged areas is receiving serious consideration of the Government and projects therefor according to priority as will be decided by the Embankment and Drainage Advisory Board will be taken up in due course within the limit of funds available for the purpose under the Public Works Road Programme.

### Construction of buildings for the purpose of Basic Education

**Srijut BELIRAM DAS** asked :

546. (a) Is it a fact that the Public Works Department is going to give contracts for constructing the buildings required for the purposes of Basic Education and other buildings in Assam to the Balmer Lawrie and Company, Limited of Calcutta ?

(b) If so, why ?

(c) Will Government be pleased to state if these cheap R. C. buildings proposed to be executed by the said firm were tried and accepted by the competent Engineers of the other provinces in India ?

(d) Will Government be pleased to state whether the Chief Engineer, Assam, has certified that these cheap buildings shall stand the Assam climate ?

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

546. (a)—There is no such proposal at the moment.

(b), (c) & (d)—Do not arise.

**Maulavi SAYIDUR RAHMAN**: May I know the present position about the building programme for the purpose of Basic Education ?

**The Hon'ble Rev. J. J. M. NICHOLS-ROY**: The Hon'ble Minister of Education will be able to give the reply.

**The Hon'ble Srijut GOPINATH BARDOLAI**: The proposal altogether is for three buildings in the Surma Valley, four buildings in the Assam Valley and two in the Hills. One in the Hills has been nearly completed. But so far as the rest of them are concerned, at Dudnai they started work and the foundation was ready when the work had to be stopped for want of materials. So also is the case at Roha, where only ground work was prepared. In other

places work had not been undertaken, although the site had been selected, in all places excepting in one place (Charali in the Darrang District). Things are now as they were in May last; but the work is proposed to be started as soon as the rains are over, and it is expected that by the end of this cold weather, these buildings will be completed.

†Maulavi MAHAMMAD ROUFIQUE: May we know, Sir, whether all the buildings for Basic Education are in process of execution?

The Hon'ble Srijut GOPINATH BARDOLOI: I have already replied, Sir, that the work had to be stopped for want of materials; it will be taken up again when materials are available. But it is likely that the buildings will be completed by the end of the cold weather.

†Maulavi MAHAMMAD ROUFIQUE: May we know, Sir, to whom this work was given for execution?

The Hon'ble Srijut GOPINATH BARDOLOI: The work was originally given to the Construction Holding Company, but I understand they have not been able to finish the work. Our teachers had already been trained, and I told the Company that they should have started the work by now, if not earlier, but as I said just now, for want of materials they could not carry on with the work.

†Maulavi MAHAMMAD ROUFIQUE: Are all these buildings according to specifications of reinforced concrete?

The Hon'ble Srijut GOPINATH BARDOLOI: Yes, Sir, but of a type which is possible to be done with a kind of expanding steel; but this steel was not available for the time being; cement also fell short.

†Maulavi MAHAMMAD ROUFIQUE: In view of the fact that the work of the construction of the buildings has been delayed for want of materials, is Government going to consider any other alternative scheme or specifications?

The Hon'ble Srijut GOPINATH BARDOLOI: I can tell the hon. Member for his information that the quotation that was given by local tenderers was Rs. 6-8-0 for Rs. 10; Rs. 6-3-0 against the usual rate of Rs. 10 was the usual rate that was given by all contractors, but these people give Rs. 6-8-0, I suppose on account of the peculiar type of work which other people could not perform. But if it comes to that they could not carry on with the work, we shall have to give it to some others.

The Hon'ble the SPEAKER: The question is—"Is it a fact that the Public Works Department is going to give contracts for constructing the buildings required for the purposes of Basic Education and other buildings in Assam to the Balmer Lawrie and Company, Limited, of Calcutta?"—the reply given is—"There is no such proposal at the moment". During the previous session the Hon'ble Minister for Public Works Department had said that the work was entrusted to Messrs. Balmer Lawrie, but now the reply is otherwise. Will the Hon'ble Minister please enlighten the House about this?

†Speech not corrected.

†**The Hon'ble Rev. J. J. M. NICHOLS ROY**: This Company of Balmer Lawrie is no more now, Sir. They have left altogether because they could not fulfil the contract and moreover one of their officers who took charge of preliminary works had left the Company in the lurch. This officer, I suppose, could provide the Company with special materials of special design; but when he found that they could not be obtained, he left the Company; so the Company could not carry on with the work. We also have left that Company altogether and have advertised calling for tenders for construction of the building, by which probably some tenders might have been received.

**Maulavi SAYIDUR RAHMAN**: Has the Hon'ble Minister any information as to whether these Construction Holding Company people are the same people as Balmer Lawrie?

†**The Hon'ble Rev. J. J. M. NICHOLS-ROY**: No, Sir, this Construction Holding Company is a different Company altogether.

\***Srijut GAURI KANTA TALUKDAR**: Will the Hon'ble Minister be pleased to give us some idea what happened to the work which this Company of Balmer Lawrie have undertaken and partially completed?

\***The Hon'ble Rev. J. J. M. NICHOLS-ROY**: Does he mean the building at Khanapara?

\***Srijut GAURI KANTA TALUKDAR**: I mean any building of which this Company have partially done the work.

\***The Hon'ble Rev. J. J. M. NICHOLS-ROY**: The matter has been settled with them and whatever has to be paid to them has been paid under some kind of arrangement and the work has been taken away from them. That is all.

\***Mr. HARENDRA NATH SARMA**: Was not there some agreement by which if they could not complete the work, they would not get anything from Government?

\***The Hon'ble Rev. J. J. M. NICHOLS-ROY**: That has been dealt with by the officers concerned between the Public Works Department and Balmer Lawrie.

\***Maulavi MAHAMMAD ROUFIQUE**: Will the Hon'ble Minister please give an account of the loss incurred by Government on account of the inability of Balmer Lawrie to complete the work?

\***The Hon'ble Rev. J. J. M. NICHOLS-ROY**: I have no idea, Sir; but I think the question of loss does not arise.

\***The Hon'ble Srijut BISHNURAM MEDHI**: In fact there is no pecuniary loss.

**Maulavi SAYIDUR RAHMAN**: May we have details of the terms given to this Construction Holding Company who are our Contractors now?

\***The Hon'ble Srijut GOPINATH BARDOLOI**: I cannot reply to that off-hand Sir. It is being dealt with by the Public Works Department. As a matter of fact there was some reference between the Public Works Department

\*Speech not corrected.



and the Secretaries concerned and the Officers of the Basic Education ; and it is only after the whole thing has been settled that the contract was given to them.

\***Mr. HARENDRA NATH SARMA**: Do Government now realise that the discussions that took place in the previous session, which rather criticised the action of Government for appointing Balmer Lawrie as contractors for these buildings, were not meaningless ?

\***The Hon'ble Rev. J. J. M. NICHOLS-ROY**: That is a question of opinion Sir ; but the objection then was on a different footing altogether because the Government gave the contract to a foreign Company—an English Company—instead of giving the same to contractors of the Province. That was what I understood. But as far as this Company is concerned, we have no connection with them now. So the reasons that existed then are not the reasons to be considered reasonable here.

\***Mr. HARENDRA NATH SARMA**: How can my question be a question of opinion, Sir ? I ask whether in view of the failure of this Company they do now realise their mistake or not. If they search their hearts I think.....

**The Hon'ble the SPEAKER**: There is no question of 'hearts' here.

\***Mr. HARENDRA NATH SARMA**: But, Sir, it is a thing which concerns themselves ; it cannot be a matter of opinion.

### Golaghat Municipal Board

**Srijut DANDESWAR HAZARIKA** asked :

547. (a) Are Government aware that the Golaghat Municipal Board adopted Bye-laws for regulation of Bazar, stalls and certain trades in the Special meeting held on 20th December 1946 and for regulating the work-place of trades, etc., on 16th January 1946 in its meeting and sent the same to Government for approval ?

(b) Will Government be pleased to state why there has been delay in approving the Bye-laws by Government ?

(c) Is it a fact that there have been several reminders from the Chairman of the Board ?

(d) Are Government aware that by this delay in approval of the Bye-laws the Board is losing financially ?

548. (a) Are Government aware that the Golaghat Municipal Board adopted a resolution in its Special meeting held on 3rd January 1947 and forwarded to Government requesting to sanction recurring Government grants for (i) Improvement of roads—Rs.3,500, (ii) Reconstruction of the Municipal Lower Primary School buildings—Rs.2,500 and (iii) for conservancy purposes—Rs.5,000 ?

(b) Do Government propose to state whether Government is prepared to sanction the grants mentioned above in the current year ?

(c) If so, when ?

(d) If not, why not ?

\* **The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR** replied :  
547. (a)—Government are not aware of the Bye-laws adopted in the Special meetings of the Board on the 20th December 1946 and 16th January 1946. The Government, however, received the Bye-laws of the Board as adopted in their special meeting held on the 27th April 1945. On examination, these Bye-laws

\*Speech not corrected.

were found to be completely unintelligible and the Government, therefore, referred back on the 14th September 1946 with the request to redraft the bye-laws. Since then, Government have no information.

(b)—Does not arise.

(c)—No.

(d)—Does not arise.

**Srijut DANDESWAR HAZARIKA:** Sir, regarding Question (a), will Government be pleased to take it from me that due to redtapism the resolutions sent back to the Golaghat Municipal Board have not yet reached the Board?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR:** The procedure the Government has adopted, Sir, in this case it quite clear, that is, the resolutions containing bye-laws were sent back with the request to redraft them. Probably they might have been lying now with the Commissioner of Divisions. So, it is a matter of opinion whether due to redtapism they have not yet been approved by Government.

**Srijut DANDESWAR HAZARIKA:** Will Government be pleased to make an enquiry regarding the whereabouts of the resolutions?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR:** That will be done, Sir.

**Mr. HARENDRA NATH SARMA:** May I know what are those bye-laws that have been referred to?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR:** Those bye-laws are not before me now, but for certain complications they were sent back for proper redrafting.

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR** replied:

548. (a)—Government received a copy of the proceedings in connection with their desire to send in a deputation to wait on the Hon'ble Prime Minister and the Hon'ble Minister, Local Self-Government.

(b)—The position has already been explained to the hon. Member.

(c) & (d)—Do not arise.

**Srijut DANDESWAR HAZARIKA:** Sir, in reply to Question (a) the Government answer is "Government received a copy of the proceedings in connection with their desire to send in a deputation to wait on the Hon'ble Prime Minister and the Hon'ble Minister, Local-Self Government." May I know from the Government, Sir, to what effect this deputation wanted to wait upon the Hon'ble Ministers referred to?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR:** The deputation wanted to wait upon the Hon'ble Premier and the Minister for Local-Self Government for a discussion about the financial condition of the Golaghat Municipal Board.

**The Hon'ble the SPEAKER:** The question (b) is "Do Government propose to state whether Government is prepared to sanction the grants mentioned above in the current year?" and the answer is "The position has already been

explained to the hon. Member". My concern in the matter is this ; when the question has been put and admitted and the answer has been given it becomes a property of the Assembly and cannot be a question between an Hon'ble Minister and a Member of the Assembly alone. Every hon. Member is entitled to know the answer.

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR** I will give the answer just now, wanted, by the hon. Member.

**The Hon'ble the SPEAKER** : No, it is not the question of the hon. Member alone. It raises a question of privilege of the House. It is the privilege of the House to know the answer.

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR** : It will be noted, Sir. I admit the circumstance. It was explained to the hon. Member that action upon the mere resolutions forwarded to Government regarding grant of loans or grants cannot be taken. So, formal application was necessary.

**The Hon'ble the SPEAKER** : Then, is this the answer that owing to the defects in the procedure, the grants or loans could not be given ?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR** : Yes, Sir.

#### Persons killed in recent disturbances

**Raja AJIT NARAYAN DEV of Sidli** asked :

549. Will Government be pleased to state—

- (a) The number of persons from Assam who were killed or wounded in the recent disturbances in other Provinces (to be shown separately province by province) ?
- (b) If Government have taken adequate measures for ensuring safety of the Assamese in other Provinces ?
- (c) If Government have approached the Governments of the other Provinces for taking steps for safeguarding the lives and properties of the Assamese or have demanded compensation for any loss to the Assamese ?

**The Hon'ble Srijut GOPINATH BARDOLAI** replied :

549. (a)—Government have no information save in respect of the " Calcutta Killing ", in which four persons from Assam are known to have perished, and an unknown number to have suffered injury.

(b)—In the case of Calcutta Government made strong representations to the Government of Bengal, and on several occasions took steps to see that travellers from Assam were protected when the time of journey, etc., was known. This Government have no means of providing security in other provinces in a general way.

(c)—The answer to the first part of the question has been given. Repeated representations have been made to the Government of Bengal for compensation to sufferers, and legal representatives were appointed in Calcutta to secure payment of rehabilitation grants.

**Maulavi ABDUL HAI :** Sir, in reply to Question (b) Government have said that on several occasions they took steps to see that travellers from Assam were protected when the time of journey, etc., was known. May I know, Sir, what sort of steps were taken during the journey?

**The Hon'ble Srijut GOPINATH BARDOLOI :** A contingent of Police escorts were sent to Calcutta to travel along with the travellers in question.

**Maulavi ABDUL HAI :** May I know, Sir, if these police escorts were escorting travellers every day?

**The Hon'ble Srijut GOPINATH BARDOLOI :** I do not think it was every day. But arrangements were made to escort large batches of these travellers on particular days. Such arrangements also were made for the escort of students coming from Calcutta.

**Maulavi ABDUL HAI :** Sir, was this method adopted only in the case of the students and not for other travellers?

**The Hon'ble Srijut GOPINATH BARDOLOI :** It was only during the first period of the troubles in Calcutta.

#### Defence Force for the Province of Assam

**Raja AJIT NARAYAN DEV of Sidli** asked :

550. Will Government be pleased to state—

- (a) If it is a fact that the Assam Government will be raising a Force for guarding the Frontiers of Assam?
- (b) When the recruitment to such Force will begin?
- (c) What will be the procedure for enrolment of such Force?

**The Hon'ble Srijut GOPINATH BARDOLOI** replied :

550. (a)—No. Defence is a subject pertaining to the Dominion Government.  
(b) & (c)—Do not arise.

**Srijut BIDYAPATI SINGHA :** Sir, as regards Question (a), will the Government be pleased to state whether there is any bar for the Government of Assam to raise its own auxiliary force subject to the approval of the Union Government for guarding the Frontiers of Assam?

**The Hon'ble Srijut GOPINATH BARDOLOI :** Sir, the Indian Dominion Government is responsible for the defence of the Frontiers and if any action is to be taken in the matter of recruitment for such force it is the Indian Dominion Government to do so; but for the administration of the Frontiers the responsibility is with the Governor as agent of the Union. Moreover, for the information of the hon. Member I can say that for the internal security we are having a private force consisting of about 1,500 people.

**Srijut BIDYAPATI SINGHA :** Will the Government be pleased to state, Sir, whether for the recruitment of this force tribal people as well as the Mani-  
puries will be taken in?

**The Hon'ble Srijut GOPINATH BARDOLOI:** Yes, Sir, but for that reason Assam Rifles are already there. Whenever there will be any necessity this force can also be utilised by the Indian Union.

### Communal disturbance in Sibsagar Subdivision

**Mr. P. M. SARWAN** asked :

551. Will Government be pleased to state—

- (a) Whether they are aware of the communal disturbance that took place in March last year in a village known as Tantipathar Bongaligaon, near Panbecha village of Sibsagar Subdivision ?
- (b) Whether the said village has been completely wiped out ?
- (c) What has happened to the *raiyo's* of the said village ?
- (d) What steps have Government taken to rehabilitate the said *raiyo's* of the village ?
- (e) Who were the aggressors in the said communal disturbance ?
- (f) Whether Government have given any compensation to the said *raiyo's* ?
- (g) Whether it is a fact that the said *raiyo's* have lost their all due to the aforesaid disturbance ?
- (h) Whether Government propose to make available suitable waste lands to the said *raiyo's* for their re-habilitations and instruct the Subdivisional Officer, Sibsagar Subdivision, to afford relief to them ?

**The Hon'ble Srijut GOPINATH BARDOLOI** replied :

551. (a)—Yes.

(b)—The *ex-tea* estate labourers involved in the dispute, as the result of their occupying a portion of a Grazing Reserve and neighbouring land, to the number of eighteen families, left the place with their moveables, and their temporary houses are reported to have since been damaged by cattle or the materials pilfered.

(c)—They are now scattered in various parts of the Subdivision or living in Jorhat town.

(d)—None. They have not made any application for rehabilitation, but if they apply for available waste land the local officers will consider where this can be provided.

(e)—This is a matter of opinion. The dispute arose owing to the fact that the *ex-tea* estate labourers squatted on land part of which was a Grazing Reserve. Five of the local people were, on the other hand, convicted for rioting and causing grievous hurt.

