

**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 Monday, the 1st September 1947.

The entry of the Hon'ble Speaker

Mr. Debeswar Sarma, in the Tri-colour bedecked Assembly Hall, was heralded by blowing of the Conch. The National Anthem was sung immediately after and then the Hon'ble Speaker took the Chair. Six Hon'ble Ministers and forty Members were present.

**Resolution offering Homage to the sacred memory of Martyrs of
India's Freedom and recording sense of gratitude to
Mahatma Gandhi**

The Hon'ble the SPEAKER : Hon. Members, representatives of the people and of the various interests in Assam, I extend to you a hearty welcome on this occasion sought for in the life of all of us, the first sitting in Free India (*hear, hear*). We today enjoy the fruits of the toils and sufferings and blood of countless patriots of India in decades past. Out of respect for those, I, with your permission, want to move a Resolution. If the Hon'ble Leaders of different Parties would like to associate with few words, they may please do so. Then we shall accept it all standing.

“On the occasion of this first sitting in Free India this Assembly do offer their most respectful homage to the sacred memory of those Martyrs who dedicated their lives for the cause of the freedom of India ;
and

this Assembly further record their deep sense of gratitude to Mahatma Gandhi who led the struggle for freedom to unique success through Truth and Non-violence.” ✓

The Hon'ble Srijut GOPINATH BARDOLOI : Mr. Speaker, Sir, we most heartily and joyfully associate ourselves with the Resolution that you have placed before the House. In a moment like this—a moment which seldom comes in the life of a people, we do indeed remember the sufferings and sacrifices of those who have gone before us and through whose ceaseless efforts we enjoy the benefit of freedom today. It is only proper that in a moment like this we should be paying our humble tribute to the sacred memory of those heroes that figured in the history of this struggle ; and however small and insignificant they might have appeared to an unappreciating world, they contributed their mite to the success of this unique and non-violent movement.

It would also be only in the fitness of things that we will be associating ourselves with that glory of tribute which you are offering to the Great Leader of India, Mahatma Gandhi. His has been a life very different from ours, and however lengthy an expression that we may have used, we cannot sufficiently describe him. Today he is in a sphere of activity very different from that of ours. He had his dream ; but possibly his dream has only been partially fulfilled. Possibly certain reasons have compelled us to think of ourselves in terms of two different regions and acting in two different spheres of activities ; but that

Great Man has gone beyond and transcended beyond the limits of areas and denominations and is applying himself to the task which he feels has fallen on him. What we do feel at this moment most is the need of following his guidance which has always stood for truth and non-violence. Therefore in this day of rejoicing we shall be failing in our duty if we do not remember that Great Man, not merely as the creator of Free India but also for the great principles which he has put before mankind for the solution of all ills which beset them.

With these words, Sir, I associate myself with the Resolution that has been moved by you before the House. ✓

Maulavi Saiyid MUHAMMAD SAADULLA: Mr. Speaker, Sir, on behalf of this side, we have got no hesitation in extending our accord to the Resolution which you have moved from the Chair. Only on the 15th of last month, we celebrated the Independence Day. It is admitted on all hands that we have not attained Independence, but we are on the road to Independence. When we are on the road to Independence, we cannot forget those workers who have shed their blood and who have lost their lives in reaching this goal. My Hon'ble Friend the Prime Minister uttered a very desirable truth that though at the present moment we are thinking in terms of Divided India, there yet may come a time when we may stand as United India (*Cheers*). We all welcome such a desideratum, but we must prepare and offer the same sacrifices as we did in reaching this stage. Let us all try to give our best for the uplift of the common man, for the improvement in the living condition and standard of our village folk. Let everyone feel that there has been no paper Independence, but proper Independence for all. If we can work up to that stage then alone we can be able to tell ourselves that we have achieved Independence. For that my earnest request to those in authority is that they should conduct themselves in such a way that the minorities may feel that they are under a very just Government. Let there be no indication that we are under an oligarchy or autocracy and not under a democracy.

Mr. Speaker, Sir, in the second part of your Resolution you have very properly added a paragraph to express our deep gratitude to Mahatma Gandhi who created a revolution in the political atmosphere of India. I remember those days when he made his first political debut in India. I think of all persons present here, I was the only legislator in those days. I know Mahatma Gandhi started his political life in India with a No-Rent Campaign at Champaran. Later on, I remember those days when he went to support the Khilafat Movement of 1920-21. I remember those days when he and late Maulanas Mohammad Ali and Shaukat Ali were as thick as brothers, and he used to address Maulana Mohammad Ali as brother and Maulana Shaukat Ali as the 'big brother'. When travelling together in Assam some time in 1921 Mahatma Gandhi and Maulana Mohammad Ali stayed at Gauhati for one night and addressed the Gauhati public. I also remember, Sir, that it was one Muslim of all persons throughout India who brought a Resolution of Independence in the Indian National Congress when nobody had ever thought of moving such a Resolution—I refer to Maulana Hasrat Mohani. Now, the Muslims who have been placed, either by accident of birth or domicile, under the Indian Constitution, we are all ready to extend our hand of co-operation and loyal services if they are wanted. I hope my Friends opposite will take our offer in the spirit in which it has been made and take it not merely with a hand of flesh but with a grasp of steel.

Mr. C. W. MORLEY: Mr. Speaker, Sir, on this very great occasion I cannot add anything more to what I have just heard from the Hon'ble Prime Minister and the hon. Leader of the Opposition. But I must say that we defer to nobody in our admiration and regard for that Great Man Mahatma Gandhi

and I think it only remains for me to say that we on our side heartily accord our support to this Resolution.

The Hon'ble the SPEAKER: Now we shall adopt this Resolution by quietly standing for one minute.

(The House adopted the Resolution by standing for one minute.)

✓ **Point of order *re* taking of oath by the Members**

Srijut SARAT CHANDRA SINHA: Mr. Speaker, Sir, I rise on a point of order. My point of order is about taking of oath. We took our oath to a foreign Government. Should we not now take oath to Free India?

The Hon'ble the SPEAKER: I want to hear the Hon'ble Prime Minister.

The Hon'ble Srijut GOPINATH BARDOLOI: Sir, there is no harm in taking a new oath, though it seems to me that the old oath did cover our duty to the country as well. If it is decided that it is necessary to take a fresh oath, we may take it at a later stage, but I feel that we do not cease to be Members because we are under the old oath.

Srijut DANDESWAR HAZARIKA: Mr. Speaker, Sir, even if no new oath is necessary, I would respectfully submit that under the terms of the old oath we took an oath of allegiance to His Majesty the King, Emperor of India. Now, Sir, everything is changed since the 15th August last, and I think at least that part of the oath should be deleted and the hon. Members of this House should be sworn in the other part so that they might do real service to the country with a new spirit, as everything has since changed.

The Hon'ble the SPEAKER: I hope the appropriate authorities will take note of what has been said and all that may be considered needful will be done. I do not, therefore, feel called upon to give any Ruling on the subject. We now proceed with the business of the day. ✓

Panel of Chairmen

The Hon'ble the SPEAKER: I nominate the following Members who will form a Panel of Chairmen for the current sittings of the Assembly:—

- (1) Dr. Emran Husain Chaudhury.
- (2) Srijut Matiram Bora.
- (3) Sri Satindra Mohon Dev.
- (4) Mr. Binode Kumar J. Sarwan.

Now we take up Questions.

Complaint *re* non-receipt of list of business, etc.

Maulavi MD. ROUFIQUE: Mr. Speaker, Sir, I wish to bring to your notice the fact of non-circulation of the copies of the List of Business and Question papers. There are certain Members living in the Assembly hostel, and so far as I understand, they are supplied with the List of Business and the copies of the Question papers

The Hon'ble the SPEAKER: Unstarred Questions?

Maulavi MD. ROUFIQUE: No, Starred Questions. But those Members who could not get any accommodation in the Assembly hostel and are living outside—they were not supplied with the List of Business or the Question papers.