(f)—No.

(g)—Government understand, as already stated, that they removed their moveable property.

(h)—As at (d) above.

**Names of Police Stations, Out-posts and Beat Houses in the Province**

**Maulavi MAHAMMAD ROUFIQUE** asked :

552. Will Government be pleased to state—

- (a) The names of Police Stations, Out-posts and Beat Houses in each district of Assam including River and Railway ?
- (b) The sanctioned and existing strength of Polic Force in each of such Police Stations, Out-posts and Beat Houses, and the strength of armed force in each district of Assam ?
- (c) The number of Muslims in all ranks in the armed force in each district and in each of the Police Stations, Out-posts, and Beat Houses in the different districts of Assam ?

**The Hon'ble Srijut GOPINATH BARDOLOI** replied :

552. (a), (b) & (c)—A statement placed on the library table furnishes all the information.

**Services of Mouzadars**

**Srijut DANDESWAR HAZARIKA** asked :

553 (a) Will Government be pleased to state whether there is any promotion of Mouzadars as a recognition of good services ?

(b) If so, how ?

(c) If not, why not ?

(d) Are Government aware that many efficient Mouzadars who pay Government revenue regularly have been placed in-charge of small Mouzas and bad and less efficient Mouzadars have been placed in-charge of big Mouzas ?

(e) If so, do Government propose to make some rules to place the good and efficient Mouzadars in-charge of big Mouzas as promotion and less efficient ones in-charge of small Mouzas ?

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

553. (a)—Mouzadars do not form a Government service. They are merely contractors.

(b)—Does not arise.

(c)—Does not arise.

(d)—Normally Mouzadars are local men residing in their Mouzas inspiring confidence by their character and financial stability. Inefficient Mouzadars are eventually weeded out.

(e)—Government are not prepared without adequate consideration to change the existing basis of the Mouzadari system.

† **Srijut DANDESWAR HAZARIKA** : Sir, may I know from the Government whether efficiency of a good contractor is taken into consideration by Government at the time of distributing the contract ?

**The Hon'ble Srijut BISHNURAM MEDHI:** The Mauzadar receives emolument only on contract basis.

\***Srijut DANDESWAR HAZARIKA:** There are small contractors, but they are contractors. My question is whether the efficiency of contractors are sometimes considered by Government.

**The Hon'ble Srijut BISHNURAM MEDHI:** We always consider. If they realise the total demand by the end of June they get commission at the rate of 10 per cent. up to Rs.15 000. If they fail to deposit the entire demand on the due date they do not get commission at the enhanced rate of commission.

\***Srijut DANDESWAR HAZARIKA:** My question is whether good and efficient Mouzadars who can collect land revenue could be placed in charge of big Mauzas so that they might get big commission as well.

**The Hon'ble Srijut BISHNURAM MEDHI:** The idea is that these are not transferable posts. There are other factors also. These are clearly laid down in the Assam Land Revenue Manual—Executive Orders

#### Munsiff of the North Lakhimpur Subdivision

**Srijut HEM CHANDRA HAZARIKA** asked:

554. (a) Will Government be pleased to enquire and state whether for want of a second officer of the grade of Extra Assistant Commissioner the volume of works of the Munsiff of the North Lakhimpur Subdivision has increased and that on various occasions case works of the Munsiff have to be adjourned rendering much trouble and inconvenience to the litigant public?

(b) Are Government aware—

(i) That the only Extra Assistant Commissioner of North Lakhimpur is to work as revenue Bakijai Officer, Sub-Registrar, Treasury Officer and to perform other miscellaneous works of the Subdivisional Officer and also to hold charge of the Subdivision in the absence of the Subdivisional Officer on tour?

(ii) That in consequence thereof the public have got to suffer a great deal of troubles as the officer in question is very often required to adjourn case works for want of time?

(c) Do Government propose to remove this long-felt want of the public of North Lakhimpur?

**The Hon'ble Srijut GOPINATH BARDOLOI** replied:

554. (a)—The reply to the first part of the Question is in the affirmative. Government understand however that no civil suit or case has had to be adjourned for want of time.

(b) (i)—Yes.

(ii)—This is probable.

\*Speech not corrected.

(c)—Government consider that a Sub-Deputy Magistrate would relieve the Munsiff of some of his present duties especially those connected with Sub-Treasury and registration and will try to post a Sub-Deputy Magistrate as soon as one is available.

**Discontinuance of Government advertisement to the "Assam Tribune"**

**Maulavi ABDUL HAI** asked :

555. (a) Will Government be pleased to state whether Government advertisement to the "Assam Tribune" has been discontinued?

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

**The Hon'ble Srijut GOPINATH BARDOLOI** replied :

555. (a)—Yes.

(b)—Impropriety of action on the part of the Editor which fell far short of accepted standards of journalistic etiquette.

(The ban has, however, since been withdrawn).

**\*Maulavi ABDUL HAI**: May I know from the Government from what date that ban has been withdrawn ?

**The Hon'ble Srijut GOPINATH BARDOLOI**: Because there was an unconditional apology on the part of the Editor.

**\*Maulavi ABDUL HAI**: From what date ?

**The Hon'ble Srijut GOPINATH BARDOLOI**: I could not definitely say. It might be about 10 or 15 days ago. I am not sure.

**\*Maulavi ABDUL HAI**: Are they not getting advertisement from the Government ?

**The Hon'ble Srijut GOPINATH BARDOLOI**: They will surely get advertisements.

**\*Mr. HARENDRA NATH SARMA**: Can I have a copy of the unconditional apology that was sent by the editor ?

**The Hon'ble Srijut GOPINATH BARDOLOI**: I do not know whether I am entitled to give him a document of the Government. But I could tell him that action has been taken on the report of the Director of Publicity. There was an unconditional apology some time before.

**\*Maulavi MAHAMMAD ROUFIQUE**: May I know what was the impropriety of action on the part of the Editor and on what matter ?

**The Hon'ble Srijut GOPINATH BARDOLOI**: It was the language used by the Editor to the Director of Publicity. As far as I remember it arose out of certain requests made by this paper to get the photos of the Hon'ble Ministers.

\*Speech not corrected



Possibly there was a little delay on the part of the Publicity Department to send them, and the language used by the Editor in a subsequent letter was such that the Director of Publicity thought it was objectionable to a degree which he could not tolerate and was beyond all bounds of propriety and I agreed with him.

**\*Maulavi MAHAMMAD ROUFIQUE:** Is it not a fact that this paper is highly critical of the Government administration ?

**The Hon'ble Srijut GOPINATH BARDOLOI:** I do not know of that.

**\*Maulavi MAHAMMAD ROUFIQUE:** Is it not fact that this paper exposed the mismanagement of the Supply Department in several of its editorial columns ?

**The Hon'ble Srijut GOPINATH BARDOLOI:** I do not know. That is not the only paper which did so. Many papers are doing this.

**\*Mr. HARENDRANATH SARMA:** Was any expert consulted as regards the journalistic etiquette ?

**The Hon'ble Srijut GOPINATH BARDOLOI:** Well, the Director of Publicity is supposed to be an expert in this respect.

**\*Mr. HARENDRANATH SARMA:** May we take it that the Publicity Department decided the language which concerned itself and it was considered to be the right step taken by Government ?

**The Hon'ble Srijut GOPINATH BARDOLOI:** Yes, I have already said that the letter was couched in such a language that it could be objected to not by a mere journalistic expert but by a man like myself who of course does not know anything of journalism.

#### **Number of Contractors in each Division of the Public Works Department**

**Srijut BELIRAM DAS** asked :

556. (a) Will Government be pleased to state the number of contractors in each Division of the Public Works Department ?

(b) How many running bills, final bills and supplementary work bills out of the contract works accepted by the Chief Engineer, Superintending Engineer and Executive Engineer and executed during the year 1944-45, 1945-46 and 1946-47 (up to October 1946) are still pending for payment in each Division ?

(c) Is it a fact that running bills, final bills and supplementary work bills have got to be paid within one month of the completion of the works as per agreement ?

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\*Speech not corrected.

(d) Will Government be pleased to state whether this principle has been followed with regard to the question referred to above ?

(e) If not, why not ?

(f) Is it a fact that the same officer who remains in charge of the work to be executed has to prepare the bill as well, for the same work ?

557. (a) Is it a fact that in 1944 and 1945 some supplementary works in the Kamrup, Darrang and Sibsagar Divisions of the Public Works Department were executed by contractors ?

(b) Is it a fact that payments for these works are still pending ?

(c) Is it a fact that the Superintending Engineer concerned without accepting the supplementary tenders first, ordered the Executive Engineers to prepare the bills and offered the same to the contractors for acceptance ?

(d) If so, why ?

(e) Will Government be pleased to state why the Superintending Engineer did not settle the rates of the supplementary works with the contractors when he visited the site of works during the course of his inspection ?

558. Will Government be pleased to state—

(a) The percentage of profit on each item of works of contract allowed to the Public Works Department contractors ?

(b) Whether Government take into consideration in fixing the percentage of profit the maintenance of the establishment by the contractor, interest on capital invested, risk in business, unrecovered advances paid to the labourers, travelling and medical expenses, accidents and depreciation of tools and plant, etc. ?

559. (a) Is it a fact that most of the labourers (as far as 88 per cent. in the Assam Valley) employed by the Public Works Department contractors are from outside the Province of Assam ?

(b) Do Government propose to classify and register the contractors and compel them to employ local labourers and to train them up for this purpose ?

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

556. (a)—The list of Public Works Department contractors as registered in Divisions is as follows :—

Western Assam Division 196 ; Kohima Division 89 ; Jorhat Division 69 ; Khasi and Jaintia Hills Division 82 ; Lower Assam Division 86 ; Upper Assam

Embankment and Drainage Division 53; Surma Valley Embankment and Drainage Division 33; North Kamrup Division 50; Central Assam Division 154; Lower Assam Embankment and Drainage Division 67; Cachar Division 72; Lakhimpur Division 130; Nowgong Division 84.

(b)—A statement is given below :—

Divisions	No. of bills pending for 1944-45			No. of bills pending for 1945-46			No. of bills pending for 1946-47			
	Running Bills	Final Bills	Supplementary work Bills	Running Bills	Final Bills	Supplementary work Bills	Running Bills	Final Bills	Supplementary work Bills	
Western Assam Division .. ..	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Kohima Division .. ..	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Jorhat Division .. ..	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Khasi and Jaintia Hills Division ..	Nil	Nil	Nil	Nil	1	Nil	Nil	Nil	Nil	Nil
Lower Assam Division .. ..	Nil	19	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Upper Assam Embankment and Drainage Division.	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Surma Valley Embankment and Drainage Division.	3	23	Nil	3	39	Nil	8	27	Nil	Nil
North Kamrup Division .. ..	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Central Assam Division .. ..	Nil	2	Nil	Nil	2	Nil	Nil	Nil	Nil	Nil
Lower Assam Embankment and Drainage Division.	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Cachar Division .. ..	..	..	..	..	..	..	..	..	..	..
Lakhimpur Division .. ..	Nil	Nil	Nil	2	Nil	Nil	Nil	51	Nil	Nil
Nowgong Division .. ..	Nil	Nil	Nil	Nil	Nil	Nil	Nil	1	1	1

(c)—This is usually so, but delay is bound to occur in settling up contractor's claim, if measurements recorded by Sectional Officers are irregular and if there are other complicated circumstances with regard to contractor's claim, requiring settlement before payment can be approved.

(d) & (e)—The position is explained in reply to Question 556(c).

(f)—This is usually so.

557. (a)—Yes.

(b)—Only 4 bills pertaining to supplementary tenders are pending for payment in the Lower Assam Division.

(c) & (d)—No reply is possible unless the specific case is cited.

(e)—The Superintending Engineer makes every endeavour to settle up rates on the site wherever necessary and possible but no specific reply is possible unless the particular case the hon. Member has in view is known.

558. (a) & (b)—The question does not arise as rates are quoted by the contractors themselves after taking into consideration their profit out of the work and not at the dictation of this Department, who simply accept tenders on competitive basis, according to the policy enunciated by the Government.

559. (a)—Government have no information. When works of emergent nature demand recruitment of outside labour, this has to be done in the interest of work.

(b)—Under the recent policy enunciated by Government, the contractors are classified and are being registered accordingly. It is doubtful whether the contractors who have taken up contract business for earning profit can be compelled to employ and train up such labourers as they may not like to employ in the interest of their business but in these days of scarcity of labour the contractors are bound to employ local labour force as far as available from the local areas or from other parts of the province.

#### Discontinuance of Government advertisement to the Assam Tribune

Srijut BELIRAM DAS asked.

560.—(a) Will Government be pleased to state whether Government advertisement to the Assam Tribune has been discontinued?

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

The Hon'ble Srijut GOPINATH BARDOLAI replied:

560.—The hon. Member is referred to the replies given to Maulavi Abdul Hai on the same Questions.

[Unstarred Question No. 555 (a) and (b.)]

#### Bisturam Baruah Charitable Dispensary

Srijut HARINARAYAN BARUAH asked:

561. Will Government be pleased to state—

(a) The annual grant given by them to the Bisturam Baruah Charitable Dispensary at Jorhat and that given separately by the Local and the Municipal Boards of Jorhat?

(b) Whether Government are aware that the present grant is not adequate to meet the growing needs of the people of Jorhat?

(c) If so, what steps they are taking to augment the grants?

562. Will Government be pleased to state—

(a) Whether they propose to provincialise the Bisturam Baruah dispensary?

(b) If so, from when?

(c) If the reply to Question (a) above is in the affirmative where it is going to be located?

The Hon'ble Srijut RAMNATH DAS replied:

561.—(a) The annual Government grant for medicine was Rs.1,200 which has since been raised to Rs.2,400. The annual grants given by the Local Board and the Municipal Board are Rs.3,000 and Rs.1,000 respectively. The Municipal Board had given an extra special grant of Rs.500 annually for the last two years.

(b) & (c)—The Hospital has since been provincialised.

562. (a) & (b)—The Hospital has already been provincialised with effect from 1st July, 1947.

(c)—For the present the Hospital has been provincialised in its present site. But Government have decided to shift it to the site selected by the Site Selection Committee on the Jail Road about quarter of a mile from the Barbheta Mission Hospital.

### Kala-azar patients in Jorhat Subdivision

Srijut HARINARAYAN BARUAH asked :

563. (a) Are Government aware that the number of *kala-azar* patients in the Jorhat Subdivision specially in Khongia, Thengal, Titabar, Lahing and Amguri-Kharikatia is increasing ?

(b) If so, what steps are being taken by Government to combat this disease ?

The Hon'ble Srijut RAMNATH DAS replied :

563. (a)—Yes, *kala-azar* is showing signs of recrudescence throughout the province.

(b)—Government have sanctioned the entertainment of 30 Sub-Assistant Surgeons to check the recrudescence of the disease throughout the province. The following measures are being taken at the different places of the Jorhat Subdivision :—

*Khongia*—The District Medical Officer of Health, Sibsagar, in consultation with the public, has arranged an outcentre in the locality.

*Thengal & Titabar*—These areas are served by the Barbamchungi Public Health Department Dispensary and Titabar Local Board Dispensary.

*Lahing*—The area is being surveyed.

*Amguri-Kharikatia*—The area is served by the existing Public Health Department Dispensary at Rajabahar.

### Establishment of subsidised dispensaries at Barhulla, Teok, etc.

Srijut HARINARAYAN BARUAH asked :

564. Will Government be pleased to state—

(a) Whether they have lately received any resolutions from some public meetings for establishment of subsidised dispensaries at Barhulla, Teok, Meleng-Balichapari in Jorhat Subdivision ?

(b) Whether Government propose to start subsidised dispensaries in these places specially at Barhulla ?

The Hon'ble Srijut RAMNATH DAS replied :

564. (a)—Yes, except for Barhulla.

(b)—A subsidised dispensary has already been sanctioned for Meleng-Balichapari and one for Teok is under the consideration of Government. As Barhulla, it is not considered necessary to open a subsidised dispensary for place.

### Works of the Kamalabari-North Lakhimpur Road

Srijut HEM CHANDRA HAZARIKA asked :

565. Will Government be pleased to state—

(a) Why local contractors were not given preference to execute works of the Kamalabari-North Lakhimpur Road and of the North Trunk Road from North Lakhimpur Town to the 11th mile post ?

(b) Why men other than *bona-fide* contractors have been engaged to execute works on the above mentioned roads ?

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

565. (a) & (b)—The domicile of the contractors whose tenders were accepted is given in the statement below :—

#### *Local Contractors*

1. Srijut M. Goswami for 12th mile.
2. Maulavi B. Haque for 13th mile.
3. Srijut Jatindra Chandra Hazarika for 14th mile.
4. Srijut Pulin Chandra Chaudhury for 15th mile.
5. Srijut Kaliram Baisya for 16th mile.
6. Srijut Kaliram Baisya for 22nd mile.
7. Srijut Baidya Nath Sarma for 23rd mile.
8. Srijut Bholanath Datta for 23rd mile.

#### *Domiciled Contractors*

1. Babu K. P. Bose for 11th mile.

#### *Old Foreigners*

1. Sadagar Sing for 17th mile.
2. Rajgir Mahatoo for 18th mile.
3. Wakil Khan for 15th and 16th mile.

Giving due consideration to the claims of the local contractors, their capacity and ability for the work a lotment of part of the work amongst the domiciled and foreign contractors along with local contractors was considered essential for proper execution of works. It must be added for information that out of the 8 local contractors to whom the work was entrusted, five contractors could not even start the work within the tendered time while two others made very poor and unsatisfactory progress. Only one local contractor could complete the work allotted to him.

### Construction of Bunds in Dhakuakhana Mauza, etc.

Srijut HEM CHANDRA HAZARIKA asked :

566. Do Government propose to take immediate step for construction of Bunds to save the people from damage of their crops by Dhakuakhana river in Dhakuakhana Mauza and Kakai in Nakari Mauza ?

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

566.—This is receiving consideration of the Government and being investigated.

### Khasi State Fund

**Mrs. BONILY KHONGMEN** asked :

567. (a) Will Government be pleased to state whether the royalties from Nongpoh Sirdarship and other non-State areas are mixed up with the Khasi State Fund ?

(b) If so, what are those non-State areas ?

(c) Is Government aware that the income from Sohbar quarries (non-State area) had been mixed up with the Khasi State Fund ?

(d) Is Government aware that the Khasi State Fund has been or will be handed over to the Federation of Khasi States ?

(e) Will Government be pleased to state the amount Sohbar had contributed to the Khasi State Fund and whether Sohbar's share had been separated from the Khasi State Fund ?

(f) If so, when ?

(g) Will Government be pleased to state whether Sohbar is entitled to a proportional amount out of this Khasi State Fund ?

(h) If so, how much ?

**The Hon'ble Srijut GOPINATH BARDOLOI** replied :

567. (a)—Reply is in the negative.

(b)—Does not arise.

(c)—No.

(d)—The matter is still under consideration.

(e)—No income from Sohbar has been contributed to the "Deposit Account of the Khasi States".

(f), (g) & (h)—Do not arise.

\***Mrs. BONILY KHONGMEN** : The reply given is that the matter is still under consideration. Is it a fact that certain amount of this Khasi State Fund has already been handed over to the Khasi Federation ?

**The Hon'ble Srijut GOPINATH BARDOLOI** : Yes, Sir, a very small proportion of that fund, as far as I know, was already given on the States joining together and asking for the money.

\***Mrs. BONILY KHONGMEN** : What is the amount ?

**The Hon'ble Srijut GOPINATH BARDOLOI** : I can't say off-hand. It is not more than 15 thousand out of 2 lakhs of deposits.

\*Speech not corrected.

### Re-employment of *ex*-War Service Candidates

**Srijut BHADRA KANTA GOGOI** asked :

568. Will Government be pleased to state—

- (a) Whether it is a fact that Government have confirmed a few re-employed *ex*-War Service candidates in the Lower Division posts of the Assam Secretariat sometime in the month of September 1946 ?
- (b) Whether it is a fact that all these confirmed Assistants belong to the over-represented caste Hindu communities of the two Valleys, and not a single candidate from other minority communities is included in it.
- (c) Whether Government confirmed these re-employed *ex*-war service candidates under the provisions of reservation of posts for War Service candidates as laid down in the Recruitment (War Service) Rules, 1945 ?
- (d) If so, whether any provisions have been made in these Rules for communal consideration ?
- (e) If the reply to Question (d) above is in the affirmative whether any provisions have been made therein for other minority communities ?
- (f) Whether Government proposed to confirm the *ex*-war service Assistants of the Assam Secretariat belonging to the minority communities giving them proper seniority ?

**The Hon'ble Srijut GOPINATH BARDOLOI** replied :

568. (a) —Yes.

(b) —Yes. No candidate with "War Service" proper from the minority communities was available at the time.

(c) —Yes.

(d) —Yes.

(e) —Yes.

(f) —Government will consider the cases if any of persons with "War Service" appointed in vacancies reserved for war service candidates while the 1945 rules were in force—for confirmation, seniority, etc.

'War Service' candidates appointed to vacancies which were not reserved for them will take their chance for confirmation, seniority, etc., with non-war service candidates and the decision will normally be governed by qualifications possessed, degree of efficiency attained and the prospective capacity for holding responsible posts within the Group.

### Ahu seed Multiplication Scheme

**Srijut KAMESWAR DAS** asked :

569. Will Government be pleased to state—

- (a) What is the *ahu* seed multiplication scheme ?
- (b) How it differs from the normal production methods of *ahu* paddy and how it is necessary ?



- (c) Whether it will be costlier and more difficult to distribute *ahu* seed from one or even a limited number of such centres throughout Assam ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR replied :

569. (a)—The scheme (which is being operated at Kokilamukh) aims at producing on a field scale *pure seeds* of *ahu* varieties recommended by the Department of Agriculture for their high yields and other desirable qualities.

(b)—The production of *ahu* seeds under this scheme differs from ordinary production in that strict measures are adopted to prevent the admixture of other varieties with the Departmental ones—in the field, on the threshing floor or in storage.

The necessity of this scheme arises from the following facts :—

(i) Unless pure seeds of the departmental varieties are produced on a field scale by the Department, there will not be enough of these seeds for issue to cultivators.

(ii) Prior to the operation of this scheme the Assam Valley could not derive enough benefit from the research work done by the Department for the improvement of *ahu* varieties, simply because there was not enough of improved seeds for issue. The Titabar Farm is not suitable for the cultivation of *ahu* paddy on a field scale.

(iii) The Karimganj Farm alone cannot produce sufficient *ahu* seeds for the whole province. There is no other Government farm that grows *ahu* paddy.

(c)—Distribution of seeds from one or a limited number of centres in large areas is certainly a costly affair. But it will cost Government more if a large number of production centres is to be started.

Srijut KAMESWAR DAS : As regards (a) may we know what are the desirable qualities ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR : Government have been evolving high yield varieties by crossing the varieties that are already available. The varieties that are used by public in general are not high yielding.

Srijut KAMESWAR DAS : No, not about high yield. The high yielding variety is already there. I want to know what are "other desirable qualities."

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR : Other desirable qualities may be more suitable to the soil generally in the Assam Valley.

Srijut KAMESWAR DAS : I want to know what these "other desirable qualities are" ?

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR : They may be more suitable for the soil ; they may stand drought more than the ordinary seeds.

Srijut KAMESWAR DAS : With regard to (b), may I know whether the admixture of the different varieties of *Ahu* seeds is really so harmful that we should undertake additional cost under the proposed scheme ?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR:** That is so, Sir. Pure seeds are always desirable.

**Srijut GAURI KANTA TALUKDAR:** May I know, Sir, what is meant by the phrase "field scale" ?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR:** It means 'on a considerable scale'. Unless this is done there will be dearth of seeds.

**Srijut GAURI KANTA TALUKDAR:** Do we understand that the Agriculture Department have got *Ahu* seeds of special varieties which are not to be found in the villages ordinarily ?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR:** Yes, Sir.

**Srijut GAURI KANTA TALUKDAR:** Where are those seeds available ?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR:** These are available in the Karimganj farm at present. They are also being tried at the Kokilamukh farm.

**Srijut GAURI KANTA TALUKDAR:** Do we understand that these seeds were imported from some other places ? Or were they selected from the existing varieties in the province ?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR:** A long process of evolution has been going on, but I cannot say anything definitely off-hand. These might have been originally selected from the local varieties.

**Srijut KAMESWAR DAS:** With regard to the reply to (b) (ii), is it not a fact that research work was done at the Karimganj farm and if so, was it not possible for the benefit of that research work to make it available to the Assam Valley also ?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR:** That is apparent from the reply to (c), where it is stated "distribution of seeds from one or a limited number of centres in large areas is certainly a costly affair. But it will cost Government more if a large number of production centres is to be started". So, seeds could not be conveniently distributed throughout the province from one centre, viz., Karimganj farm. Hence Assam Valley could not derive that benefit.

**Srijut GAURI KANTA TALUKDAR:** Have Government given any instruction to the villagers as to how they are to preserve the best kinds of *Ahu* seeds ?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR:** They have got departmental seeds and they must certainly know which are the best seeds.

**Srijut GAURI KANTA TALUKDAR:** Have Government cared to inform the cultivators which are the best seeds for *Ahu* cultivation ?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR:** That is one of the important items of the scheme.

**Srijut GAURI KANTA TALUKDAR:** Has it ever been done by distribution of pamphlets, etc. ?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR:** That is being done by the demonstrators who are posted here and there. They are doing propaganda work to the effect that the pure seeds evolved by the Department give better yield.

**Srijut GAURI KANTA TALUKDAR:** Have Government instructed the cultivators how seeds can be preserved from being mixed up with seeds of inferior quality ?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR:** Instructions are always given.

**Srijut KAMESWAR DAS:** Is not the Titabar farm suitable for cultivation of *Ahu* paddy on any scale ?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR:** Generally the land is not suitable for *Ahu* seeds, but attempt can be made to grow here and there, but that would not serve any useful purpose. The Titabar farm is therefore mainly meant for growing of *Sali* paddy.

**Srijut KAMESWAR DAS:** Is it then a fact that the Kokilamukh farm is the only farm which is going to be established for the whole of Assam Valley for the purpose ?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR:** As yet that is the only farm in the Assam Valley, but attempts are also made for bringing seeds from the Karimganj farm. It should however be borne in mind that the Karimganj farm alone would not be sufficient for supplying good seeds for the whole of the Assam Valley.

**Maulavi MOKSHED ALI:** Will the Hon'ble Minister be pleased to give some names of pure *Ahu* seeds ?

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR:** I can supply the names later on, as I have not got them in my file at present.

**Srijut HALADHAR BHUYAN:** মই অনাবেবোল এথিকালচাৰ মিনিষ্টাৰৰ জ্ঞাতাৰ্ণে এটা কথা কব খুজিছো।

**The Hon'ble the SPEAKER:** নিজৰ জ্ঞাতাৰ্ণে শুধিব হৈ পাৰে।

**Srijut HALADHAR BHUYAN:** সেই কাৰণে এই বিলাক পুশা চালে-বেৰে গৈছে। আহুধানৰ স্কীম কৰিছে বুলি তেখেতে কৈছে, কিন্তু আচলতে একো কৰা নাই। তিতাবৰ ফাৰ্মত আহুধান কৰিবৰ সুবিধা নাই অথচ তিতাবৰ ফাৰ্মৰ ওপৰতেই নিৰ্ভৰ কৰি আছে। এটা plan লৈ যদি আহু খেতি কৰিব খোজে তেনেহলে কথাটো সহজ হয়। গোটেই খন আসামতেই আমাৰ মানুহে আহুখেতি কৰে। যেতিয়া ছয়া বিনৰ প্ৰয়োজন হৈছিল তেতিয়া জাৰ্মানিয়ে এটা plan কৰি জেকোশ্বাভেকিয়া, মানচুবীয়া, কোৰিয়া আদি ঠাইতো টকা advance (দাদন) দি ছয়াবিনৰ খেতি কৰাইছিল। তেনেকৈ এটা plan কৰি কৰিলেহে ভাল হয়। আমাৰ ইয়াত তেখেত সকলে আহু ধানৰ নিমিত্তে স্কীমৰ উপৰি স্কীম কৰিয়েই আছে

কিন্তু মানুহে আহ ধানৰ সঁচ নাপায়। সেই কাৰণে মই এই অনাবৰল হাউচক কওঁ যে এনেবিলাক প্ৰশ্ন কৰি আমি আমাৰ সময়হে নষ্ট কৰিছোঁ। I want to inform the hon. House that we are wasting our time by these questions. The problem has not been tackled properly. আমাৰ সময় বিলাকৰ বিষয়ে অভিমত দিবৰ নিমিত্তে কিছুমান চৰ কমিটি কৰা হৈছিল। এপ্ৰিকালচাৰ ডিপাৰ্টমেন্টৰ বাবেও এটা চৰ কমিটি কৰা হৈছিল। কিন্তু আজিলৈকে কোনো কমিটি বহি ফাৰ্মৰ কান regulate কৰা হোৱা নাই। এজন ডিবেটেৰো আছে তেওঁ একো কৰা নাই।

**The Hon'ble the SPEAKER:** নোৱৰ আহকাল হৈছে এই যে ভূঞা ভাঙবীয়াই যি খিনি কথা কৈছে সি সঁচা, কিন্তু সঁচা হলেও প্ৰশ্ন শুনিবলৈহে দিব পাৰি।

**Srijut HALADHAR BHUYAN:** নোৱৰ কথা হৈছে context নহলে প্ৰশ্ন কেনেকৈ কৰোঁ? মই শুনিব খোঁজো যে এতিয়া proper line ত স্তীৰ কৰা হব নে নহয়?

**The Hon'ble the SPEAKER:** Proper line ৰ কথাটো বুজাই দিয়ক।

**Srijut HALADHAR BHUYAN:** আমাৰ মানুহে জাত এৰা ধান বাচি বাচি কঠিয়া আনি টোনত ভৰাই থৈ দিয়ে। গৰণমেন্টে যদি advance দিয়ে তেন্তে নিশ্চয় মানুহে উৎকৃষ্ট সঁচ দিব। যদি গৰণমেন্টে আহ ধানৰ খেতি কৰিব খোজে, এনেকৈ নকৰে কিয়? গৰণমেন্টে যদি নতুন কোনো variety introduce কৰিব খোজে তেনেহলে সেইটো কৰিব পাৰে, কিন্তু মিছামিছি কৈ এইদৰে টকা খৰচ কৰাৰ কোনো প্ৰয়োজন নেদেখো।

**The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR:** Government will consider very carefully any suggestion given by the hon. Member.

#### Demonstration Silk Farms

**Srijut KAMESWAR DAS** asked:

570. Will Government be pleased to state—

(a) Where are the twenty demonstration silk farms and training centres of the Post-War Reconstruction Schemes for development of silk industries in Assam located?

(b) What was the basis of selection of site for each centre?

**The Hon'ble Srijut GOPINATH BARDOLOI** replied:

570. (a)—The Scheme owing to secession of Sylhet requires revision. The centres selected in the Assam Valley and Cachar District were 8 and 2 respectively, namely, Sonapur, Rangjuli, Kokrajhar, Tezpur, Silghat, Golaghat, Dibrugarh, North Lakhimpur, Silchar and Hailakandi.

(b)—The industry already exists at these places and it was considered best to start demonstration farms there to get quick and satisfactory results for the benefit of all districts.

**\*Maulavi ABUAL MAJID ZIAOSH SHAMS:** Is it a fact, Sir, that the silk industry exists to some extent in the district of Goalpara, especially in the tribal areas?

**The Hon'ble Srijut GOPINATH BARDOLOI:** Is the question meant to ask Government whether they would take this experiment in the tribal areas?

**\*Maulavi ABUAL MAJID ZIAOSH SHAMS:** Yes, Sir.

**The Hon'ble Srijut GOPINATH BARDOLOI:** That is under consideration. As a matter of fact, the hon. Member will see that Rangjuli and Kokrajhar are tribal areas.

**Mr. HARENDRA NATH SARMA:** সভাপতি ডাঙৰীয়া, agenda ত নোহোৱা এটা কথা উলিয়াব পাৰেনে ?

**The Hon'ble the SPEAKER:** পাৰে, যদিহে নীতি বিকল্প নহয়।

**Mr. HARENDRA NATH SARMA:** Sir, এটা কথা আজি কেইদিন মানৰ পৰা শোধো শোধো বুলি ভাবি আছিলো, আপুনি দাবি দিয়ে বুলিহে শোধো নাছিলো। আজি যেতিয়া এজন সদস্যই তামোলখাই কিবা এটা কৈছিল তেতিয়া আন এজন সদস্যই তেখেতক অলপ সোধাবোধ কৰা যেন পালে। তামোল আমি প্ৰায় সকলোৱেই খাওঁ আৰু ইয়াতো চোৰাওঁ কিছু বৰ বেচিকৈ অৰ্থাৎ officially নোচোৰাওঁ কাৰণ স্কলত আমি তামোল চোৰাই মাষ্টৰৰ কেনেকৈ দাবি ৰাইছিলো তাক এতিয়াও পাহৰা নাই। মই শুধিব খুজিছো ইয়াত আমি তামোল officially চোৰাব পাৰেনে ? ইয়াত তামোল খোৱাৰো নীতি বিকল্প নহব কাৰণ আমি জানো যে আমাৰ আহোম ৰজাসকলৰ দিনতো ৰাজ সভাত তামোল খোৱাৰ নিয়ম আছিল। আৰু তামোলৰ port folio অত “তামুলীফুৰন” বুলি এজন মন্ত্ৰীও আছিল।

**The Hon'ble Srijut BISHNURAM MEDHI:** Sir, I was not accusing chewing of betel-nut. The words of the hon. Member were not distinct. That was the only thing to which I drew the attention of the Hon'ble Speaker but I did not object to the chewing of *pan*. When any hon. Member speaks we expect that his words should be distinct.