The Hon'ble the SPEAKER: Probably the hon. Members in their pressure of business omitted to give their address. Any way, I am sorry for the inconvenience caused and I shall look into it.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(To which oral answers were given)

Insufficiency of petrol and delay in arrival of petrol coupons

Maulavi MD. MAKSED ALI asked :

*93. (a) Are Government aware that public business is terribly suffering for want of sufficient petrol and the timely arrival of petrol coupons ?

(b) Are Government aware that the restricted petrol rationing and the delay in its arrival have caused a great set-back in public business ?

(c) Do Government propose to do away with the present system of petrol rationing in the near future ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

93. (a)—No. The position has been improving though rationing remains in force. There were instances of delay in the arrival of coupons in the past but Government have had no complaints recently.

(b)—No.

(c)—This is a matter under the control of the Central Government, and this Government cannot say when rationing will be lifted.

Barpeta Subdivisional Officer's Bungalow

†**Srijut MAHENDRA MOHAN CHOUDHURY** asked :

*94. (a) Is it a fact that the Barpeta Subdivisional Officer's Bungalow has been declared by the Public Health Department as unfit for human habitation ?

(b) If so, do Government propose to take immediate steps towards reconstruction of the said Bungalow ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

94. (a)—The Bungalow is at one end of a big deep hollow and remains water-logged in the rains. Arrangement for light and air is defective. It is thus considered unhealthy.

(b)—The matter is under consideration of Government.

(Starred Question Nos. 95 and 96 standing in the name of Maulavi Makabir Ali Majumdar were not put and answered as the hon. Questioner was absent.)

Assam Transport Organisation

Srijut LAKSHMIDHAR BORA asked :

*97. (a) Is it a fact that the Assam Transport Organisation is running at a loss ?

(b) Will Government be pleased to state the total loss incurred by this Department during the current financial year ?

†Srijut Lakshmidhar Borah put the Question on authorisation.

(c) Will Government be pleased to lay on the table a copy of the balance sheet of the Assam Transport Organisation ?

*98. Will Government be pleased to state—

(a) How much the Director, Assam Transport, draws as his monthly salary ?

(b) What is his substantive post ?

(c) What would have been drawn by him now at his substantive post ?

(d) The maximum salary drawn by a Senior Indian Police Officer in the rank of Superintendent of Police not being of the selection grade ?

(e) Whether it is a fact that the Director, Assam Transport, does not possess any special technical qualification ?

*99. (a) Will Government be pleased to state if the stores of the Assam Transport at Rangamati were recently removed to Gauhati ?

(b) Is it a fact that the stores were removed by the Transport Motor trucks and not by the Railway ?

(c) If so, how much of cost was incurred thereof and what would have been the cost if it had been removed by the Railway ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

97. (a)—Yes, since 1945-46.

(b)—The accounts for the current financial year cannot be made up until sometime after the close of the year.

(c)—It is not stated for what year the balance sheet is wanted. Balance sheets upto 1944-45 have been published and for 1945-46 will be available soon.

98. (a)—Rupees 1,500 per month.

(b)—Deputy Superintendent of Police. He was officiating in the superior scale of the I. P. at the time of his transfer to the Assam Transport.

(c)—His pay as Deputy Superintendent of Police would now have been Rs. 580 per mensem and Rs. 825 per mensem in the I. P.

(d)—The seniormost I. P. Officer (not in the selection grade) is Mr. Routledge who draws Rs. 1,300 per mensem plus war allowance of 17½ per cent.

(e)—He has acquired the requisite experience by working in the Organisation as Assistant Director of Assam Transport.

99. (a)—Yes.

(b)—Yes.

(c)—Opportunity was taken to avail of the Assam Transport trucks which would have otherwise plied empty from Rangamatty side from other jobs to Gauhati and so no extra cost was involved in this removal. The question of cost of removal by railway does not therefore arise.

Teaching staff of the Berry-White Medical School

Srijut LAKSHESVAR BOROAH asked :

*100. (a) Are Government aware that the Questioner by a Cut Motion moved in the Budget Session of the Assembly 1945 complained that most of the teachers of the Berry-White Medical School were misfits in those positions ?

(b) Are Government aware that the results of the Final Examination of the Berry-White Medical School, 1946, were deplorable ?

(c) If so, do Government propose to effect improvement of the quality of teaching staff of that School immediately?

(d) Will Government be pleased to state how many regular students of that Medical School appeared in the Final Examination held in 1945 and 1946 and how many of them came out successful?

The Hon'ble Srijut RAMNATH DAS replied :

100. (a)—Yes.

(b)—The result of the Final Examination of the Berry-White Medical School, Dibrugarh, for 1946 cannot be called deplorable when compared with that of 1945.

(c)—After careful consideration Government have decided to make some change in the teaching staff of the Berry-White Medical School, Dibrugarh.

(d)—In 1945 and 1946, 38 and 35 regular students appeared in Final Examination of which 10 and 8 respectively came out successful.

Srijut GAURI KANTA TALUKDAR: Sir, do not Government consider the result to be deplorable?

The Hon'ble Srijut RAMNATH DAS: Sir, I have already said that in comparison with the result of 1945 it cannot be called deplorable.

Srijut GAURI KANTA TALUKDAR: But apart from this comparison, do not Government consider the result to be deplorable?

The Hon'ble Srijut RAMNATH DAS: Sir, in the year 1945 the percentage of successful students was 41 and in 1946 the percentage was 40.

Srijut GAURI KANTA TALUKDAR: Sir, the question is whether the result is deplorable or not?

The Hon'ble the SPEAKER: That is a question of opinion.

Srijut GAURI KANTA TALUKDAR: Sir, may we ask the Government to take more drastic steps and employ efficient teachers in the school so that the result may be improved?

The Hon'ble Srijut RAMNATH DAS: Sir, the complaint was against the staff and I have already said that I have made some change in the teaching staff.

††**Maulavi MAHAMMAD ROUFIQUE**: May I ask, Sir, if Government consider the result satisfactory?

The Hon'ble Srijut RAMNATH DAS: In comparison with the result of the previous year it is not unsatisfactory.

Revenue derived from different fisheries in the Province

†**Srijut MAHENDRA MOHAN CHOUDHURY** asked :

*101. (a) Will Government be pleased to state the amount of revenue received from different fisheries in each Subdivision of the Province for the last three years separately?

(b) Will Government be pleased to state the amount they spent in each Subdivision for the improvement of fisheries for the last three years separately?

††Speech not corrected.

†Srijut Lakshmidhar Borah put the Question on authorisation.

The Hon'ble Srijut BISHNURAM MEDHI replied :

101. (a)—A statement is furnished below :—

Statement showing the amount of Fishery Revenue—Subdivision by Subdivision for the last three years

Name of Subdivision	1943-44	1944-45	1945-46	1946-47
	Rs.	Rs.	Rs.	Rs.
KAMRUP				
1. Gauhati ... ..	...	38,927	76,196	60,905
2. Barpeta ... ..	...	74,630	2,31,684	1,84,615
GOALPARA				
3. Dhubri	3,355	3,460	7,540	...
4. Goalpara ... ..	...	...	...	...
DARRANG				
5. Tezpur ... ..	...	18,745	27,142	28,392
6. Mangaldai ... ..	...	6,187	25,399	25,405
NOWGONG				
7. Nowgong ... ..	...	80,647	1,30,940	1,46,871
SIBSAGAR				
8. Jorhat	23,970	44,909	46,230	...
9. Sibsagar ... ..	...	26,047	42,012	50,763
10. Golaghat	4,853	5,709	19,742	...
LAKHIMPUR				
11. Dibrugarh ... ..	...	20,260	57,395	65,785
12. North Lakhimpur ... ..	...	19,665	33,000	34,385
GARO HILLS				
13. Tura ... ..	...	6,290	6,871	6,574
SURMA VALLEY				
	Rs.	Rs.	Rs.	Rs.
CACHAR				
14. Hailakandi	587	587	587	...
14A. Silchar	44,460	58,570	65,555	...
KHASI AND JAINTIA HILLS				
15. Jowai ... ..	...	5,110	8,700	16,200
SYLHET				
16. Sylhet Sadr Tahsil	9,555	11,135	16,985	...
17. Gowainghat Tahsil	46,311	64,637	81,815	...
18. Kanaighat Tahsil	11,440	13,120	26,580	...
19. Karimganj Subdivision	7,661	9,036	21,119	...
20. Hakaluki Fishery	52,923	36,796	61,836	...
21. South Sylhet Subdivision	2,682	3,338	3,791	...
22. Habiganj Subdivision	22,115	25,680	29,060	...
23. Sunamganj	12,693	17,449	27,480	...

(b)—Except in Karimganj Subdivision nothing has been spent during the last 3 years for the improvement of the fisheries. But some of the fisheries have been settled at concessional rates for improving those fisheries.

Srijut GAURI KANTA TALUKDAR: Sir, may I know whether Government have taken any steps to improve the fisheries ?

The Hon'ble Srijut BISHNURAM MEDHI: Yes, Sir, a few Fishery Officers have been given training and, as a matter of fact, advice of the Fishery Expert, Government of India, was sought and he proposes to submit a scheme for the improvement of fisheries very shortly.

Srijut GAURI KANTA TALUKDAR: It seems nothing has been done, Sir, for the improvement of fisheries up till now.

The Hon'ble Srijut BISHNURAM MEDHI: Sir, besides this there is a condition in some of the leases to improve the fisheries and with this end in view these fisheries were settled at a concessional rate.

Srijut GAURI KANTA TALUKDAR: Sir, are there any instructions from the Government to the lessees to remove water-hyacinth which is a menace to fisheries ?

The Hon'ble Srijut BISHNURAM MEDHI: Yes, that is a term in the lease that the fisheries should be kept cleared of the water-hyacinth.

Srijut GAURI KANTA TALUKDAR: Have any lessees kept the fisheries free from water-hyacinth anywhere ?

The Hon'ble Srijut BISHNURAM MEDHI: Yes, it is the duty of the officers, Subdivisional Officer, Sub-Deputy Collectors and other Revenue Officers to bring this fact to the notice of the Government when there is breach of the condition by the lessee for taking suitable action by Government to prevent any breach of such condition.

†**Maulavi MAHAMMAD ROUFIQUE:** Sir, are Government aware that Assam is suffering from scarcity of fish and that once Assam had plenty of fish ?

The Hon'ble Srijut BISHNURAM MEDHI: Sir, I cannot say that fish is scarce but the main reason is that population has increased and there is a consequent increase in the price of fish.

†**Maulavi MAHAMMAD ROUFIQUE:** Sir, it is surprising that the Hon'ble Minister is not aware that there is a scarcity of fish now and that once Assam was famous for fish. Sir, what definite policy Government is adopting to improve the situation in regard to fish ?

The Hon'ble Srijut BISHNURAM MEDHI: Sir, the whole idea seems to be confused. As I have already stated, due to increase in population and increase in the demand from the people naturally fish is divided amongst larger number of persons and the price has gone up considerably. As I have already stated, experts are being consulted, the local officers have been given training and steps will be taken according to plan for the improvement of the fishery.

Srijut GAURI KANTA TALUKDAR: Sir, have Government any definite scheme in pursuance of which these experts have been appointed ?

The Hon'ble Srijut BISHNURAM MEDHI: It is unfortunate that I have not been followed clearly. What I said is that some officers have been given training and that they are preparing schemes in consultation with the Central Government Expert.

†**Srijut RAJENDRANATH BARUA:** Is it a fact that a Co-operative Fishery Scheme has been made by the Government and action will be taken shortly for the improvement of the fisheries ?

The Hon'ble Srijut BISHNURAM MEDHI: That I cannot say. This is dealt with by the Industries Department and without a specific question to that effect it is very difficult for me to give a reply now.

†**Dr. EMRAN HUSAIN CHAUDHURY:** May I ask what steps have Government taken for the preservation of the fisheries ?

The Hon'ble Srijut BISHNURAM MEDHI: I do not quite follow what the hon. Member means. If, of course, he means preservation in tins, that is not under the contemplation of the Government.

†**Srijut SARAT CHANDRA SINHA:** I think, he means the main improvement of fisheries.

The Hon'ble Srijut BISHNURAM MEDHI: If that is the point, that has already been answered.

Detection of big and risky Excise cases

Srijut DANDESWAR HAZARIKA asked :

*102. (a) Are Government aware that at present the Excise staffs do not get adequate help and co-operation from the Police Department in detecting big and risky Excise cases where arms and ammunitions are absolutely necessary ?

(b) If so, why ?

(c) Are Government aware that many big smugglers of this Province are well equipped with arms, ammunitions and jeep cars ?

(d) If so, will Government be pleased to state whether any arrangements have been made by them to combat these smugglers ?

(e) If so, what ?

(f) If not, do Government propose to place some people of the Rail Force at the disposal of the Excise Department ?

The Hon'ble Srijut RAMNATH DAS replied :

102. (a)—No instance of utter lack of help and co-operation has, so far, been brought to the notice of Government. Government are also not aware of any excise case the detection of which requires arms and ammunitions.

(b)—Does not arise.

(c)—Government have no specific information.

(d) to (f)—Do not arise.

†Speech not corrected.

The Hon'ble the SPEAKER : May I point out one thing ? The Question was "Are Government aware that at present the Excise staffs do not get *adequate help* and co-operation from the Police Department" The reply is "No instance of *utter* lack of help and co-operation has, so far, been brought to the notice of Government". The question was not in respect of 'utter lack of help' but it was in respect of 'adequate help.'

The Hon'ble Srijut RAMNATH DAS : The Government has not received any specific information or report from any of their officers that there was no adequate help from the Police.

†**Maulavi ABUAL MAJID ZIAOSH SHAMS :** Are Government prepared to enquire into the matter ?

The Hon'ble Srijut RAMNATH DAS : Yes, I am prepared to enquire from my Department.

†**Srijut DANDESWAR HAZARIKA :** Have not Government received complaints of inadequate Police help ?

The Hon'ble Srijut RAMNATH DAS : I have not received any complaint like this, Sir.

Maulavi MAHAMMAD ROUFIQUE : Will the Hon'ble Minister please state if he enquired of his staff whether they obtained adequate help from the Police ?

The Hon'ble Srijut RAMNATH DAS : As I have said I will enquire from my Department.

†**Srijut SARAT CHANDRA SINHA :** May I ask whether the smuggling has increased ?

The Hon'ble Srijut RAMNATH DAS : The smuggling is there and therefore we have started our prohibition scheme and it is now under operation.

Distribution of various contracts or works, etc., under the Post-War Reconstruction Scheme

Srijut BHADRA KANTA GOGOI asked :

*103. Will Government be pleased to state—

- (a) Whether they prefer companies to mere individuals in respect of distribution of various contracts or works etc., under the Post-War Reconstruction Scheme ?
- (b) Whether Government propose to distribute the works under their Post-War Reconstruction Scheme to the *bona fide* companies of the soil ?
- (c) Whether any differentiation is proposed to be made in this respect with regard to companies formed by Congressmen and Companies formed by non-Congressmen ?
- (d) Whether Government propose not to give any preference to any foreigners ?

†Speech not corrected.

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

103. (a)—No. Allotment of contracts will be made to eligible contracting firms and individuals according to the policy laid down by Government.

(b)—No. Contracting companies enjoy the same preference as eligible contractors of the district, only when 66 per cent. or more of the capital of the firm is owned by partners who themselves come under the category of eligible contractors.

(c)—No.

(d)—No.

Maulavi ABUAL MAJID ZIAOSH SHAMS: Is it a fact that enquiries were made by the Government or at least by the Chief Engineer as to who were the persons among the contractors who were the Muslim Leaguers, and whether these Muslim Leaguers had been given any contract work, say in course of last six or eight months?

The Hon'ble the SPEAKER: Might I seek co-operation from the various parties just not to remember these things, and do we want to begin with a fresh slate? So I would seek co-operation from all the hon. Members not to put questions strictly on communal line. The hon. Member is perfectly entitled to put his question but I just expect that we shall begin with a new era.