**Srijut GAURI KANTA TALUKDAR:** মোৰ কথা সভাপতি ডাঙৰীয়াই শুনিলে, কিন্তু মেদী ডাঙৰীয়াইহে স্পষ্টকৈ নুশুনিলে। সি যি নহওক তেখেতে মোক পান চোৰাইছিলো বুলি কৈছে। মই পান চোৰোৱা নাছিলো, তামোলহে চোৰাইছিলো।

**The Hon'ble the SPEAKER:** The position is this. Here in the Assembly, as elsewhere, we should conduct ourselves with decency and decorum. I think, that should be the criterion. Of course, we people chew *pan*. But perhaps that is a personal habit and we are to keep it personal. If people start chewing *pan* here, somebody will require snuff, somebody will cough, others will spit and the proper atmosphere of the House will be disturbed.

**Srijut GAURI KANTA TALUKDAR:** But should an Hon'ble Minister utilise such occasion in making such remarks ?

**The Hon'ble the SPEAKER:** That matter the two friends may decide among themselves.

#### Statement regarding Details of the Badarpur Incident

**The Hon'ble Srijut GOPINATH BARDOLOI:** Sir, before you take up the next item on the agenda, I have a duty to perform and that is a statement with regard to the details of the Badarpur incident. I have the details with me which I have received from the Inspector General of Police. I am reading out the details:—

“ At 2 a.m. on 6th September 1947 the police party in charge of controlling movements of rice and paddy stationed at Badarpurghat had to open fire on some paddy smugglers who were trying to escape with about 100 maunds of paddy. They were challenged by the Police and as they did not stop and tried to run away the Police party in a small boat pursued. The pursuit continued for about

three miles on the Barak river and when they were at a point near Badarpur the Police Party were attacked by the boatmen of the paddy boat, when the Naik in charge opened fire killing 2 men and injuring three others. Judicial enquiry already commenced and is not yet over. Detailed report will be submitted in due course with the result of the enquiry. There is no marked reaction to this Police firing in the district. I have had a meeting with the President of the District Congress and the local Muslim League leaders and explained to them that the firing was not necessitated by any communal trouble. They have realised the position and no agitation is expected over this anywhere in the district."

**\*Maulavi ABUAL MAJID ZIAOSH SHAMS:** Sir, may I be permitted to say that yesterday I got information that at Dhubri.....

**The Hon'ble the SPEAKER:** What is the source of the hon. Members information?

**\*Maulavi ABUAL MAJID ZIAOSH SHAMS:** One gentleman has come from Dhubri and has told me that the price of rice has shot up to Rs.26.

**The Hon'ble the SPEAKER:** The other day the hon. Member said that there was a rumour. We cannot discuss a thing here basing on rumour.

**\*Maulavi ABUAL MAJID ZIAOSH SHAMS:** It appeared next day in the Azad, Sir: I can read it out.

**The Hon'ble the SPEAKER:** No, I will not allow that.

**\*Maulavi ABUAL MAJID ZIAOSH SHAMS:** However that may be, Sir, the price of rice has gone upto Rs. 26. May I know if Government can do something in the matter?

**The Hon'ble Srijut GOPINATH BARDOLOI:** Sir, the matter will be looked into.

**Shri SATINDRA MOHAN DEV:** Sir, is it not a fact that an enquiry has been started by the East Bengal Government?

**The Hon'ble Srijut GOPINATH BARDOLOI:** I presume, Sir, there must be an enquiry by our Government, otherwise this report could not have come from the Inspector General of Police.

As regards the incident itself, Sir, I suppose, we should not discuss it in view of the fact that a judicial enquiry is going on. Regarding the price of rice, Sir, I will cause an enquiry and I think reasons for occurrences of the kind mentioned above have been responsible for this. When it is not possible even for police authorities to prevent smuggling in spite of vigilance things are bound to be like this, and prices get beyond control.

**\*Shri SATINDRA MOHAN DEV:** Will Government think of giving a motor launch there so that such cases may not happen?

**The Hon'ble Srijut GOPINATH BARDOLOI :** The question of getting not one but three motor launches have been taken up by Government but it is on account of the difficulty of procuring these vessels that we have not yet been able to get them.

**\*Shri SATINDRA MOHAN DEV :** Sir, a few outboat motor can serve the purpose.

**The Assam Land and Revenue Regulation (Amendment) Bill, 1947**

**The Hon'ble the SPEAKER :** I now pass on to item No. 2, the Assam Land and Revenue Regulation (Amendment) Bill, 1947. As the hon. Members will recollect that we fixed up the programme for this yesterday, but we worked upto 5-25 p.m. yesterday and this formal part of the business was left out. Therefore, I want to put the question.

**\*Maulavi ABUAL MAJID ZIAOSH SHAMS :** We will discuss some principle, Sir.

**Maulavi MAHAMMAD ROUFIQUE :** Sir, I want to rise on a point of order. This Motion for further discussion cannot be brought in to-day because yesterday the discussion took place and the Amendments were also discussed, and it was agreed that the Amendments should be withdrawn and a programme was fixed up. As a matter of fact the Motion for consideration should have been moved and adopted yesterday. Now whether for the failure of the Mover to do so, it should be allowed to-day ?

**The Hon'ble the SPEAKER :** It is only for the convenience of the hon. Members, when I saw that the time was nearly 5-25 and the hon. Members were so impatient to go, that I thought that it was only a formal matter. The whole day has been set apart for this matter on Tuesday.

**\*Maulavi ABUAL MAJID ZIAOSH SHAMS :** Some principles underlying the Bill have got to be discussed.

**The Hon'ble the SPEAKER :** I think the hon. Member will get better facility to discuss in details and that will be to the advantage of the hon. Member.

**\*Maulavi ABUAL MAJID ZIAOSH SHAMS :** The difficulty is that there is much to be done to-day.

**The Hon'ble the SPEAKER :** To-day we have got the Gauhati University Bill.

**The Hon'ble Srijut BISHNURAM MEDHI :** As a matter of fact, when I wanted to reply my Friend the hon. Member said that it was not necessary.

**The Hon'ble the SPEAKER :** When the House agreed to certain procedure, I thought discussion was not necessary and it was 5-25 yesterday when we rose. So, I think, I can put the question. Can I ?

**\*Maulavi ABDUL HAI :** As a matter of fact Mr. Roufique raised the point that this Bill rests on the Resolution of 1945, and it was in the old House and

*\*Speech not corrected.*

not in this present House. So it will be better if the hon. Members are provided with copies of that Resolution so that we may be able to judge whether any Amendment is to be given or not.

**The Hon'ble Srijut BISHNURAM MEDHI:** It was published in so many papers and I do not know if so many spare copies will be available.

**\*Maulavi ABDUL HAI:** If so many copies are not available, one or two copies to this side and one or two copies to that side can be given.

**The Hon'ble the SPEAKER:** Very well the Hon'ble Minister will see to that and try to find out as many copies as possible for the hon. Members.

**\*Maulavi ABDUL HAI:** It should be given to-day.

**The Hon'ble the SPEAKER:** If the hon. Members wanted it to-day they should have mentioned that yesterday. However, the Hon'ble Minister will try to provide as many copies as possible.

Order, order, I will now put the question.

The question is:—

“That the Assam Land and Revenue Regulation (Amendment) Bill, 1947 be taken into consideration”

The question was adopted.

#### The Assam Commissioner's (Transfer of Powers) Bill, 1947

**The Hon'ble the SPEAKER:** Item No. 3—consideration of the Assam Commissioner's (Transfer of Powers) Bill, 1947, clause by clause, and the Motion for passing. There is no Amendment, therefore the Hon'ble Minister may please move for passing the Bill straight away.

**The Hon'ble Srijut BISHNURAM MEDHI:** Mr. Speaker, Sir, I beg to move that the Assam Commissioner's (Transfer of Powers) Bill, 1947, be passed.

I need not make any speech in connection with that, because the House is practically agreed to the abolition of the post of Commissioner. For that purpose transfer of these powers is necessary and the Act is necessary for facilitating the transfer of these powers. For transfer and distribution of Commissioner's powers after the post is abolished the Bill is introduced and I hope the hon. Members will accept this Motion and pass the Bill.

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

“That the Assam Commissioner's (Transfer of Powers) Bill, 1947, be passed.”

**\*Maulavi SAYIDUR RAHMAN:** In this connection may I enquire from the Government whether they have decided to abolish the post of Commissioner, and if so, when?

**The Hon'ble Srijut BISHNURAM MEDHI:** The whole idea is that we have not appointed any Commissioner and that is the clear indication that so far as this post is concerned as it now exists, there is no question of making fresh appointment. One Deputy Commissioner is now in charge of the duties of the Commissioner till the Bill is passed.



\***Maulavi SAYIDUR RAHMAN:** May I know if as soon as the Bill is passed the post will be abolished?

**The Hon'ble Srijut GOPINATH BARDOLOI:** I will possibly better explain the position. If the hon. Member will look into the Bill he will find that the powers now exercised by the Commissioner are proposed to be distributed among certain authorities who will exercise those powers. That means that the post of Commissioner so far as it stands today with all his power will go. But that does not mean that Government may not have some other kind of appointment. For example, Government's present intention is that they need to do greater work in the villages and it may be that an officer who will not surely be the Commissioner but one who will be able to exercise all powers in that behalf may be appointed. This is now in the contemplation of Government but they have not yet taken any action in the matter.

**Maulavi MAHAMMAD ROUFIQUE:** Mr. Speaker, Sir, as it is known in this House, from this side there was no opposition to the Motion for adoption of this Bill. But one thing is there which I should like to mention. Here the Government should proceed cautiously in giving effect to this Bill. This Bill empowers Government, by notification in the Gazette, to transfer any or all of the powers exercised by the Commissioner immediately before the commencement of the Act. Even then they can continue the post of the Commissioner under this Bill.

**The Hon'ble Srijut GOPI NATH BARDOLOI:** As soon as the powers are transferred the Commissioner does not exist and as a matter of fact the Bill has been brought with the specific intention of abolishing the Commissioner's post.

**Maulavi MAHAMMAD ROUFIQUE:** It is stated here that Government may, by notification in the official Gazette transfer any or all powers exercised by the Commissioner. Now by this Bill do the Government propose to transfer any or all the powers? My object in speaking about this is that at present whatever might have been said about the post of the Commissioner before, the aim is to abolish the post of Commissioner. The time has changed. Of course there are great disadvantages that the people suffer from having to maintain the post of the Commissioner. But it cannot be denied that the Commissioner also did some useful work. So far as the districts were concerned, the Commissioner used to visit them and inspect the various departments. Now by abolishing the post of the Commissioner—the result will be that there will be no inspection of work of the Deputy Commissioners in the various districts of Assam.

**Srijut SIDHINATH SARMA:** So you require a Commissioner?

**Srijut PURNA CHANDRA SARMA:** That power of superintendence will also be distributed to some other officer.

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

"That the Assam Commissioner's (Transfer of Powers) Bill, 1947, be passed."

The question was adopted.

### The Gauhati University Bill, 1947

**The Hon'ble the SPEAKER:** We pass on to the next item—Consideration of the Gauhati University Bill, 1947. There are 19 Amendments to this Bill. The first Amendment comes in respect of clause 9. Therefore, I shall put the question in respect of clauses 1 to 8.

The question is :

That clauses 1 to 8 both inclusive of the Bill stand part of the Bill."

The question was adopted.

**The Hon'ble the SPEAKER:** We take up clause 9. Maulavi Nazmal Haque to move.

**Maulavi Md. NAZMAL HAQUE:** Mr. Speaker, Sir, I beg to move that in sub-clause (1) (vii) for the words "the Principals" the words "five Principals" be substituted.

The purpose of this Amendment is nothing but to restrict the number of the members of the Court. The Court is going to be represented by all the Principals of the colleges. Now, Sir, at present, if I am right, every district is going to have a college and after the establishment of the University almost all the Subdivisions of the province will have colleges and if the Principals of all colleges are taken into the Court the number of the Principals in the Court will be too many. So my suggestion is to restrict the number of Principals in the Court to 5, who will be elected by all the Principals of the colleges. By this the purpose of representation in the Court by the Principals of the colleges will be served. Another representative is also going to be taken in the Court. He will be elected by the Governing Body of each college. Thus each college is going to send two representatives, *i.e.*, one Principal and one member from the Governing Body. Therefore, my suggestion is that only 5 Principals who will be elected from all the colleges of the Province be taken into the Court. Two members in the Court from each college are not at all a necessity.

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

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

"That in sub-clause (1) (vii) of clause 9, for the words "the Principals" the words "five Principals" be substituted."

**The Hon'ble Srijut GOPINATH BARDOLOI:** Mr. Speaker, Sir, I have to oppose this Amendment.....

**Maulavi MAHAMMAD ROUFIQUE:** Sir, it is difficult to hear.

**The Hon'ble the SPEAKER:** Yes, I know the inconvenience caused by the rains and also as the microphones are not working. I hope, we may have exercise of our lungs.

**The Hon'ble Srijut GOPINATH BARDOLOI:** As I already said, Sir, I have to oppose this Amendment.

My hon. Friend says that every subdivision will have a Principal as every subdivision will have a college. Therefore the number of Principals representing the colleges in the Court will be much larger. But having all of them, I do not think, the number will be such as to make the Court wieldy. On the other hand it will give an element of educationists in the Court, which, I suppose, will be healthy. Secondly, he says that there should be 5 Principals in the Court without suggesting how those 5 Principals are going to be selected. We will find obvious difficulties if we accept this proposal. I, therefore, think, Sir, that it is not necessary to restrict the number of Principals to 5. Therefore, the Amendment should be withdrawn.

**Srijat KAMESWAR DAS:** Mr. Speaker, Sir, I oppose this Motion. As provided for in this clause the Principals are to be "*ex officio*" Members and if this Amendment is to be accepted then this clause cannot stand under class *ex-officio* Members and will have to be omitted from where it is and their representation introduced under other Members—Class III. Then again, there is another difficulty. Sometimes there may be less than 5 Colleges or 5 Principals and sometimes more. When it is less than 5 then this Amendment will not meet the situation. If the idea of this Amendment is to be given effect to there may also arise practical difficulties and for these I oppose this Motion.

**Maulavi Md. NAZAMAL HAQUE:** I beg leave of the House to withdraw my Amendment.

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

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

**The Hon'ble the SPEAKER:** Amendment No 2, under clause 9. Maulavi Abual Majid Ziaosh Shams to move.

**Maulavi ABUAL MAJID ZIAOSH SHAMS:** Mr Speaker, Sir, I beg to move that after sub-clause (2) of Clause 9, the following be added as a proviso:

"Provided that the Statutes in the Schedule regarding the above items from XIII to XVII under "Class III—Other Members" be so made that the number of the members of the Court therein be distributed in such a way that there shall be a reservation for the Muslims of at least twenty per cent. members of the total number of the members of the Court".

The necessary items which I shall read out are these in which I want the proposed Amendment to be inserted

Item (xiii) under class III the graduates of the University elected by the registered graduates from among their own body.

Item (xiv), persons elected from among their own body by Teachers who are not Professors or Readers of the University.

Item (xv), persons elected by associations or other bodies, approved in this behalf by the Chancellor on the recommendations of the Executive Council.

Item (xvi), persons elected by the elected members of the Legislative Council and Legislative Assembly from among their own numbers.

Then, Item (xvii), persons appointed by the Chancellor.

These are items, Sir, under which right has been given for election as well as for appointment from which I want that at least 20 per cent. members of the total number of members of the Court be Muslims.

Now, Sir, this is a fact that this principle of communal reservation has been conceded to in various institutions. For example, in the Provincial Legislatures there will be communal reservation of seats, of course, by joint electorate.

So what I want here is not a novel thing or a thing which is not required, considering the circumstances as obtaining in India. Moreover, Sir, it is not only required from the communal standpoint but from the fact also that particular communities which have got particular cultures require that the Muslim or members of particular communities, should be given chance to represent their cases so that their particular culture may be developed in a particular way. This fact, Sir, that proper reservation of seats for the minority communities should be given, was declared emphatically by the Calcutta University Commission which wanted that in the Senate also there should be some reservation of seats for the minority communities and so in this Gauhati University Bill, 1947, proper reservation should be provided for in the Senate.

So, Sir, I move that such reservation is necessary not from the communal point of view alone but from the fact also that there is special necessity for it.

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

That after sub-clause (2) of Clause (9) the following be added as a proviso:

“Provided that the Statutes in the Schedule regarding the above items from XIII to XVII under “Class III—Other Members” be so made that the number of the members of the Court therein be distributed in such a way that there shall be a reservation for the Muslims of at least twenty per cent. members of the total number of the members of the Court.”

**Srijut BIJAY CHANDRA BHAGAVATI:** মাননীয় সভাপতি ডাঙৰীয়া, ১৫ আগষ্ট তাৰিখে ভাৰতবৰ্ষৰ ইতিহাসৰ এটা পাত লুচিয়াৰে আৰু এটা নতুন যুগৰ আৰম্ভ হল।

**The Hon'ble the SPEAKER:** I am sorry for the interference. The Chair's Ruling will not be binding on the elements. Therefore either the hon. Member would have to speak louder still or we shall have to adjourn for a few minutes.

**Srijuj BIJAY CHANDRA BHAGAVATI:** সেইদিনা আৰম্ভ হল গণতন্ত্র, বিজ্ঞান আধুনিকতা আৰু অর্থনৈতিক সাম্যৰ ভেটিত নতুন এখন ভাৰতবৰ্ষ আৰু ধৰ্ম সম্প্রদায়নিৰপেক্ষ নতুন এখন ৰাষ্ট্ৰ গঠনৰ কাম। সম্প্রদায়িকতাৰ যি মনোভাব সাম্রাজ্যবাদৰ পুৰোচনাত ভাৰতত সৃষ্টি হৈছিল, আমি আশা কৰিছিলো যে স্বাধীনতাৰ চল পাৰ্শ্বীয়ে তাক উটাই লৈ গুছি যাব আৰু নতুনকৈ সুস্থ সবল এক জাতীয়তাৰ ভাৰ গঠি উঠিব। কিন্তু দুখেৰে সৈতে অনুভৱ কৰিছো যে এই পৰিষদৰ কোনো এক অংশত সেই পুৰনি মনোভাব আজিও বর্তমান হৈ আছে। কেজনমান সদস্যই যোৱা কেইদিন মানৰ আলোচনা ক্ষেত্ৰত আৰু আজিব এই প্ৰস্তাৱৰ দ্বাৰা মধ্যযুগীয় এটা সাম্প্রদায়িক মনোভাব পুনৰ প্ৰকাশ কৰিব খুজিছে; আমি আশা কৰিছো যে আজিব ভাৰতবৰ্ষত আগৰ সেই সকলো মনোভাব দূৰ হৈ যাব—পুৰণি দৃষ্টি ভঙ্গি নাইকিয়া হব আৰু নতুন ভাবে, নতুন প্ৰেৰণাবে আমাৰ সকলো জাতীয় কাম সমাধি কৰিব পাৰিম। সেই কাৰণে আজি এই ইউনিভাৰ্ছিটি বিলৰ প্ৰসঙ্গত যিটো প্ৰস্তাৱ

মৌলবী আব্দুল মজিদ জিয়াওচ্ছামচু চাহাবে দাখি ধৰিছে মই তাৰ বিৰোধিতা কৰিছো। আসামৰ সৰ্ব্বোচ্চ শিক্ষা প্ৰতিষ্ঠানত আসম সংৰক্ষণৰ কোনো প্ৰশ্নই উঠিব নোৱাৰে। সাম্প্ৰদায়িক ভিত্তিত আসম সংৰক্ষণ ব্যৱস্থা এটা প্ৰতিক্ৰিয়াশীল কথা। এনেকুৱা প্ৰতিক্ৰিয়াশীল নীতিন আশ্ৰয় লৈ কোনো জাতিয়ে কেতিয়াও আজিৰ জগতত ফেৰ মাৰিব নোৱাৰে। আজিৰ জগতত ফেৰ মাৰিব লাগিলে আমি নিশ্চয় বিজ্ঞানৰ ভেতিত, গণতন্ত্ৰৰ ভেতিত জাতি আৰু ৰাষ্ট্ৰৰ কাম পৰিচালনা কৰিব লাগিব। আমি যদি আমাৰ সৰ্ব্বোচ্চ শিক্ষা প্ৰতিষ্ঠানত সাম্প্ৰদায়িক-তাৰ কাৰিমা গানো, আমি যদি তাত সাম্প্ৰদায়িক ভেতিত আসম সংৰক্ষণ কৰিবলৈ ব্যৱস্থা কৰো তেনেহলে নিশ্চয় এই শিক্ষা অনুষ্ঠান আজিৰ জগতৰ উপযোগী হব নোৱাৰিব। সেই কাৰণে মই আমাৰ বন্ধু জিয়াওচ্ছামচু চাহাবক অনুৰোধ কৰিব খোজো যে তেখেতে যেন এনেকুৱা এটা প্ৰতিক্ৰিয়াশীল প্ৰস্তাৱ দাখিৰি নতুন ভাৱতৰ্ঘত, নতুন আসামত আমি যি নতুন শিক্ষানুষ্ঠান গঢ়িব খুজিছো তাৰ পুৰ্ণতিত বাধা নিদিয়ৈ।

**Maulavi ABDUL HAI:** Mr. Speaker, Sir, if I may be allowed to speak on the Amendment that stands in my name, I would like to deal with the Amendment regarding the Schedule.....

**The Hon'ble the SPEAKER:** Probably these two Amendments are almost identical; we may deal with other consequential Amendments also.

**Maulavi ABDUL HAI:** Yes, Sir, what I mean is that while speaking on my Amendment I like to speak on the Amendment dealing with the Schedule also.

**The Hon'ble the SPEAKER:** Yes, the hon. Member may speak.

**Maulavi ABDUL HAI:** Mr. Speaker, Sir, I also beg to move a similar Amendment like the one moved previously.  
My Amendment runs thus:

That after sub-clause (2) of clause 9 the following be added as a proviso:

“Provided that the Statutes regarding the above clauses from XIII to XVI under “Class III—Other Members” shall be so made that the numbers of the members of the Court mentioned therein be distributed in such a way that there shall be a reservation for the Muslims of at least twenty per cent. of the total number of the members of the Court and a similar or some reservation of seats shall be made also for the other minority communities such as Tribals and Scheduled Caste”.

Sir, when I am moving this Amendment I am always bearing the fact that we are now ushering in a new era and we know that the method of giving separate electorate to the minority communities is not finding favour with our major groups for which they have got their reasons. They are saying that this method of separate electorate has created such an atmosphere in India that it has become a source of many difficult problems. Sir, they are hoping that by removing separate electorate they will be in a position to bring betterment and welfare to the Province and to the country as a whole. We, Sir, the minority group in the Indian Union have accepted their principle on the ground that we as well want to improve the lot of the country so that the independence which we have achieved after such a long struggle can be retained for good so that the Indian Union's position before the world becomes higher and better. But Sir, by moving my Amendment for reservation of seats to the minority commu-

\* Speech not corrected.

nities I do not want to bring that separate electorate or communalism to our country. I hope the hon. Members of the Treasury Bench and their followers and other hon. Members of this august House will consider my Amendment in the spirit with which it has been offered. In the Indian Union the Constituent Assembly has done away with the separate electorate and in its place the joint electorate has been introduced, and we, as I have already said, have accepted it for the betterment of the country without knowing what will be the ultimate result of it. But that Union where the best of the persons of the Indian Dominion are gathering and formulating the future Constitution of the Provinces as well as the Dominion, has also accepted the principle of giving reservation of seats to the minorities. Sir, the University is an institution which is the highest of all other institutions for the advancement of education in the Province. There also we consider that some reservation should be given to the minorities, not for creating communalism but for the consideration that the minorities should also be given facilities to take part in the betterment or advancement of education in the Province. This reservation of seats in the University we have not asked only today. I will cite before the House opinions of great educationists as well as some eminent people of this Province before you. But before that I want to give you a little idea of the University Bill that was formulated by the former Ministry in the year 1941. There also, Sir, reservation of seats was granted in the Senate, but in the Syndicate of course no reservation was given. On that account two of the hon. Members of that House, one is an eminent educationist, Maulana Abu Nasr Muhammad Wahid, and the other Maulavi Abdul Bari Chaudhury who opted out to the Eastern Pakistan Assembly as a result of separation of Sylhet, submitted their minute of dissent on that Bill by giving some notes from the eminent educationists. I will now read out a portion to the hon. Members of this House. I read from the minute of dissent submitted by Maulana Abu Nasr Muhammad Wahid and Maulavi Abdul Bari Chaudhury which was published in the *Assam Gazette* of December 10th, 1941, at page 130. There they say like this: "The principle of reservation has been accepted in the case of the Senate, but it is strange that it has not been extended to the Syndicate which is the executive body of the Senate. The Calcutta University Committee categorically declared in favour of reservation of seats in the constitution of the Senate and the Syndicate. We quote the opinions of some of the veteran educationists who were intimately connected with the educational advancement of Assam who deposed before the Royal Commission on this point. Sir Henry Sharp at one time Director of Public Instruction of Eastern Bengal and Assam said: A consideration of the rights and interests of all classes is not of great importance. The Muslims require high representation. Mr. Cunningham, who was the Director of Public Instruction of this Province said that Muslims and others should be adequately represented in the Government of the University." Sir, one of the greatest sons of this Province, late lamented Mr. N. C. Bardoloi of Gauhati said: The needs and interests of a particular community should be specially considered regarding the control and management of the University. There should be qualified non-official members representing different communities and peoples. This appears from the University Committee Report Volume I, Chapters VIII and IX. Now, Sir, these are the opinions given by these persons. They have made it clear that there should be consideration of the rights and interests of a particular community and we have asked for reservation only on this ground. This University of ours is going to be placed on the model of the Dacca University, because our University will be for teaching, affiliation and examination only as well as residential also. And in the Dacca University they give reservations to Muslims and non-Muslims.

**The Hon'ble Srijut GOPINATH BARDOLOI:** The scheme has been taken from the Delhi University.

**Maulavi ABDUL HAI:** Almost all the provisions in many cases are *in toto* with the provisions of the Dacca University, and in this respect also our University is the same as the Dacca University. It is a residential one.

Sir, the preamble of our University Bill says:

Whereas it is expedient to establish and constitute a Teaching Residential and Affiliating University and this is in line of the Dacca University which is also a Teaching, Affiliating and Residential University. Now, Sir, in other Universities they give also separate representations to the Muslims and non Muslims, of course they are adopting the method of separate electorate which we have eliminated. We are not falling upon separate electorate. We are to see what good result is produced by Joint Electorate. So all communities and races should be allowed considerable representation in the highest institution for the advancement of the education in the Province. We are asking 20 per cent. of the total number in Court and Executive Council for the Muslims and also reservation for the minority; but how much should be given to the minority it is up to the Tribal leaders, the Scheduled caste leaders and the leaders of the majority community.

Therefore in my another Amendment I am proposing in paragraph of the Schedule 2 as below:

"In sub-paragraph (2) line 3, for the word 'seven' the words 'twelve of whom Muslim shall be at least three' be substituted."

What is the Schedule? In the Schedule, Sir, in sub-paragraph (2), it reads like this: The number of graduates to be elected as the members of the Court by the registered graduates from among their own body shall be seven. Here we are accepting the principle of Joint Electorate, but in place of seven I want to make twelve. And from out of that twelve leaving sufficient numbers to be distributed among the majority community and other minority communities we are only claiming for the Muslims at least three reserved seats. Why am I increasing the number to 12 in place of 7? The number of graduates we all know now-a-days is increasing and they should be given proportionate representation in the University. That is why I am increasing the number from seven to twelve. Out of that number we are only asking reservation of three seats and the hon. Members should consider whether they should concede to this Amendment and give sufficient representation to Muslims and also at the same time I am asking them to give reservation of seats to other minorities also.

Now, Sir, again in sub-paragraph (3) line 3 for the word "three" the words "six of whom Muslims shall be at least two" be substituted. The sub-paragraph reads like this: "The number of teachers to be elected as members of the Court by the teachers other than professors and readers shall be three". The number of teachers will not be very few as there will be different departments; so I am by this Amendment proposing to increase the number from three to six and out of that I am asking to keep the reservation of only two seats for the Muslims. Other seats should be distributed among other minorities as well as majority communities. So also my Amendment regarding sub-paragraph (4) line 3 where I have said in sub-paragraph (4) line 3 after the word "four" the words "of whom one shall be reserved for Muslim" shall be added. Sub-paragraph (4) reads like this in the Bill as has emerged from the Select Committee: "The number of persons to be elected as members of the Court by associations or other

bodies approved in this behalf by the Chancellor shall not exceed four". Thus I am keeping number as it is. Only I am asking to keep one seat reserved for the Muslims.

Now, Sir, I am reading sub-paragraph (5) "the number of persons to be elected by the Members of the Assam Legislative Assembly from among their own numbers shall be five. I want to increase the number to seven, of whom at least two should be Muslims. Sir, though we have lost a part of Assam and though there is only one House now, the number of Members of the Lower House will increase by virtue of adult franchise, and accordingly I propose to increase the number from four to seven

Then, Sir, sub-paragraph (6) says "the number of persons to be appointed by the Chancellor shall not be more than nine, and the purpose of the appointment shall be to secure the representation of interests not otherwise in his opinion adequately represented and to secure the advice of distinguished educationists of other provinces". Sir, in this connection I would like to mention that in the University Bill, which was brought forward by the previous Ministry in the year 1941, the number of persons nominated by the Chancellor was 40. But that number has been reduced to only 9. I am proposing the number to be 12 of whom at least 5 should be Muslims. The reason is this, Sir: that in many cases Muslims may not come up in adequate number; so when the Chancellor is in a position to nominate he may consider the case of Muslims and give them five seats.

Sir, I hope I am speaking out what we, the minorities feel in this regard and on this consideration I have tabled these Amendments. With these few words I hope the House will accept my Amendments.

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

"That after sub-clause (2) of clause 9, the following be added as a proviso: 'Provided that the Statutes regarding the above clauses from XIII to XVI under "Class III—Other Members" shall be so made that the numbers of the members of the Court mentioned therein be distributed in such a way that there shall be a reservation for the Muslims of at least twenty per cent. of the total number of the members of the Court and a similar or some reservation of seats shall be made also for the other minority communities such as Tribals and Scheduled caste'."

\* **Srijut HARESWAR DAS:** Mr. Speaker, Sir, I oppose these Amendments. In these days of smuggling and blackmarketing, the Amendment of hon. Maulavi Abual Majid Ziaosh Shams is an instance of smuggling...

(Voices of protest from the Opposition.)

I did not say that the hon. Member is a smuggler. I only said that in these days of smuggling and blackmarketing his Amendment was an instance of smuggling. That is my point. Clause 9 provides about 18 matters. 18 doors so to say, to enter the University Court. Now, my Friend has left doors No. 1 to 12 and the 18th, *i. e.*, 13 doors (front-doors) open for the Muslims to enter the University Court. Along with these he has selected five back doors, from 13 to 17, through which he wants to smuggle a number of Muslims in.....

(A voice: Is the word "smuggling" parliamentary, Sir?)

**The Hon'ble the SPEAKER:** It is not; but the hon. Member is developing his arguments.



(Turning to Srijut Das) : The hon. Members opposite are taking exception to the manner in which the hon. Member is putting things.

\*Srijut HARESWAR DAS : I am not attacking anybody, Sir.

\*Maulavi ABDUL HAI : But he should keep the dignity of the House.

\*Srijut HARESWAR DAS : Have I uttered anything objectionable ?

\*Maulavi MAHAMMAD ROUFIQUE : We do not take him seriously, Sir.

\*Srijut HARESWAR DAS : Sir, the Amendment is so worded that it may be interpreted like this : by the five methods mentioned in 13 to 17, the Muslims should be so nominated that their number becomes 20 per cent. of the total numbers of the entire University Court besides the fact that other Muslims may enter by the other doors. By these five doors only their number should be one-fifth of the total number of members of the University Court. That is why I said that it was something like smuggling. It is not that the total number of Muslims should be one-fifth of the entire Court ; the 13 doors are left open for Muslims to enter in any number ; so it may be that the total number of Muslims may be 90 per cent. or even 100 per cent. of the total number of members. If 20 per cent. of the Muslims enter by the five back doors and the other 13 doors are also left open to them, a situation may arise in which all the members of the University Court are Muslims. So, I made the statement that it is an instance of smuggling, but I did not say anything against the person of the hon. Mover. The Amendment of hon. Mr. Hai is another such instance. Everybody knows, Sir, that a clever businessman generally smuggles his articles covering them with other innocent things. The smuggled article is kept concealed by other innocent-looking things. Here hon. Mr. Hai wants to take in some Muslims and that thing is covered by Tribals and Scheduled castes. He does not give the number as to how many Tribals and Scheduled castes should get place. He does not mention that. He only mentions that at least 20 per cent. of the total number of members of the Court must be Muslims. He mentions that similar or some reservation of seats should be made for other minorities such as Tribals and Scheduled castes.....