Maulavi ABUAL MAJID ZIAOSH SHAMS: Thank you very much, but a communal policy was adopted in trying to oust the Muslim League contractors. So I thank you that a broad outlook will be taken by the Government and a broad policy will be followed.

†**The Hon'ble Rev. J. J. M. NICHOLS-ROY**: I have no information of this; I did not have any idea of that at all, neither I had any indication that there is such a thing.

Maulavi Saiyid MUHAMMAD SAADULLA: I can help my Friend the Hon'ble Minister. During the last six months, every district officer enquired if a Muslim tenderer for contract was a Muslim Leaguer or not. I do not blame them for that because during that period the Muslim League had started the Civil Disobedience Movement.

†**Srijut PURNA CHANDRA SARMA**: Did not the Muslim Leaguers get any contract during the period?

Maulavi Saiyid MUHAMMAD SAADULLA: No. All we want is the withdrawal of instructions issued during that period.

†**Maulavi MAHAMMAD ROUFIQUE**: A circular was issued to the district officers not to give any contract work to any Muslim Leaguer and that was published in the papers.

The Hon'ble Srijut BISHNURAM MEDHI: I think the idea was that the contractor who had actively participated in this Civil Disobedience Movement was not to be given any contract work.

Maulavi ABUAL MAJID ZIAOSH SHAMS: No, very few had participated in the Civil Disobedience Movement.

The Hon'ble the SPEAKER: Can we pass on to the next Question?

*†Speech not corrected.

(Starred Question No. 104 was not put and answered as the hon. Questioner, Maulavi Afazuddin Ahmed, was absent.)

Price of Masur Dal at Jorhat

Dr. EMRAN HUSAIN CHAUDHURY asked :

*105. (a) Will Government be pleased to state whether they have sanctioned Rs.26-8-0 per maund for Masur Dal brought by Rai Bahadur Rameswar Saharia at Dibrugarh against the controlled price of Rs.21-8-0 for such *Dal* ?

(b) If so, will Government be pleased to state the reasons for such special treatment in the case of this Rai Bahadur ?

(c) Are Government aware that the Jorhat wholesale dealers have been asked to purchase 20 tons of that *Dal* from Dibrugarh at Rs.26-8-0 per maund and to sell the same to the retailers of Jorhat at Rs.27-12-0 per maund against the controlled price of Rs.22-12-0 per maund ?

(d) If so, will Government be pleased to state why the retailers of Jorhat have been allowed by Government to sell the same *Dal* to consumers at Rs.0-11-6 per seer against the controlled price of Rs.0-9-6 per seer ?

(e) Are Government aware that the wholesalers are unable to bring in that *Dal* to Jorhat within the margin of profit of Re.1-4-0 per maund ?

(f) Will Government be pleased to state whether they have invented some method of making the Masur Dal of different prices so that the consumers would be able to detect profiteering by seeing those distinctive marks ?

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

105.(a)—Yes. The United Provinces Government did not undertake to make supplies available at the controlled rate.

(b)—Because the Agent had to purchase the stuff from the open market in the United Provinces at a price much higher than the controlled rate.

(c)—Yes.

(d)—As the retailers had to purchase at a higher rate they were allowed to sell at higher rate.

(e)—Government have no information. The wholesalers were given a margin of Re.1-4-0 as against the normal margin of twelve annas in order to meet the extra cost.

(f)—No. But steps were taken to see that as far as practicable Masur *Dals* of different prices were not sent to the same centres.

Maulavi MAHAMMAD ROUFIQUE: May I know under whose authority Rai Bahadur Rameswar Saharia bought these Masur *Dals* from the United Provinces at higher rate ?

The Hon'ble the SPEAKER: Or in other words, did the Rai Bahadur obtain sanction from the Government to pay higher price ?

The Hon'ble Rev. J. J. M. NICHOLS-ROY: Just now I have no information as I have taken charge of this portfolio only this morning. If the hon. Member wants the information, I will enquire.

The Hon'ble the SPEAKER: So this Question stands over till tomorrow.

Corrupt Practices in the Police Court Offices of Assam

Srijut LAKSHESVAR BOROOAH asked :

*106. (a) Will the Hon'ble Minister be pleased to state whether in reply to a Cut Motion in the last Budget Session of the Assembly, he assured the House to enquire into and remove corruption prevailing in Police Court Offices of Assam ?

(b) If so, will the Hon'ble Minister be pleased to state what definite and effective action has been taken in this direction particularly at Dibrugarh ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

106. (a)—The matter has been exhaustively examined in consultation with local officers.

(b)—Government are not satisfied that any change is required in the rules. It is a matter mainly of judicial discretion.

Maulavi ABUAL MAJID ZIAOSH SHAMS : I think, the Question is, what steps Government took not only to enquire into the matter but to remove corruption. So is it not that when the accused persons are bailed out and actually orders are passed by the Magistrates for bailing out the accused, they are to approach police officers for this purpose who make an enquiry and give a report to the Magistrate that such and such persons are fit and such and such persons are not fit and the Magistrate then come to the conclusion whether they are fit or not fit and thus the police officers are given the opportunity of taking bribe ? May I know, what steps Government are taking to remove such corrupt practices ?

The Hon'ble Srijut GOPINATH BARDOLOI : I already mentioned what steps Government have taken. The matter was examined, and Government do not see any reason for changing the rules, but it must be, more or less, a matter which lies with judicial officers themselves to see whether there could be any room for corruption and actions taken to avoid it.

Maulavi ABUAL MAJID ZIAOSH SHAMS : May I point out that the judicial officers cannot intervene under the existing circumstances when the judicial and executive functions lie with the same person. It lies with the Superintendent of Police to bring to bear upon their subordinates who are in the Police Courts by their strong policy so that this sort of corrupt practices may be removed.

The Hon'ble Srijut GOPINATH BARDOLOI : But the hon. Member will recognise the necessity of ascertaining the reliability of security that is tendered, and there must be some agency to enquire into it. As the rules show the judicial officer, I mean, the Magistrate has full authority to enquire into the matter and he can take action against police officers if there is any reason to believe any charge of corruption against them. When the accused has a right to challenge any such corrupt practice, I do not see that there lies any fault with the rules which are applicable in the discretion of the Magistrate.

Srijut MOTIRAM BORA : Is there corruption in the Court Offices ?

The Hon'ble Srijut GOPINATH BARDOLOI: This Question was in reference to a particular case in Dibrugarh and it seems to me that enquiries were made on it.

Maulavi ABUAL MAJID ZIAOSH SHAMS: Actually every bail petitioner has got to undergo such trials. I think, it is the duty of the Superintendent of Police to control these officers and control must be exercised by them in a better and stronger way than it is at present in order to get rid of corrupt practices.

The Hon'ble Srijut GOPINATH BARDOLOI: I am prepared to recognise that, Sir; but it is not the fault of the rules.

Maulavi ABUAL MAJID ZIAOSH SHAMS: Whether Government propose to issue instruction to the Superintendents of Police so that they may be more careful and more vigilant in future and so that their subordinates in the court offices do not adopt such corrupt practices?

The Hon'ble Srijut GOPINATH BARDOLOI: I think, Sir, so far as this particular case is concerned, the Deputy Commissioner was informed. There is general understanding in everybody that corruption should not be anywhere.

†**Srijut LAKSHESVAR BOROOAH:** Is it not a fact that the condition prevailing in Dibrugarh prevails in other places also?

The Hon'ble Srijut GOPINATH BARDOLOI: It may be so; but all that could be done in this respect is being done.

†**Srijut LAKSHESVAR BOROOAH:** Should not Government instruct the Superintendents of Police to see that their subordinate officers do not resort to corruption *i.e.*, taking bribes?