**The Hon'ble the SPEAKER** : Perhaps the hon. Member will require some further time.

\*Srijut HARESWAR DAS : Yes, Sir.

#### Adjournment

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

(After Lunch)

\*Srijut HARESWAR DAS : Professor Alduous Huxley defines politics as the art of securing votes from the poor with the money of the rich, each promising relief against the other. The language of hon. Maulavi Abdul Hai's Amendment is in line with that definition. It promises something to the tribals and

\*Speech not corrected.

Scheduled Castes without giving anything, possibly to secure their votes. Now, Sir, if these Amendments of Maslavi Abual Majid Ziaosh Shams and Maulavi Abdul Hai are accepted it will mean that the entire scheme will be on communal perspective. Of course in the past we have done that. But now as the country has attained independence I would request the hon. Members to eradicate communalism root and branch and not nurture it. The hon. Member has raised the question of minority. Well, it is not a question of minority, it is purely a communal question. Yesterday Mr. Abual Majid Ziaosh Shams introduced the question of coloured communalism and to-day he has introduced the question of uncoloured communalism. In any case the Muslims can never be a minority in Assam. They are about 17 lakhs and they are well organised and well educated. If I remember aright the hon. Leader of the Opposition in the Pakistan agitation days advanced this argument that the Muslims in Assam are a majority party, so Assam should go to the Pakistan. If this communal bias is recognised here in Assam then, Sir, in my opinion, it is those persons who come under the category of "other Hindus" require protection, because this term "other Hindus" includes many castes and communities and there are many associations who are pressing special privileges for those communities. On the other hand the Muslims are a compact and homogeneous party and it is evident that for the last more than quarter of a century it is our hon. Leader of the Opposition who had shaped the destiny of these people without any special reservation. If these Amendments are accepted it would make the entire scheme unworkable. If there be reservation of 20 per cent. for Muslims, 30 per cent. for Tribals, 5 per cent. for Labour and 10 per cent. for the Scheduled Castes, etc., etc., then what will happen? The entire scheme will be unworkable. This is not necessary because if any minority community is not represented, provision has been made in the Schedule in paragraph 21(2) for their representation. Paragraph 21(2) reads thus: "Where power is conferred upon him by the Act or by the Statute to nominate persons to the authorities of the University or other body thereof, the Chancellor shall, to the extent necessary and without prejudice to such powers, nominate persons to represent minorities and interests including Tribal people of the Hills and Plains and Scheduled Castes not otherwise represented." These Amendments again offend the spirit of clause 4 at page 8. "The University shall be open to all persons of either sex and whatever race, creed or class, and it shall not be lawful for the University to adopt or impose any test whatsoever of religious belief or profession in order to entitle a person to be admitted as a Teacher or student or to hold any office therein or to graduate thereat, or to enjoy or exercise any privilege thereof, ....." It will again offend the spirit of clause 4.

Sir, these Amendments seem to be based on distrust. Now that the country has been divided and we shall have to live together, we should dispense with those distrusts of the past. When we served under the common master we quarrelled. Now we are our own masters, we should mutually co-operate and trust each other and try to create Assam a glorious province. I, therefore, request my hon. Friend to consider the advisability of not pressing his Amendment.

**Srijut KAMESWAR DAS:** It is with a heavy heart that I rise to oppose the Amendment. When I do this, I do from a different angle of vision altogether. I do not agree with my Friend, Srijut Hareswar Das that at times there may be cent. per cent. Muhammadans, or 30 per cent. Muhammadans. Even that I do not oppose if it be from a different perspective. What I object to is that the method suggested violates very materially the principle underlying

the provisions of clause 9. Under the provisions the registered graduates have been given option to register their names in this University. But there is no compulsion. There may be no Muslim graduates amongst the registered graduates as none can compel them to register so long as the option is there. But under the proposed Amendment the registered graduates even then will have to select Muhammadan graduates who will be from outside and not registered graduates. Some thing may happen in the case of teachers, professors or readers of the University as also in the cases of the approved associations. There is provision that the Chancellor of the University can appoint members and unrepresented interests are very likely to get representation this way. On the other hand if the Amendments are to be accepted this will compel these associations to elect members who may not be members of these associations at all.

Coming to "class 2,—Life Members", we find that there also arise certain anomalies. If the Amendments are to be accepted, certain proportion of life-members will have to be conceded to Muslim friends even while there are no donors and persons of the type envisaged in the provision of the Bill. Suppose there are 5 persons who donate a lakh of rupees each under the provision of the Bill; if the Chancellor thinks fit they may be appointed life-members of the University. As nobody can compel any one to make a donation, Muslims also cannot be compelled to do so and there may not be any question to contribute one lakh of rupees to the University to qualify him to be a life-member. But how can it be possible if these Amendments are to be accepted? Because there are 5 life-members in the University Court, it cannot stand that there must be one member from the Muslim community, even though he is not a donor or has not the requisite qualification.

Then again, in the University Court, there will be the Principals, the Director of Public Instruction, the Professors and the Readers. These people will be there by reason of their special knowledge in certain subjects, or for their efficiency; certainly it is not a sound principle to set up a number of Muslims, merely because they are Muslims arraigned against these people to counterbalance their votes. This will certainly violate a very serious principle.

The Calcutta University Commission and the Dacca University Constitution have been cited in support of these Amendments, but these are things of long past and because of these very principles we see to-day that India has been divided; and if we allow these principles to work and continue any further, then future only knows our fate and serious complications and troubles are bound to haunt us and harass in increasing intensity.

Again, as has already been said by the Leader of the House that the main underlying principles of this University Bill have been to keep the University as much uninfluenced from outside as possible, specially in respect of political and communal outlook. If the principle underlying these Amendments is to be applied then the University body cannot but be a political one. So I appeal to my Muslim Friends to consider these aspects. Because there is special reservation for Muslim seats in the Legislatures it can be no good ground that there should be special reservation of Muslims in the University apart from consideration of other qualifications. A Legislature is a political body but a University should not be so; it must be a non-political body. Considering these difficulties I

think that there should be no communal representation. Only the other day hon. Maulavi Ziaosh Shams said that the Governor is not to be a representative of the Legislature as then he will be able to remain above party or communal politics. He wanted a Governor with no communal or political bias. In this Bill, the Governor is the Chancellor of the University and we hope that the Governor without any political or communal bias will certainly be able to see to the interest of the unrepresented communities including the Muslims, if the situation so warrants. If there be efficient men in a particular community and if they are not sufficiently represented certain members of that community are bound to be elected or appointed by virtue of their qualifications. The conditions prevailing 20 years or more back are no longer in existence and under certain circumstances under pressure of exigency we often accept principles even though we may not like them. The late lamented Srijut Nabin Chandra Bardoloi supported a view at a time when there was no alternative but to do it. And what did he do? He wanted people of all communities and interests, and we also claim that they will be so represented. The Congress has accepted the principle of division of India, under pressure of circumstances when it saw that there was no escape from it. But because India is divided there is no reason why we should allow subdivisions in the University by providing for communal representation. Moreover, Sir, in the subsequent Amendments we see that not only 20 per cent. but much higher percentage than 20 is to be secured in each of the Amendments; sometimes even 43 per cent. I think, it is perfectly relevant to mention here some of these. But I will not dilate upon them.

**Maulavi ABDUL HAI:** On a point of information, Sir. Is it clause No. 12?

**Srijut KAMESWAR DAS:** Yes, Sir, under all the clauses including clause 12, the Amendments wanted to seek for 20 per cent. reservation, but in most of the Amendments they want much higher percentage and in certain cases even up to 43 per cent. I may not dilate upon these, but any way the truth of my statement will be clear after going through the Amendments themselves and I am prepared to prove it to any one who may want the same.

In my opinion, Sir, a University is really the highest of all educational institutions and certainly these institutions cannot be run efficiently if we allow communal representation there. With these remarks, Sir, I again request that my Friends, the movers of these Amendments, will consider the positions anew and will withdraw their Amendments.

**Srijut KARKA DALAY MIRI:** মাননীয় সভাপতি ডাঃবীয়া, বিশ্ববিদ্যালয় সম্বন্ধে এই বিলখন অন্যতম আজি আমি বৰ আনন্দ পাইছোঁ। আশা কৰো সোনকালে ইয়াক কাৰ্য্যত পৰিণত কৰি এই অনুস্থানলৈ যাতে ভাল ভাল মানুহ আহিব পাৰে তাৰ নিমিত্তে চেষ্টা কৰিব লাগিব। যদি তেনেকুৱা মানুহ আমাৰ দেশত পোৱা নাযায় তেনেহলে বাহিৰৰ পৰা আনিলেও আমাৰ আপত্তি নহব। তাত এটা provision থাকিব লাগিব যাতে সকলো সম্প্ৰদায়ৰ মানুহে তাত ঠাই পাব পাৰে। পিচপৰা সম্প্ৰদায় বিলাকেও যাতে এই বিলাক অনুস্থানত ঠাই পায়, তাৰ নিমিত্তে বিশেষ এটা provision থকা উচিত হব বুলি মই বিবেচনা কৰোঁ। বিশেষকৈ টাইবেল সকলৰো নিজৰ স্বকীয়া সভ্যতা আৰু সংস্কৃতি আছে; তেওঁলোকক লোকসংখ্যা অনুপাতে আসন নিদিলেও অন্ততঃ তেওঁলোকৰ ভিতৰৰ পৰা কিছুমান ভাল মানুহ প্ৰতিনিধি হিচাবে বাচি যদি তালৈ পঠায় তেনেহলেও তেওঁলোকৰ বিশেষ সহায় হব বুলি আশা কৰো। সেই কাৰণে কোনো সম্প্ৰদায়ৰ যিবিলাক উপযুক্ত মানুহ থাকে তেওঁলোকে যেন কোনো কাৰণত তাৰ পৰা deprived নহয় তাৰ নিমিত্তে মই অনুৰোধ কৰিলোঁ।

**Maulavi SAYIDUR RAHMAN:** Mr. Speaker, Sir, I am really surprised that this Amendment which is the legitimate demand of not only one particular community, but of all other minority communities, should have been opposed by some of the speakers on the opposite side. I appeal to the House that the Motion may not be made light of or ridiculed by the Members opposite, but will be considered very seriously and dispassionately from an independent point of view. Now, the hon. Mover as well as Maulavi Abdul Hai had already submitted to the House that many eminent educationists had held that there should be representation of minorities in a body like the University. It has just been said by my Friend Srijut Kameswar Das that a University is a non-political body; I admit that it is so, but we do not want representation of any political parties here, we want representation of all and I think there is none in this House who will deny that in any institution or body there should be representation from people of all castes, communities and creeds, otherwise they won't have any voice in the governance and control of a body whether it is a University or anything else.

Now, under the present Bill it will be found that there is very little chance of any other community except the majority community having any control whatsoever on this University. My Friend Mr. Hareswar Das had spoken of smuggling and he was thinking that the hon. Member of this motion wanted to smuggle Muhammadan Members by the back door. If he refers to clause IX sub-clauses (i) to (xi), he will find that they are such that except the majority community no other community can avail of them. I want to point out to the House that in these sub-clauses there is no possibility of any Muhammadan or any Member of any other minority community becoming members of the Court under these headings, namely, Chancellor, Vice-Chancellor, etc. I do not want hon. Members to suggest there will be possibility of this and that, but I want you to exclude possibilities and probabilities and to look at the facts as they are. Can any Muhammadan come under the categories of Chancellor, Vice-Chancellor, Minister of Education, Treasurer, Registrar, Director of Public Instruction and Principals? Now, there are several colleges in Assam; nobody can say that any Principal of any one of these is a Muhammadan ..... (Voices—yes, yes, there is, in the Cotton College the Principal is a Muhammadan)..... Yes, that may be so, but he is retiring very soon or he might have retired by this time! But I think henceforth there will be none in that category. I see there is not the remotest possibility of any member of the Muhammadan community or of any other minority community coming in as a member of the Board. My Friend Mr. Kameswar Das also said that there is a possibility of a Muhammadan becoming a patron by contributing one lakh; I say that there is not the remotest possibility of that also.....

**\*Srijut KAMESWAR DAS:** On a personal explanation, Sir. I did not say that there is the possibility of Muhammadans contributing one lakh. I said that any one from any community can become a patron if he formally contributes one lakh. If there be no Muhammadan contributing one lakh even then they would accept this Amendment because there are already 5 patrons from one community. Therefore there should be one patron from Muhammadan community.

**Maulavi SAYIDUR RAHMAN:** In any case, Sir, under this category also there is no possibility of members of any minority communities coming in as members of the Court. So, the Amendments have been proposed in the category of 'other members'. Now if this Amendment is not carried what will

happen? It is a fact that there are almost no Muhammadan Doctorates in the Province (*Voices*: There is Dr. Emran Hussain). There is only one but it amounts to almost nil. One swallow does not make a summer. Amongst the graduates of the University there are very few Muhammadan graduates. And if there be an election under joint electorals system there will be no possibility of the Muhammadan graduates, who form a minority, being elected as members of the Court. Then, Sir, similar is the case with the Professors and Readers. There are very few Professors from the Muhammadan community and none of them can probably be represented in the Body. There are other members also to be selected from the Members of the Legislative Assembly, but as the Muhammadans form a very small minority there is no possibility of any Muhammadan being elected from the Assembly, to this Court. So, Sir, my submission is that in the Bill as it stands now if there be no provision for reservation of seats this proposed University will be an exclusive body run by a certain section of the people. Therefore I appeal to all hon. Members of this House to consider this whether the position can be tolerated, whether the hon. Members of other minority communities like Tribals and Scheduled castes will tolerate such a position. I think the House should very seriously consider whether they do not want to make this proposed University a successful and glorious one by making it a really representative body by conceding to other communities, the backward communities, the right of their representation. Only yesterday the Government brought forward a Bill for the protection of the interests of the Tribal people. I can say that they are educationally backward and primitive in nature and they have very little opportunity for representation in many spheres. So, Sir, in the fitness of things the Government should agree to concede this reservation of seats in the University to them also. I hope that the House, instead of ridiculing or slighting this Amendment, should seriously consider all aspects of the Amendment and agree to accept it.