The Hon'ble the SPEAKER: The hon. Member wants to have a Circular letter issued by Government to the Subordinate officers with the instruction "Please do not take bribe". (*Laughter.*)

The Hon'ble Srijut GOPINATH BARDOLOI: As far as I know the Bar and Lawyers' Associations bring such matters to the notice of the Magistrate concerned and sometime they work well, and at other times it reverts to the old state of things. This particular Question refers to a particular case and it is not due to the fault of the rules. Well, full instruction has been given, may be not in the same language as the Hon'ble Speaker has said; but surely it has been given in a different way. If necessary we can issue more instructions, but personally I feel that the removal of these things require co-operation from both sides, one, the side of those who offer and the other those who accept bribe.

†**Maulavi ABUAL MAJID ZIAOSH SHAMS:** Is it a fact that if any complaint be given from the Bar Association or individual member of the Bar, the fact is that if one bail petition is moved at 11-0 or 12-0 A. M.....

The Hon'ble the SPEAKER: Are these details?

Maulavi Saiyid MUHAMMAD SAADULLA: It is a Supplementary Question.

†**Maulavi ABUAL MAJID ZIAOSH SHAMS:** In moving a petition it takes some time, one day, two days or more for police to decide.....

Solution of Unemployment Problem

Srijut BHADRA KANTA GOGOI asked:

*107. Will Government be pleased to state—

- (a) How they propose to solve the unemployment problem arising out of the post-war situation?
- (b) Whether they propose to show any special favour to the educated youths of the Province who like to take up business?

The Hon'ble Srijut GOPINATH BARDOLOI replied:

107. (a)—The Post-War Reconstruction and Development Schemes of this Government will provide employment to a large number of persons of all categories—*viz.*, educated, semi-educated, skilled, unskilled, semi-skilled and so on and so forth—in large scale, medium scale and small scale industries, in agricultural operations, in constructional works, in educational activities, in public health and medical activities and in similar nation-building and constructive activities.

(b)—The educated youths of the Province will find places in various industrial activities to be taken up by Government as executive and technical personnel, for which considerable numbers of them are being given advanced training in foreign countries as Government Stipendiaries. They will also be afforded facilities for setting up in business of their own in small and medium scale industries and agricultural occupations. It is proposed to provide training facilities for this purpose both within and outside the Province. A large number of them will find employment in rural welfare work, a province-wide organisation for which will be set up in due course, a beginning being made in the immediate future with a number of centres for giving comprehensive training.

Distribution of Cloth and Yarn in Goalpara District

Maulavi MD. MAKSED ALI asked:

*108. Will Government be pleased to state—

- (a) The basis on which cloth and yarn are being distributed in the Goalpara District?
- (b) Whether cloth and yarn are being distributed in the district of Goalpara on population basis?

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

108. (a) & (b)—Cloth is distributed on a *per capita* basis and yarn is distributed generally according to local need keeping in view the number of weavers in the area as far as practicable.

†Speech not corrected.

†**Maulavi MD. MAKSED ALI**: Sir, cloths that are distributed in the town are on ration card; but cloths are not being distributed in rural areas on ration cards. Will Government be pleased to state why ration cards were not introduced in the rural areas ?

†**The Hon'ble Rev. J. J. M. NICHOLS-ROY**: I understand, Sir, that in some areas cloth is distributed on ration cards system but in some other areas it may not be so ; but for that reason it cannot be said that no cloth is supplied to Goalpara district ; we shall look into the matter and see what can be done in that respect.

†**Maulavi ABUAL MAJID ZIAOSH SHAMS**: Is it not a fact that yarn which is given to Goalpara Subdivision, which has only half the population as compared with Dhubri, is much more than what was given to Dhubri Subdivision ?

†**The Hon'ble Rev. J. J. M. NICHOLS-ROY**: That is a question of supply between Goalpara Subdivision and Dhubri Subdivision. I have no information about this, Sir. If the hon. Member thinks this is a fact, we shall look into the matter.

†**Maulavi ABUAL MAJID ZIAOSH SHAMS**: Will the Hon'ble Minister please make enquiries and see that even distribution is made ?

†**The Hon'ble Rev. J. J. M. NICHOLS-ROY**: Yes, I shall make that enquiry.

(Starred Question No. 109 was not put and answered as the hon. Questioner, Maulavi Afazuddin Ahmed, was absent.)

Promotion in the Assam Rifles and the Reserve Armed Police Forces

Srijut DALBIR SINGH LOHAR asked :

* 110. (a) Will Government be pleased to enquire and state whether it is a fact that Soldiers and Havildars belonging to the so-called lower classes Lohars, Sonars and Koiris are refused promotion in the Assam Rifles and Reserve Armed Police Forces although they are entitled to promotion on account of seniority and efficiency ?

(b) If so, do Government propose to take necessary steps to remove the bar ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

110. (a)—No. The Provincial Government are not concerned with the Assam Rifles, but have no doubt that, as is certainly the case with the Police, merit and efficiency, irrespective of caste or creed, are the criteria for promotion.

(b)—Does not arise.

Liquidation of Batikuriha Gaolia Bank

† **Srijut MAHENDRAMOHAN CHOUDHURY** asked :

* 111. (a) Will Government be pleased to state the year when the Batikuriha Gaolia Bank in the Barpeta Subdivision was put to liquidation ?

(b) Is it a fact that for satisfaction of the loan outstanding, movables of the debtors had already been attached and put to sale ?

(c) Is it a fact that the immovables of the debtors have now been notified for sale ?

(d) Is it a fact that Government have already realised from the debtors more than the principal amount ?

(e) If so, do Government propose to write off the amount by way of relief to the already hard hit villagers ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

111. (a)—1935.

(b)—Yes, in 9 cases realisations were made in part.

(c)—Yes, in 3 recalcitrant cases.

(d)—At the time of the dissolution of the Bank, the amounts of interest had exceeded the amounts of principal in some cases. These amounts were realised by the liquidator as contributions.

(e)—The liquidator has been directed to realise from the debtors the dues in easy instalments to the extent of the amount due to the financing banks and to write off the balance of the dues proportionately.

(Starred Question Nos. 112-114 were not put and answered as the hon. Questioners were absent.)

Distributing Agents of Dal at Dibrugarh

Srijut LAKSHESVAR BOROOAH asked :

*115. (a) Is it a fact that the distributing agents of Dal at Dibrugarh have failed to supply Dal at the rates quoted in their tenders ?

(b) Is it a fact that they have brought a huge quantity of Masur, Mug and Arhar Dal and are not distributing unless they are assured of a much higher price ?

(c) Is it a fact that the meeting of the Liaison Committee, Dibrugarh, held on the 11th January last, unanimously refused to accede to the unreasonable demand of the agents and recommended to Government to cancel their contract and issue permits to individual dealers to import Dal from the United Provinces and Bihar and sell it at the controlled rate ?

(d) If so, what action does the Hon'ble Minister of Supply propose to take on the recommendation of the Liaison Committee ?

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

115. (a) & (b)—No. Only one Rai Bahadur Rameswar Saharia of Dibrugarh who imported 150 tons of Masur from the United Provinces for which this Government allowed higher sale price on examination of accounts might have refused sale of the stock at the controlled rate.

(c)—No.

(d)—Does not arise.

† Srijut Lakshmidhar Borah put the question on authorisation.

(Starred Question No. 116 was not put and answered as the hon. Questioner, Srijut Omeo Kumar Das, was absent.)

Landless cultivators in the Hailakandi Subdivision

Srijut GAURI KANTA TALUKDAR asked :

*117. Are Government aware—

- (a) That there is a large number of landless cultivators in the Hailakandi Subdivision ?
- (b) That there are big areas of Government cultivable waste lands at several localities of the said Subdivision, such as Hatiton, Bilaipur, Kalapathar, Gaisonari, etc. ?
- (c) That the landless cultivators of the said Subdivision are repeatedly seeking settlement of some of these waste lands with them ?
- (d) That such lands are being frequently settled with Zaminders and Mirasdars and not with the landless cultivators ?

*118. If the reply to the above Question be in the affirmative, do Government propose to allow some of the Government waste lands to be settled with some of the most needy indigenous cultivators and to prevent Zaminders and Mirasdars from getting such lands for settlement ?

*119. (a) Will Government be pleased to state whether they received a copy of a resolution of the Hailakandi Praja Sabha adopted in their General meeting held on the 20th January 1947, requesting the Government to provide some Government waste lands to the landless cultivators of Hailakandi Subdivision ?