**Srijut DHARANIDHAR BASUMATARI:** মাননীয় সভাপতি

ডাঙরীয়া, আসামত বিশ্ববিদ্যালয় নাছিল, আৰু সেই বিশ্ববিদ্যালয় নোহোৱাৰ কাৰণে আমি কিমান যে অসুবিধা ভোগ কৰিছিলো তাক সকলোৱে জানে। বিশ্ববিদ্যালয়ৰ অভাৱ আমি বহু দিনৰে পৰা অনুভৱ কৰি আহিছিলো আৰু সেই বিশ্ববিদ্যালয়ৰ নিমিত্তে আজি প্ৰধানমন্ত্ৰী ডাঙরীয়াই এই বিলখন আনিব আগত দাঙ্গি ধৰিছে। যি বিশ্ববিদ্যালয়ে আমাৰ জাতি গঢ়ি তুলিব, দেশ গঢ়ি তুলিব আৰু যি অনুস্থানৰ কাৰণে আমি সকলোৱে সদায় যত্ন কৰি আহিছো তেনে অনুস্থানত আসন সংৰক্ষণ কৰিবলৈ তেখেতে যি সংশোধনী পুস্তক দিছে তাৰ মই তীব্ৰ প্ৰতিবাদ কৰো। তেখেতে বোধ কৰো পাহৰিছে যে আমি এতিয়া স্বাধীন ভাৰতত আছো। তেখেতে বুজিব অধীনত থকা দিনৰ নিচিনাকৈ আজিও ট্ৰাইবেল, মুছলমান, আৰু কিবাকিবি জাতিৰ কথা কৈ আছে (*voices*:—গুনক, গুনক)। জাতিৰ কথা কৈ কৈ কটাকটি মৰামৰি কৰি বক্তৃপাত হোৱা তেখেতে দেখি আহিছে। তথাপিও আজিও সেই একে কথা কৈ তীব্ৰ communal feeling সৃষ্টি কৰিবলৈ চেষ্টা কৰি থকা দেখি আচৰিত নহৈ নোৱাৰিলো। তেখেতে যি Amendment দিছে তাত ট্ৰাইবেল আৰু Scheduled Caste ৰ সহানুভূতি পাবলৈ চেষ্টা কৰিছিল। তেখেত সকলে নিজৰ কাৰণে শতকৰা ২০ খন আসন বিচাৰিছে আৰু ঠিক তেনেকৈ ট্ৰাইবেল আৰু Scheduled Caste কো দিব লাগে বুলি কৈছে। কিন্তু অন্তৰৰ পৰা বোধ হয় তেনেকৈ অনুভৱ কৰা নাই। কাৰ্য্যতো যদি তেনেকৈ দেখুৱালে হেতেন তেনেহলে তেখেত সকলৰ কথা মানিলো হেতেন; কিন্তু তেখেত সকলক আমি ভালকৈ চিনি পাওঁ। তেওঁলোক Scheduled বা ট্ৰাইবেলৰ নিচিনা backward নহয়। তেওঁলোকে ভালকৈ জানে যে service তো সংখ্যানুপাতে তেওঁলোকৰ মানুহ বেচি আছে। আজি তেওঁলোকে Principal, Graduate আদিৰ কথা তুলিছে communal member হোৱাৰ কাৰণে, কিন্তু মোৰ বিশ্বাস শিক্ষা দীক্ষাত তেওঁলোক হিন্দুতকৈ কোনো গুণে কম নহয়। আৰ্থিক অৱস্থা আৰু

শিক্ষা দীক্ষাত ইমান উন্নত হৈও আজি কিয় তেওঁলোকে আসন সংৰক্ষণ বিচাৰিছে তাৰ কাৰণ মই বিচাৰি পোৱা নাই। তেওঁলোকক ধন্যবাদ দিলো হেতেন যদিহে তেওঁলোকে কলে হেতেন যে communal basis ত নৰবি backward যি বিলাক মানুহ আছে তেওঁবিলাকে যাতে উৎসাহ পায়—উদ্বাপি পায় তাৰ কাৰণে অলপ ব্যত্থা ৰাখিব লাগে। কিন্তু তাকে নকৰি তেখেতে সেই অৰ্থৰ দৰেই communal feeling জগাবৰ কাৰণে নানা কথা কৈছে আৰু যাতে আকৌ মৰাম্যনি কটাকটি হয় তাকেই বিচাৰিছে। কিন্তু আগামত যিটো নতুন অনুষ্ঠান কৰিব খুজিছে—যি অনুষ্ঠানে দেশখন গঢ়ি তুলিব, সেই অনুষ্ঠানৰ কাৰণে গাম্পদায়িকতাৰ কথা নুতুলি যদি ভালভাবে মহানুভূতি দেখুৱালে হেতেন তেনেহলে আমাৰ পাৰ্টিৰ পৰা তেখেত সকলক ধন্যবাদ দিলো হেতেন। গতিকে এনেকুৱা দিনত এনেকুৱা Amendment যদি নানিলে হেতেন তেনেহলে ভাল হল হেতেন। কিন্তু যেতিয়া এই Amendment আনিলে, এতিয়াও যদি withdraw কৰে তেনেহলে বৰ ভাল পাম। আৰু তাকেই কৰিবলৈ মই mover জনক অনুৰোধ কৰো।

**Srijut MOTI RAM BORA :** শ্ৰদ্ধেয় সভাপাত ডাঙৰীয়া, ধুবৰীৰ মেধব মৌলভী জিয়াওচ্ ছামচ্ আৰু গুৱাহাটীৰ মেধব মৌলভী আব্দুল হাই ডাঙৰীয়াই যি সংশোধনী প্ৰস্তাৱ দাখি ধৰিছে তাৰ বিৰুদ্ধে দু আদাৰমান কথা কবলৈ মই আগ ৰাঢ়িছো।

প্ৰস্তাৱক জনে যি উদ্দেশ্য সফল হব বুলি আশা কৰি এই সংশোধনী প্ৰস্তাৱ দাখি ধৰিছে, এই সংশোধনী প্ৰস্তাৱ যদি এই সভাত বেনেবাকৈ গৃহীত হয় তেনেহলে ইয়াৰ দ্বাৰা মুছলমান সমাজৰ উপকাৰ নহৈ বৰঞ্চ অন্যায হব বুলিহে মই ভয় কৰো। প্ৰস্তাৱক জনে যি কথাৰ নিমিত্তে এই প্ৰস্তাৱটো দাখি ধৰিছে তাৰ মূলতে এটা কথা দেখা যায়। মোৰ এটা ধাৰণা হৈছে যে উঠি অহা মুছলমান যুবক সকলৰ ওপৰত প্ৰস্তাৱক জনৰ আস্থা নাই। মুছলমান যুবক সকলৰ প্ৰতি তেওঁলোকে বিশ্বাস হেৰুৱাইছে বুলিছে মোৰ মনত ভাব হয়। তেওঁবিলাকে ভাবিছে য আমি যি বিশ্ববিদ্যালয় গঢ়িব খুজিছো সেই বিশ্ববিদ্যালয়ত মুছলমান যুবক সকলে তেওঁলোকৰ শিক্ষা দীক্ষা তেওঁবিলাকৰ যোগাতাৰ দ্বাৰা ন্যায্য আসন অধিকাৰ কৰিব নোৱাৰিব। এইটো এটা তেওঁলোকৰ অযথা আশঙ্কা। শিক্ষিত মুছলমান যুবক সকলৰ প্ৰতি ইয়াৰ দ্বাৰা এটা অন্যায কৰা হৈছে বুলিহে মই ভাবি লম অসমীয়া মুছলমান সমাজ আসামৰ আন কোনো সমাজতকৈ পিচ পৰা নহয়। শিক্ষা দীক্ষা বিদ্যা বুদ্ধি সকলোতে অসমীয়া মুছলমান সমাজ অন্যান্য সমাজৰে সৈতে সমানে আগবাঢ়ি গৈছে, কোনো ক্ষেত্ৰতে পিচ পৰি থকা দেখা নাই; বৰঞ্চ এনেকুৱা কিছুমান ক্ষেত্ৰ আছে য'ত তেওঁলোকৰ শিক্ষিত ডেকাসকল অন্যান্য সমাজতকৈ আগবাঢ়ি গৈছে। এনে অৱস্থাত ভবিষ্যত আসাম বিশ্ববিদ্যালয়ত মুছলমান যুবক সকলে নিজৰ শিক্ষা দীক্ষাৰ বলত ন্যায্য আসন অধিকাৰ কৰিব নোৱাৰিব—বিশ্ববিদ্যালয়ৰ নানা অংশত তেওঁলোকে আসন নাপাব—বিশ্ববিদ্যালয়ৰ নানা কমিটিত membership নাপাব, এনে আশঙ্কা কৰা বোধ হয় অন্যায হৈছে আৰু ইয়াৰ দ্বাৰা উঠি অহা শিক্ষিত মুছলমান ডেকা সকলৰ প্ৰতি অবিচাৰ কৰা হৈছে। মই ভাবো যে মুছলমান যুবক সকলে বিশেষকৈ অসমীয়া মুছলমান যুবক সকলে কেতিয়াও এনেভাৱ পৰিপোষণ নকৰে আৰু তেওঁলোকে কেতিয়াও নাভাবে য়ে যোগাতাত তেওঁলোক অন্যান্য অসমীয়া সমাজতকৈ পিচ পৰা আৰু তেওঁলোকে competition কৰিব নোৱাৰে। সেই কাৰণে অসমীয়া মুছলমান যুবক সকলে নিশ্চয় প্ৰস্তাৱকক ক্ষমা নকৰিব, কাৰণ তেখেতে এই প্ৰস্তাৱৰ দ্বাৰা তেওঁলোকৰ প্ৰতি অন্যায কৰিব খুজিছে। তেওঁলোকে মুছলমানৰ নিমিত্তে যি বক্ষাকৰচ বিচাৰিছে, মোৰ বিশ্বাস মুছলমান সমাজৰ নিমিত্তে সেই বক্ষা কৰচৰ দৰকাৰ নাই বক্ষা কৰচে কেতিয়াবা কোনো সমাজৰ কল্যাণ কৰেণে? বক্ষাকৰচে সমাজৰ কোনো কল্যাণতো নকৰেই বৰ: অপকাৰহে কৰে, আমি বিচাৰো আসামৰ বিভিন্ন জাতিৰ বিভিন্ন সমাজৰ মাজত এটা healthy spirit of competition গঢ়ি উঠক আৰু বিশ্ববিদ্যালয়ত সেই বকম এটা spirit থাকক। তাকে নকৰি যদি বক্ষাকৰচৰ দ্বাৰা মুছলমান সকলক কোনো এটা গণ্ডীত আবদ্ধ কৰি ৰাখো, তেনেহলে তেওঁলোকে আত্মনির্ভৰশীলতা হেৰুৱাব আৰু তাৰ দ্বাৰা শিক্ষিত মুছলমান যুবক সকলক অপমান কৰা হব বুলি মোৰ বিবেচনা হয়। আশা কৰোঁ তেখেত সকলে এই কথাটো ভালকৈ ভাবি চাব।

বিশেষকৈ তেখেতসকলে আৰু এটা কথা ভাবি চোৱা উচিত বুলি বিবেচনা কৰে। কি আদৰ্শ কি লক্ষ্যত অনুপ্রাণিত হৈ আমি আসাম বিশ্ববিদ্যালয় পঢ়িবলৈ বিচাৰিছো? আমি এনেকুৱা লক্ষ্য আগত ৰাখিছো যে ভবিষ্যত আসাম বিশ্ববিদ্যালয় এনেকৈ গঢ়ি উঠিব যে তাত কোনো বৰ্ণ-বৈষম্য নাথাকিব, কোনো জাতিয়ে আন কোনো জাতিৰ ওপৰত আধিপত্য বিস্তাৰ কৰিব নোৱাৰিব, আৰু তাত সকলো জাতিৰ সমান সুযোগ সুবিধা থাকিব। এনেকুৱা মহান আদৰ্শ মহান লক্ষ্যত অনুপ্রাণিত হৈহে আমি বিশ্ববিদ্যালয় গঢ়িবলৈ ওলাইছো। এই 'আদৰ্শ' দলিয়াই পেলাই যদি তাৰ ঠাইত communal representation স্তম্ভাই দিয়া হয় তেনেহলে আমাৰ বিশ্ববিদ্যালয় সেই মহান আদৰ্শত গঢ়ি নুঠি পোৱা কামোৰা, বাদ-বিসম্বাদ আৰু গৃহ কন্দলৰ বহুতহে পৰিণত হব। যদি communal representation আনি মানি লও তেন্তে আমাৰ উন্নতিৰ নিমিত্তে যি বিশ্ববিদ্যালয় আমি বিচাৰিছো তাৰ দ্বাৰা আমাৰ উন্নতি নষ্ট দেশৰ যোৰ অক্ষয় হব। আমি যি আদৰ্শ লৈ বিশ্ববিদ্যালয় গঢ়িব খুজিছো প্ৰস্তাৱকে যদি সেই আদৰ্শত অনুপ্রাণিত হৈ বিবেচনা কৰে তেন্তে তেখেতে বুজিব পাৰিব যে তাত যদি communal representation স্তম্ভাই দিয়া হয় তেন্তে তাৰ পৰা বিশ্ববিদ্যালয়ৰ যোৰ অনাশ্ব হব। মই ভাৱি কও যে সঁচাকৈয়ে মুছলমান সমাজৰ নিমিত্তে আশঙ্কা কৰিবৰ ইয়াত কোনো কথা নাই। আমাৰ অনুচলমান সমাজে কেতিয়াও তেওঁলোকক তেওঁলোকৰ ন্যায় অধিকাৰ ন্যায় দাবীৰ পৰা বঞ্চিত কৰিবলৈ বিচৰা নাই, নাছিল আৰু নকৰিবও। অসমীয়া কোনো মানুহে আমাৰ অসমীয়া মুছলমান ভাইলোকক বেলেগ হিচাবে ভাগ কৰা নাই আৰু তেওঁলোকক যে আমাতকৈ বেলেগ বা পিচ পৰা তেনেকুৱা আমি নাভাবো আৰু তেওঁলোকক যদি কোনো ন্যায় দাবী থাকে তাকো কেতিয়াও দিবলৈ পিচ পৰা নাই। আমাৰ বিশ্ববিদ্যালয়তো তেওঁলোকৰ এটা ভাগ part play কৰিব লগা আছে—আমি তাৰ নিমিত্তে তেওঁলোকক সাদৰে আহ্বান কৰিছো। যদি বাস্তবিকতে তেওঁলোকে ভবিষ্যতত দেখে যে এই বিশ্ববিদ্যালয় আমি যি বন্ধনে গঢ়িব খুজিছো তাৰ পৰা মুছলমান সকলৰ অন্যায হব তেনেহলে তেওঁলোকে এই আইন অদল বদল কৰিবলৈ Amendment আনিব পাৰিব। কিন্তু এতিয়াই আমাৰ ওপৰত আশঙ্কা কৰা অন্যায হৈছে। মুছলমানসকলৰ বেয়া কৰিবৰ নিমিত্তে এইখন আইন ইয়াত ছাতিৰ কৰা নাই—তেওঁলোকে তেনে আশঙ্কা মনৰ পৰা দূৰ কৰক। বৰং যদিহে তেওঁলোকে জ্যেষ্ঠ ভাইৰ লগত সদ্ভাৱ ৰাখি চলে আৰু তেওঁলোকে যি বন্ধাকৰচৰ ব্যৱস্থা বিচাৰিছে তাক এৰি দি সদ্ভাৱ, প্ৰীতি আৰু বিশ্বাসেৰে সৈতে জ্যেষ্ঠভাই সকলৰ লগত মিলি প্ৰীতি হৈ চলে তেন্তে মই বিশ্বাস কৰোঁ যে জ্যেষ্ঠ ভাইসকলে তেওঁলোকৰ সকলো ন্যায় সদ্ভত দাবী পূৰ্ণ কৰিব আৰু তেওঁলোকৰ দাবী কেতিয়াও দলিয়াই পেলাই নিদিব। মোৰ মনেৰে তেওঁলোকে বিশ্বাস স্থাপন কৰক আৰু এই Amendment উঠাই লৈ কিছুদিন চাওকচোন আমাৰ বিশ্ববিদ্যালয়ৰ পৰা তেওঁলোকৰ কিবা ক্ষতি হয় নেকি? যদি বাস্তবিকতে তেওঁলোকৰ কিবা ক্ষতি হয় তেওঁলোকে পিচত এই আইনখন amend কৰিবও পাৰিব। কিন্তু এই যে Amendment টো আনিছে তাৰ মূল কাৰণ হৈছে আমাৰ প্ৰতি অশ্ৰদ্ধা। আসামত অসমীয়া কোনো হিন্দু, কোনো ক্ৰাইবেল বা আন কোনো জাতিয়ে কেতিয়াবা অসমীয়া মুছলমানৰ অন্যায কৰিছেনে? মোৰ অনুৰোধ তেওঁলোকে বিশ্বাস স্থাপন কৰক আৰু বিশ্ববিদ্যালয় স্থাপন হোৱালৈকে চাওকচোন যদি কেতিয়াবা তেওঁলোকৰ অন্যায হয় তেতিয়াও তেওঁলোকে সময় পাব। তেওঁলোকে জ্যেষ্ঠ ভাইৰ প্ৰতি সম্প্ৰীতি ৰাখি বিশ্বাস স্থাপন কৰি চলিলেহে তেওঁলোকৰ সমাজৰ বেচি হিত হব বুলি মই ভাবো। সেই কাৰণে প্ৰস্তাৱক সকলক অনুৰোধ কৰোঁ যে এই বিলাক প্ৰস্তাৱৰ পৰা আমাৰ প্ৰতি যি বিশ্বাস বা আস্থা নথকা যেন দেখা যায়, সেইটো দূৰ কৰি অস্তৰ খুলি আমাৰ লগত মিলিবলৈ আহক। তেতিয়া দেখিব যে এই বিশ্ববিদ্যালয়ৰ পৰা তেওঁলোকৰ বেচি উপকাৰ হৈ হব। সেইকাৰণে মই তেওঁলোকক এই প্ৰস্তাৱ উঠাই লবলৈ অনুৰোধ কৰিলোঁ। যি বিশ্ববিদ্যালয় আমি গঢ়িব খুজিছো তাৰ নিমিত্তে আমি সদায় তেওঁলোকৰ সহানুভূতি বিচাৰি আহিছো। আগেয়ে সেই বিশ্ববিদ্যালয়ৰ কাৰ্য্যচাওক আৰু পৰীক্ষা কৰক। ইয়াকে কৈ মই তেখেত সকলক আকৌ অনুৰোধ কৰিলো যেন তেখেত সকলে এই Amendment কেইটা উঠাই লয়।



The Hon'ble the SPEAKER: Probably no other Member is taking part in the debate.

Maulavi ABUAL MAJID ZIAOSH SHAMS: I will reply later on.

The Hon'ble the SPEAKER: Has the hon. Member got a right of reply? I do not think he has.

(after a pause)

Very well, let the hon. Member speak.

\*Maulavi ABUAL MAJID ZIAOSH SHAMS: Mr. Speaker, Sir, we have heard for the last few days in the speeches of most of the hon. Members that a new era has come, that there is no reason for any fear of any particular community, if it be in a minority and, that the outlook has completely changed. I wish that time shows that the outlook has really changed. Of course it is very easy to indulge in long talk, to indulge in utopian language, but the realities are sometimes quite different. We all wish that all races in Assam, and for the matter of that in India, live in perfect amity and goodwill without any reason for communal or other differences. But it is for the majority community to engender in us a feeling of trust, and if that feeling of trust has not yet come to us we must say that communal representation is necessary. Communal representation is a bitter thing which has been forced upon the minorities because the spirit of give and take and the spirit of live and let live, have been found to be absent. We all know that at the moment there has been a big wave of communalism in India even after we have got Independence. So, time will only show us, Sir, what our elder brother would do. As it stands, we know even at Gauhati there was some outburst of racial feeling. Of course that was not communal, but racialism is another form of communalism.....

The Hon'ble the SPEAKER: The hon. Member is not dealing with the points raised.

\*Maulavi ABUAL MAJID ZIAOSH SHAMS: Sir, in the speech of Srijut Hareswar Das, there was a little bit of miscalculation, apart from the objectionable word used by him, viz., 'smuggling'. He said that there might be about 80 or 90 per cent. of Muslims in the University Court.....

The Hon'ble the SPEAKER: All these points were replied to by hon. Maulavi Sayidur Rahman.

\*Maulavi ABUAL MAJID ZIAOSH SHAMS: Srijut Kameswar Das raised certain points.....

The Hon'ble the SPEAKER: Those were also replied to, point by point.

\*Maulavi ABUAL MAJID ZIAOSH SHAMS: Srijut Kameswar Das was under the misapprehension that I included clauses 1 and 2, and there I wanted communal representation.....

\*Srijut KAMESWAR DAS: That is how it reads: "the Statutes in the Schedule regarding the above items from XIII to XVII under 'Class III—Other Members' be so made that the number of the members of the Court therein be distributed in such a way that there shall be a reservation for the Muslims of at least twenty per cent. members of the total number of the members of the Court".

\*Maulavi ABUAL MAJID ZIAOSH SHAMS: The Statutes refer to paragraphs 2, 3, 4, 5 and 6 only. The hon. Members will find that we have asked for 13 members only.

\*Speech not corrected.

**The Hon'ble the SPEAKER:** But the debate has been on a higher level, on a matter of principle.

**Maulavi ABUAL MAJID ZIOASH SHAMS:** All the same, Sir, I want to show the miscalculation.

**The Hon'ble the SPEAKER:** The Hon'ble Prime Minister may reply.

**The Hon'ble Srijut GOPINATH BARDOLOI:** Mr. Speaker, Sir, I will surely oppose this Motion and in doing so I beg to remark that it has been well that this matter has been debated at length in the House, for one reason at any rate, *viz.*, that over other Amendments we may not have the necessity of repeating the same arguments and take the time of the House. The points have been so well argued on both sides that I do not propose to take much time of the House excepting putting before the hon. Members the idea that impelled the Government in introducing this Bill. The idea of the Government in trying to establish this University has been well-defined in the Statement of Objects and Reasons. There it is stated that the object is to further study in many fields, "linguistic, historical, ethnological, archaeological, geological, scientific and agricultural." There the method of study proposed to be pursued has been laid down, and the kind of institution that will govern this administration has been detailed, besides of course stressing the special necessity for the study of the language and problems of the Hill Tribes of Assam. These are really the objects of this University. Now, the question that comes before us by the Amendments is how far the Amendments further this object or whether they do further it at all. It has been argued that separate representation for communities would help in the administration, and naturally the hon. Friends must have assumed that this will help in the furtherance of the objects of the University. I however feel, Sir, that the division of the administrative body into communities will instead of any good effect, have the most pernicious effect. You will all agree, whatever may be your personal views, that the future youngmen whom we are going to nurture must be free from any communal feeling. How are you going to do this? It is by partitioning your administrative machinery into so many compartments or by allowing all parties and interests to work together without any kind of reservation? The question whether particular communities could be altogether deprived of any hand in the administration has been answered by the provisions which were referred to by my hon. Friend Srijut Hareswar Das, and I think I will be taking the time of the House even by repeating those provisions.

Sir, from the model Statutes which are proposed to be incorporated in the Statutes of the University you will be pleased to find that the Chancellor has been given the power of securing the representation of interests not otherwise, in his opinion, adequately represented. This is under paragraph 2(6) of the Statutes of the University in the Schedule. I will read that provision.

"The number of persons to be appointed by the Chancellor shall not be more than nine, and the purpose of appointment shall be to secure the representation of interests not otherwise in his opinion adequately represented....."

Therefore, if any fear was entertained, that minorities will be excluded from the administration of the University, that fear should be removed on account of the provision in this paragraph.

Then I go to another clause which was just now read by my Friend Srijut Hareswar Das which refers to the powers of the Chancellor:—

"The Chancellor by virtue of his office shall be the head of the University and the President of the Court and shall, when present, preside at meetings of the Court and at any Convocation of the University.

Where power is conferred upon him by the Act or by the Statutes to nominate persons to the Authorities of the University or other Body thereof, the Chancellor shall, to the extent necessary and without prejudice to such powers, nominate persons to represent minorities and interests including Tribal people of the Hills and Plains and Scheduled Castes not otherwise represented."

Now after this, if there is any apprehension or doubt in the minds of my hon. Friends of any minority community that, I believe, they should be removed. And I feel, Sir, unless the object of the amendment is not to create a division among ourselves I can only say that this motion should be withdrawn."

My Friend Maulavi Abdul Hai had recounted the history of the past. He has quoted opinion expressed 3 decades past. He could not support his argument with any opinion of persons within the last 12 years. We all know that things have been changing, we are moving under new conditions, and we have to live in new conditions and in a better order. The University Bill is to provide of teaching under conditions of to-day.

**Maulavi ABDUL HAI:** On a point of personal explanation, Sir, I have quoted from the Bill of 1941.

**The Hon'ble Srijut GOPINATH BARDOLOI:** That may be so, Sir, but the opinion quoted all referred to Mr. Cunningham, the late revered Srijut Nabin Chandra Bardoloi.....

**Srijut BIJOY CHANDRA BHAGAVATI:** আমাৰ স্বৰ্গীয় মহান নেতা নবিনচন্দ্ৰ বৰদলৈ ডাঙৰীয়াৰ যি উক্তি এই বিষয়ে দাঙ্গি ধৰা হৈছে, বোধ হয় তাৰ তুল ব্যাখ্যা কৰা হৈছে। তেখেতে কোনো আচুতীয়া আগল বশ্বিবলৈ কৈছিল বুলি ইয়াত বুজা নাযায়। তেখেতে মাত্ৰ ইয়াকে কৈছিল যে সকলো সম্প্ৰদায়ৰ প্ৰতিনিধি থকা বাঞ্ছনীয়। সকলো সম্প্ৰদায়ৰ প্ৰতিনিধি অহাৰ ইচ্ছাহে মাত্ৰ তেখেতে প্ৰকাশ কৰিছে; তাৰ বাহিৰে সংৰক্ষণৰ নিমিত্তে কোনো আশঙ্কা কৰাৰ কথা বুজা নাযায়। মই বিবেচনা কৰো যে তেখেতৰ উক্তিৰ তুল ব্যাখ্যা কৰা হৈছে।

**The Hon'ble Srijut GOPINATH BARDOLOI:** I think, Sir, the position that has been explained by my hon. Friend Srijut Bhagavati in reference to the opinion of revered leader late N. C. Bardoloi is correct.

The second point that I want to place before the House is that Government do not want to frame the University in such a way by which the rights of the University will be interfered by any body from outside. The whole idea of the Bill is that the Court is the body to whom the entire administration of University education is made over. So long I am conducting this Government, I will consider it a sin to create an atmosphere of division among the various communities of Assam and hand over the University administration with division in it by Government. If at any time the University authority think that they should do it in this way, let them do it, but I am not going to do it. That is the attitude which Government is taking up to-day. You will see in this Bill that no interference whatsoever is proposed in the administration of the University by Government. On the other hand certain grant is being given by Government to which the House will commit itself without any condition. Apart from a hand in setting up the administration, Government will have nothing to do with the University administration of the future. Therefore, I consider it extremely

undesirable for Government to be doing something, the evils of which they see before their eyes, and which are inherent in hon. Member's Amendment. I shall, therefore, request the hon. Friend, the Mover of the Amendment to give the new set up a trial and see how these things get along. Well, if time comes for a revision, we shall consider about it. But I do feel that this new perspective should be given a fair trial. I do know that the younger generation feel about the future in quite a different way and in that I agree with my hon. Friend Srijut Motiram Bora; let us not impose the feelings of division by communities begotten by our past experience on the things of the future. With these words, Sir, I would request the hon. Mover of this Motion to withdraw it.

**Maulavi ABUAL MAJID ZIAOSH SHAMS:** Sir, I beg leave of the House to withdraw my Amendment.

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

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

**The Hon'ble the SPEAKER:** Then I am putting the question.

"The question is that clause 9 of the Bill stands part of the Bill."

The question was adopted.

**Maulavi ABDUL HAI:** Mr. Speaker, Sir, I beg to move that in sub-clause (2) lines 2 and 3, for the words "one-third of the" the word "twenty" be substituted.

This Amendment is very simple, Sir. In place of one-third I want to substitute a fixed number of 20. This provision will be necessary when the members would give requisition for convening a meeting in the event of the Vice-Chancellor not convening a meeting. Sir, there are different categories of members—class 1, class 2 and class 3. Some members may feel that it was necessary to convene a special meeting but then it will be difficult for them to ascertain the total number of members and to find out the one third of it. If there is really any necessity for other members to call for emergent or special meeting they can sign a requisition when they will know the definite number and it would be easy for them to give a requisition. On these considerations, Sir, I have moved this Amendment. In other Universities there are such provisions. In the Dacca University I have seen that they have made the number 30 but I am keeping the number at 20, looking at the total number of members in our University. I hope the Government will not have any difficulty to accept the Amendment.

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

"That in sub-clause (2) lines 2 and 3 of clause 10 for the words 'one-third of the' the word 'twenty' be substituted."

**The Hon'ble Srijut GOPINATH BARDOLOI:** Sir, I oppose this Amendment not on the ground that it is unreasonable, because of the difficulty of working it out. You will be pleased to find, that what the exact number of members of the Court will be, cannot now be determined by the very nature of things we cannot say now what will be that number. As the University will develop the number of the Court will vary. For example, you will be pleased to find that there are Principals who will form part of the Court. The number of Principals may be five now, but it may be ten to-morrow as the Colleges grow in number. Then again there is the Dean of Faculty. As the University will develop the number of the Deans of Faculty may increase. While therefore in

the beginning the number may be three, it may increase to six or eight when the University shall have more faculties. So instead of putting a fixed number we have put a proportion. Then in the matter of proportion for a special meeting, the number should always be such that the University may not be made to fall into the squabbles of party politics. Therefore one-third has been put as the number of members necessary for convening the meeting. I hope in view of this, my hon. Friend will withdraw his Amendment.

**Maulavi ABDUL HAI:** Sir, I wanted to obviate the difficulty but if Government think that there will be difficulty at this stage, then I withdraw my Amendment.

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

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

**The Hon'ble the SPEAKER:** The question is:  
"That clauses 10 and 11 both inclusive of the Bill stand part of the Bill."  
The question was adopted.

**The Hon'ble the SPEAKER:** What about these Amendments under clause 12?

**Maulavi ABUAL MAJID ZIAOSH SHAMS:** They fall through.

**The Hon'ble the SPEAKER:** Then I shall put the question in respect of clauses from 12 to 38 both inclusive. The question is:  
"That clauses 12 to 38 both inclusive of the Bill, 1947 stand part of the Bill."  
The question was adopted.

**The Hon'ble the SPEAKER:** Now we come to the Schedule. There is an Amendment with regard to paragraph 2. This also falls through.

**Maulavi ABUAL MAJID ZIAOSH SHAMS:** Yes, consequential, Sir.

**The Hon'ble the SPEAKER:** I find that all the Amendments under the Schedule fall through. Is n't that?

**Maulavi ABUAL MAJID ZIAOSH SHAMS:** Yes, Sir.

**The Hon'ble the SPEAKER:** Then I shall put the question.

The question is:  
"That the Schedule to the Bill stands part of the Bill".  
The question was adopted.

**The Hon'ble the SPEAKER:** The question is:  
"That the Title and Preamble of the Bill stand part of the Bill".  
The question was adopted.

**The Hon'ble Srijut GOPINATH BARDOLOI:** I beg to move that the Gauhati University Bill, 1947, be passed.  
In doing so, I must take the opportunity of thanking all the hon. Members for the kind support they have given to the Bill. It is indeed very gratifying to me that excepting for this one matter *viz.*, communal representation in the Bill, the whole Bill has been accepted by the House.

unanimously That only shows the keen desire we all have for the establishment of the University at the earliest possible date. This great need for the province was felt for the last 30 to 40 years and if that need can be removed by this Act, the House must feel that it is doing indeed a good piece of work. But it is not in the passing of the Bill itself that our work ends. We have of course indeed done something more than merely passing the Bill. We have voted not less than 5 lakhs of rupees for the recurring expenditure of the University. But I say that this is nothing in comparison to the huge task that is before us. The necessity of true leadership for the country is so great that I often despair of our future when I see the tendencies of some of our modern young men. If the University has any object before it, it is to train a band of selfless workers for the country; for independence can never be maintained by a people in whom you have not a good number of selfless workers devoted to the good of the people and to the good of the country. Therefore, in trying to establish this institution we are just beginning that great work. I repeat that we have a stupendous work before us and in the execution of the same, I appeal to you all to give your best.

*We have so many problems* in the province which can be solved by a truly good educational institution; and this institution seeks to do so. You will be seeing here that we may not have put down reservation for communities but we have just now passed certain clauses of the Bill by which the question of Muslim culture will be taken special note of in the University curricula. Then the problem of Hills education is not quite a small matter with us. We have specifically made mention about it in the Statement of Objects and Reasons. It should be our object to study them and to bring about proper condition in those places. But the most important of all problems is the removal of want and poverty from the people, to give them the light of learning and culture and that must be an object which is common to us all. And this University must give opportunity for equipping us to face this. Once again I appeal to you all to give all the co-operation that you can give for the fulfilment of this great object. Lastly, Sir, I shall be failing in my duty, if I do not in this connection mention the services rendered to us by the Advocate General who had drafted the Bill, and advised us in the Select Committee, and the Secretary, Education Department who has taken pains to vet the Bill in its various stages, to incorporate the Amendments that are done in the Select Committee and for rendering assistance in other matters, on account of which only it has been possible to bring it before you so quickly and so early.

With these words, I beg to move that the Gauhati University Bill, 1947, be passed.

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

“That the Gauhati University Bill, 1947, be passed.”

**Maulavi SAYIDUR RAHMAN:** Mr. Speaker, Sir, from this side of the House, we beg to offer our heartiest congratulations on the Ministry for the speedy and smooth passage of the Bill. It is a very important measure and we hope it will usher in a new era for Assam. We moved our Amendments because we rightly thought that some safeguards are necessary for the minority communities. But having regard to the assurance given by the Hon'ble Prime Minister that this new outlook should be given a trial and that if there be any circumstance later on for any change, he will consider it, we have withdrawn our Amendments.

He has asked for our co-operation. We can assure him that we will give him our whole-hearted co-operation so that the Act may be worked out very successfully.

**The Hon'ble the SPEAKER:** I think, I should put the question.

The question is:

"That the Gauhati University Bill, 1947, be passed."

The question was adopted. (*Prolonged loud applause*).

**The Hon'ble the SPEAKER:** Now, should we take up the Principles of a Model Provincial Constitution?

**The Hon'ble Srijut RAMNATH DAS:** I think, Sir, the speeches will not be audible as it is raining heavily. (*Voices—We should adjourn to-day.*)

**The Hon'ble the SPEAKER:** When it is the sense of the House, the House stands adjourned till 11 A.M., on Monday next.

### **Adjournment**

The Assembly was then adjourned till 11 A.M., on Monday, the 15th September.

SHILLONG:

The 2nd December, 1947.

A. K. BARUA,

Secretary, Legislative Assembly, Assam.

A. G. P. (L. A.) No. 163 - 118 10-12-1947.

(Amendment) Bill, 1947