(b) If so, will Government be pleased to state whether they have considered their prayer and what decision, if any, has been arrived at ?

*120. Are Government aware—

- (a) That the Hailakandi Praja Sabha is a peace loving organisation started for the purpose of protecting and safeguarding the legitimate interests of the tenant population of the Hailakandi Subdivision by peaceful and lawful means and that it has nothing to do with the Tebhaga Movement ?
- (b) That some interested persons with a view to weaken the Sabha and to deprive it from Government sympathy, are making gross misrepresentations against it ?
- (c) That due to such misrepresentations some warning notices have been issued by the Government against some of its organisers, but no notice of warning has been issued against the Zaminders and Mirasdars whose attitude is likely to cause mischief ?

*121. Will Government be pleased to state whether they propose to ascertain the Sabha's real attitude and object and to show it the sympathy it deserves ?

The Hon'ble Srijut BISHNURAM MEDHI replied :

117. (a)—Yes ; But they cultivate as tenants, Adhidars, etc.

(b)—Yes.

(c)—Yes.

(d)—No.

118.—In the matter of settlement of waste land outside Reserves the landless cultivators get preference. Occupation of waste within Forest Reserves follows the policy deemed necessary for the maintenance and development of forests namely of encouraging persons to become forest villagers.

119. (a)—No.

(b)—Does not arise.

120. (a)—Government have an open mind but must judge the Sabha by its deeds and not intentions.

(b)—Government are not aware of any such misrepresentations.

(c)—Government understand that the local Magistracy had to warn the persons of the Praja Sabha with regard to apprehended breach of peace and that the Revenue authorities had to instruct Mirasdars to be lenient towards their tenants.

121.—All legitimate and peaceful activities are within the constitution. Government response will be forthcoming in the measure in which the Sabha's actual activities will deserve it.

(Starred Question No. 122 was not put and answered as the hon. Questioner, Maulavi Afazuddin Ahmed, was absent).

Laboratory Assistants, Demonstrators and Librarians of an affiliated College

Srijut GAURI KANTA TALUKDAR asked :

*123. Will Government be pleased to state—

(a) Whether it is a fact that under the Rules and Regulations of the Calcutta University, Laboratory Assistants, Demonstrators and Librarians of an affiliated College are required to be treated as teachers ?

(b) Whether it is a fact that under these Rules and Regulations of the said University a Laboratory Assistant must be at least a Matriculate ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

123. (a)—Yes.

(b)—No.

Srijut GAURI KANTA TALUKDAR : With regard to (b), Sir, is there no educational qualifications prescribed for Laboratory Assistants and Demonstrators ?

The Hon'ble Srijut GOPINATH BARDOLOI : Well, there are none at present.....

Srijut GAURI KANTA TALUKDAR : If no qualification is prescribed can any one be appointed as Laboratory Assistant even if he is a bearer ?

The Hon'ble Srijut GOPINATH BARDOLOI : if any man is found useful by those concerned, there is no bar to his appointment.

Srijut GAURI KANTA TALUKDAR : Do Government approve of such appointment and agree that there should be no prescribed qualifications ?

The Hon'ble Srijut GOPINATH BARDOLOI : It may be that a man of that category also can discharge his responsibilities better than many qualified otherwise.

Srijut GAURI KANTA TALUKDAR : Laboratory Assistants in old days might have been holding that position without any educational qualification

because there were no qualified men then ; but at present there are many who have got better educational qualifications ; that is why I say that some qualification should be prescribed.

The Hon'ble Srijut GOPINATH BARDOLOI : That is not the reason why others who have enjoyed holding these posts should be discharged.

Srijut GAURI KANTA TALUKDAR : The question is not of discharging any body ; what I want is that Government should prescribe certain educational qualifications.

The Hon'ble Srijut GOPINATH BARDOLOI : If the hon. Member had looked to answers below to his Questions, he would have found that it has been confined to Matriculates.

The Hon'ble the SPEAKER : The hon. Member will please read out all his Questions.

Srijut GAURI KANTA TALUKDAR : If all the Questions are read together, it will not be easy to follow the answers ; it will be better if Questions are read out one by one.

The Hon'ble the SPEAKER : Order, order. Question No. 124.

Srijut GAURI KANTA TALUKDAR asked :

*124. (a) Are Government aware that the Laboratory Assistants attached to the Chemistry Laboratory and one of the Laboratory Assistants attached to the Physics Laboratory of the Cotton College are mere bearers promoted to such posts—without any academical qualifications ?

(b) If the reply to the above Questions be in the affirmative, will Government be pleased to state the reasons for promoting bearers to the post of Laboratory Assistants ?

(c) Will Government be pleased to state whether any bearer has been promoted to the post of a Laboratory Assistant in the Murarichand College ?

(d) Are Government aware that at present there is no paucity of qualified candidates for the post of Laboratory Assistants ?

(e) Do Government propose to instruct the College authorities to discontinue the practice of promoting bearers to the post of Laboratory Assistants ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

124.(a)—Of the two Laboratory Assistants attached to the Chemistry Department one read up to Class VII of High School and the other a Matriculate. The former worked as a Laboratory bearer since 1922 and was promoted to the post of the Laboratory Assistant in April 1944 having rendered approved officiating service for 2 years.

One of the Laboratory Assistants attached to the Physics Laboratory is Middle English passed. He served as Laboratory bearer since 1932 and was temporarily promoted as Laboratory Assistant in November 1946.

(b)—For want of suitable candidates the authorities promoted the bearers having been satisfied of their merit in holding the posts of Laboratory Assistants.

(c)—No.

(d)—Yes, if confined to Matriculates.

(e)—Yes, whenever it may be possible for the Principals, bearing in mind the interest and efficiency of the Departments.

The Hon'ble the SPEAKER : Order, order. Supplementaries in respect of this Question No. 124 will be put to-morrow.

Discussion Re: Question of Language to be used

Srijut BIJOY CHANDRA BHAGAVATI: মাননীয় সভাপতি ডাঙৰীয়া, আজিৰ অধিবেশনৰ আৰম্ভণিতে অনুভৱ কৰিলো নতুন যুগৰ নতুন ভাবতবৰ্ষৰ এটি আভাষ। কিন্তু তাৰ পিছত মুহূৰ্ত্ততে দেখিলো যে আমি এতিয়াও অতীত যুগৰ সেই পুৰণি সংস্কাৰ বিলাকৰ পৰা মুক্ত হব পৰা নাই। কোনো এক বিদেশী ভাষাৰ অচিনাকি স্তৰ আজি এই মুহূৰ্ত্ততো পৰিষদৰ কাৰ্য্যত বাজি আছে। মোৰ নিবেদন এই যে আজিৰ পৰা আমাৰ পৰিষদৰ সকলো আলোচনা আৰু তৰ্ক বিতৰ্ক অসমীয়া ভাষাতে হোৱাৰ নিয়ম প্ৰবৰ্ত্তন কৰিব লাগে। মই এই বিষয়ে আপোনাৰ পৰা এটা 'ৰায়' আশা কৰিলোঁ।

(The hon. Member speaking in Assamese urged upon the Hon'ble Speaker and said that in view of the changed circumstances in India the proceedings of the Assembly should be conducted in Assamese language).

The Hon'ble the SPEAKER: মাননীয় সদস্য মহোদয়ে যি প্ৰশ্নটি তুলিছে, এইটো অতি সময়োপযোগী আৰু মই তেখেতক তাৰ বাবে সম্বৰ্দ্ধনা জনাওঁ। এইটো কথাও সচাঁ যে জীৱনব্যাপি চলি অহা সংস্কাৰ এটা একেবাতিয়েই এৰি পেলোৱা বৰ টান। আমাৰ এই পৰিষদত কি ভাষা চলিব আৰু কি ভাষাত আমাৰ এই পৰিষদৰ কাৰ্য্যৱলী আলোচনা হব, সেইটো কেন্দ্ৰীয় ইউনিয়ন্ গৱৰ্ণমেণ্টে বা বৰ্ত্তমান যি Constituent Assembly বা গণ পৰিষদ আছে, সেই গণ পৰিষদে এই সম্বন্ধে মই আশা কৰোঁ কিবা নিৰ্দেশ দিব। তাৰ পিছত নতুন আইনৰ তলত যেতিয়া নতুন পৰিষদ হব, তেতিয়া মাননীয় সভ্য সকলে নিজৰ ভিতৰতে ঠিক কৰি লব কি ভাষাত আমাৰ এই পৰিষদৰ কাৰ্য্য পৰিচালনা কৰা হব। যেতিয়ালৈকে নতুন ইউনিয়ন্ শাসন আইনৰ সূচনা নহয় আৰু যেতিয়ালৈকে নতুন এছেম্বলি নহয়, আমি এই পদত থকা কালীন ইয়াৰ ভিতৰত যেয়ে ইংৰাজীত কবলৈ বিচাৰে তেওঁক ইংৰাজী ভাষাত কবলৈ দিয়াটো সমীচীন বুলি ভাবো, আৰু সেইদৰে যি অসমীয়াত কিম্বা হিন্দুস্থানীত কিম্বা উৰ্দুত কিম্বা বঙ্গভাষাত কবলৈ বিচাৰে তাতে কবলৈ দিয়াটো সাধাৰণ ভাবে উচিত বুলি বিবেচনা কৰোঁ আৰু সেই মতে কাৰ্য্য কৰা যুক্ত হব বুলি ভাবোঁ। অৱশ্যে মই যিটো যুক্ত হব বুলি ভাবিছো, সেইটো এই পৰিষদৰ সভ্য সকলৰ মতামতৰ ওপৰত নিৰ্ভৰ কৰে। মই নিজে ভবা কথাটোহে আপোনা সকলৰ আগত নিবেদন কৰিছোঁ। আপোনা সকলে যদি নিজৰ ভিতৰত কথাবাত্তা হৈ সমিলমিল কৰি এটা মত স্থিৰ কৰে, মই তাক মানি চলিবলৈ বৰ সন্তোষ পাম।

(The Hon'ble Speaker in reply said in Assamese that until a final decision was arrived at by the Indian Constituent Assembly with regard to the language to be used in the different Assemblies, the hon. Members under the present circumstances, might use, either English or Hindusthani or Urdu, etc.; further he requested the hon. Members to decide the matter amongst themselves).

The Hon'ble Srijut GOPINATH

সম্বন্ধে মই দুআধাৰমান কব খোজেঁ আৰু কবলৈ অনুমতি দিলে কব পাৰোঁ।

BARDOLOI: এই

I shall translate it shortly in English after I have spoken in Assamese.

বৰ্ত্তমান যি পৰিবৰ্ত্তন হৈছে সেই পৰিবৰ্ত্তনত আমাৰ এছেম্বলিৰ যি বিলাক পুৰণি নিয়ম আছে সেই বিলাক নিয়মৰ অমূল পৰিবৰ্ত্তন কৰিব লাগিব। কিছুমান নিয়ম আছে—তাৰ ভিতৰত যি বিলাক গভৰ্ণৰ *Rule* সেই বিলাকৰ সন্মুখে আপোনালোকে বোধ হয় জানে যে গভৰ্ণৰ *discretion* ৰ ক্ষমতা যোৱাৰ পৰা সেই বিলাক সম্পূৰ্ণৰূপে সালসলনি হ'ব লাগিব। আজি যি হেতু আৰু স্বাধীন, আমাৰ নিজৰ এছেম্বলিৰ নিয়ম আৰু নিজে কৰি ল'ব পাৰোঁ। মই অৱশ্যে সভাপতি ডাঙৰীয়াৰ কথা মানি লৈছো যে যি সকলে ইংৰাজীত ক'ব খোজে সেই সকলৰ প্ৰতিবন্ধক হোৱা উচিত নহয় ; কিন্তু কি ভাষাত কোৱা হ'ব সেইটো আৰু স্থিৰ কৰিব পাৰোঁ। *Constituent Assembly* ত এইটো স্থিৰ হৈছে যে ইংৰাজীতো বক্তৃতা হ'ব পাৰে আৰু ইংৰাজীত ক'লে কাৰো আপত্তি হ'ব নোৱাৰে। হিন্দুস্থানী কথাবাৰ্ত্তা বুজা সকলে যদি ভাল পায় হিন্দুস্থানীত ক'ব পাৰে ; আৰু ইয়াৰ বাহিৰে, যি কোনোৱে নিজৰ মাতৃভাষাত ক'ব খোজে তাতো প্ৰতিবন্ধকতা ক'ৰা নহয়, যদিও এনে অবস্থা হ'ব পাৰে যে তেনে কথা বহুতে বুজি নাপায়। কিন্তু সি যি কি নহওক, যি কথাতে হওক এটা নিয়মৰ ওপৰত কাম কৰিলে ভাল হয়। সেই দেখি মই প্ৰস্তাব কৰিব খোজে যে সভাপতি ডাঙৰীয়াই এটা *Rule* কমিটি পাতক, আৰু তালৈ সকলো পাঠিৰ মুখীয়াল সকলক মাতি আৰু এটা সমিতি ক'বক। তাত কেৱল ভাষাৰ কথাই নহয়, অন্যান্য যিবিলাক নিয়মৰ সালসলনি কৰিবলগীয়া আছে সেই সকলো বিবেচনা কৰি সালসলনি ক'বক। তেতিয়াহে আমাৰ সকলো কথা ভাল হ'ব।

What I was speaking about was that the language to be used as well as many matters in reference to the Rules of the Assembly shall have to undergo change according to the change in the Act itself. I was saying that we should have certain rules which should become necessary on account of the special powers, which the Governor had under the old Act, now being taken away. The whole administration has been brought more or less under ministerial responsibility. These rules will naturally require change, and along with them the question as to what languages should be recognised as languages of the Assembly might be taken into account at the same time. Therefore I was suggesting to the Hon'ble Speaker that he might cause the Leaders—at least some representatives from each Party—to sit together and revise these rules when the question of language to be used may also be taken into consideration.

The Hon'ble the SPEAKER : এই নিয়মাবলীৰ সম্পৰ্কে মই মন দিছিলো আৰু মই আপোনাসকলৰ আগত পঢ়িবলৈ এটা *statement* প্ৰস্তুত কৰি থৈছিলোঁ। এতিয়া মই সেই *statement* টো লৈ আহিছিলো। ঠিক সময়তে ভাগৱতী দেৱে এই সম্পৰ্কে প্ৰশ্ন তুলিছে। পিচে এই খিনিতে আমাৰ এটা ব'ব দিগ্দাৰী আছে। অসমীয়া ভাষাত আমাৰ কথাবাৰ্ত্তা চলোৱা হ'লে আমাৰ টাইপৰাইটাৰৰ অভাৱ হ'ব। (*A voice* : সেইটো অতিক্ৰম কৰা হ'ব)। অৱশ্যে সেইটো আৰু অতিক্ৰম কৰিম। টাইপৰাইটাৰ নাই বুলিয়েই যে অসমীয়া ভাষা প্ৰচলন নকৰিম সেইটো মই কোৱা নাই—আছকাল বিলাকহে আপোনালোকক আঙ্গুলিয়াই দিছে। মই এতিয়া যিটো *statement* পঢ়িম সেইটো টাইপকৰা। তাৰ উপৰিও আমাৰ হস্তউকাৰ হ'ব নে দীৰ্ঘউকাৰ হ'ব সিও কম কথা নহয়—কেতিয়াবা এই সন্মুখেৰাতি] স্বপ দেখাও হয়। আমাৰ আখৰৰ সংখ্যাও ইমান যে আপোনালোক সকলোৱেই জানে যে টাইপৰাইটাৰ *machine* তৈয়াৰ কৰিবলৈ হ'লে নতুন আখৰ কল্পনা কৰিব লাগিব।

এতিয়া মাননীয় পৰিষদৰ Leader এ Rule ৰ বিষয়ে যি প্ৰশ্ন তুলিছিল সেই বিষয়ে আপোনালোকক নিবেদন কৰিবলৈ মই লিখি থৈছিলোঁ।—আপোনাগকলে শুনক। তাৰ পিচত দলপতি সকলক নিমন্ত্ৰণ জনাম।

(The Hon'ble Speaker speaking in Assamese pointed out some difficulties in regard to typewriter machine of the Assamese script.)

Statement *Re*: Adaptations and Modifications of the Existing Assembly Rules

The Hon'ble the SPEAKER: Hon. Members are aware that in consideration of the omissions from, additions to, adaptations and modifications of the Government of India Act, 1935, under the India (Provisional Constitution) Order, 1947, the existing Assembly Rules made under section 84(1) of the said Act will also require modification. The existing Rules were framed by a Rule Making Committee consisting of Assembly Members in 1937-38 in pursuance of a formal Motion made by the then Leader of the House. Until these Rules were framed the Assembly had to carry on with the Rules and Standing Orders of the old Council subject to such modifications and adaptations as were made therein by the Governor under sub-section (3) of section 84. Our position is now the same as it was at the beginning of 1937. This sub-section (3) of section 84 has now been modified as follows:—

“*Clause 3.*—Until Rules are made under this section the Rules of procedure and standing orders in force immediately before the establishment of the Dominion with respect to the Legislative Assemblies of Bengal and the Punjab, respectively, shall have effect in relation to the Legislative Assemblies of West Bengal and East Punjab, subject to such modifications and adaptations as may be made therein by the Speakers of those Assemblies.”

From a cursory glance through the India (Provisional Constitution) Order, 1947, it appears to me that the consequent modifications of the existing Assembly Rules will not be inconsiderable. As a matter of fact there will be very many changes and of a fundamental nature. We are meeting here today just after a fortnight from the promulgation of the Dominion Constitution and a copy of the Constitution Order referred to above reached our hands only a couple of days ago. Although I think there should have been new Rules for the conduct of business any session held after the 15th August, there was, I am afraid, very little time for me to take up the job. Mere amendments will not do, but each and every Rule will have to be examined and scrutinised. In the circumstances we shall probably have to proceed on the West Bengal and East Punjab analogy provided by sub-section (3) of section 84 that is now modified.

Then, again I am also not sure whether we should proceed to go through all the various stages necessary to reframe our Rules now merely to serve our purpose for the interim period or await the inauguration of the New Constitution a few months after when these Rules will have to be revised once again. In this matter I propose to act according to the sense of the House.

I propose to hear the Leaders of the Parties first whether we should redraft the Rules by convening a Committee straightway or go through the lengthy stages of framing a new set of Rules.

The Hon'ble Srijut GOPINATH BARDOLOI: Sir, I have already given my views in this matter. We have the Adaptation Order before us now. As a matter of fact, Government are examining the modifications, and it would be in the fitness of things that the Rules of the Assembly should be changed accordingly. Towards the end of the Session we may find some time when representatives of the parties can sit together and make the necessary changes. If it is not possible during this Session—as the agenda is a heavy one—I think it would be possible for the Hon'ble Speaker to fix up some time after the Session, when the representatives of the Parties may sit together for effecting the necessary changes.

Maulavi Saiyid MUHAMMAD SAADULLA: Mr. Speaker, Sir, the issues before the House are simple, and only two, — whether, as you have pointed out, we should undertake the trouble of redrafting or remodelling our Rules before we know the future Constitution of the Province, or whether we should undertake the scrutiny of the existing Rules now to suit the present Adaptation Order. As was pointed out earlier by the Hon'ble Leader of the House, Mr. Bardoloi, there are certain Rules now which are called Governor's Rules. Under the present circumstances I think those shall have to go and in their place suitable Rules shall have to be made. Therefore I think that the latter course, *i. e.*, convening a meeting to sit some time during the Session, should be adopted and we should try to have a new set of Rules. In the meantime the present Rules will continue.

Mr. C. W. MORLEY: Mr. Speaker, Sir, I agree with the Hon'ble Prime Minister and the hon. Leader of the Opposition that these Rules should continue at present and if possible a Sub-Committee be appointed towards the end of the Session to go into these Rules and bring them up-to-date.

The Hon'ble the SPEAKER: Then a Motion will be formally made by the Hon'ble Leader of the House on these lines and we shall adopt it. But it will not be possible to redraft and scrutinise the Rules during this Session as the agenda is a heavy one. It shall have to be done hereafter, and it is left to the convenience of the Hon'ble Leader of the House to bring forward a Motion.

(Turning to Maulavi Abual Majid Ziaosh Shams: What has the hon. Member got to say ?)

Maulavi ABUAL MAJID ZIAOSH SHAMS: I do not like to say anything now in view of what has been just now stated.

Alotment of days for Private Members' Business by the Hon'ble Speaker

The Hon'ble the SPEAKER: We pass on to the next item of business, to announce the days allotted for Private Members' business during this Session of the Assembly:—

In pursuance of Rule 17 of the Assam Legislative Assembly Rules, I hereby allot, in consultation with the Hon'ble Prime Minister, the following days for Private Members' business during the present adjourned Session of the Assam Legislative Assembly:—

Thursday, 4th September, Saturday, 6th September—

Private Members' Bills and Private Members' Motions and Resolutions.

Monday, 8th September, Tuesday, 9th September and Thursday, 11th September—Private Members' Motions and Resolutions.

Thursday, 18th September, Friday, 19th September and Saturday, 20th September—Private Members' Bills and Private Members' Motions and Resolutions. This order shall be subject to revision, if necessary, from time to time. Now we pass on to item No. 4.

Statement *re* course of Government Business

The Hon'ble Srijut GOPINATH BARDOLOI: With your permission, Sir, I desire to make a statement about the course of Government business during this Adjourned Session. The Government business which is to be taken up to-day and to-morrow is shown in the agenda, a copy of which has been placed on each Member's table. I need not detail it again.

If the Motions for taking into consideration of (1) the Assam Pure Food Bill, 1947, (2) the Assam Sales of Motor Spirit and Lubricants Taxation (Amendment) Bill, 1947, (3) the Assam Land and Revenue (Amendment) Bill, 1947 and (4) the Assam Commissioner's (Transfer of Powers) Bill, 1947 are accepted by the House either to-day or to-morrow we propose that these Bills be (i) considered clause by clause and (ii) passed on the 12th, 13th and 15th September 1947.

2. If the Motion for reference to a Select Committee of the Gauhati University Bill, 1947 is also accepted by the House either to-day or to-morrow we propose to present the Report of the Select Committee on the 12th September 1947 and then to move that the Bill as reported by the Select Committee be taken into consideration. If such a Motion is accepted by the House on that day we propose that this Bill be considered, clause by clause, on the 15th September and then to move that the Bill be passed.

3. On the 15th September 1947 we also propose to take up the Resolution to extend the scope of the Public Debt Act, 1944.

4. The discussion on the "Principles of a Model Provincial Constitution" as adopted by the Constituent Assembly of India will be held from the 22nd September onwards as considered necessary.

Committee on Petitions relating to Bills

The Hon'ble the SPEAKER: I think, we may now pass on to item No.5. Under Rule 12 clause (I) of the Assembly Rules, I nominate the following Members to constitute a Committee on Petitions relating to Bills for the current sittings of the Assembly:—

- (1) Maulavi Sayidur Rahman,
- (2) Mr. Larsingh Khyriem,
- (3) Srijut Beliram Das,
- (4) Mr. Binode Kumar. J. Sarwan.

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

House Committee

Under Rule 126 of the Assembly Rules, I nominate the following Members to constitute a House Committee for the current sittings of the Assembly:—

- (1) Maulavi Abdul Hai,
- (2) Dr. Emran Husain Choudhury,
- (3) Babu Bidyapati Singha,
- (4) Srijut Mahendra Mohan Choudhury,
- (5) Srijut Sarat Chandra Sinha,
- (6) Srijut Dandeswar Hazarika.

Message *re* Assent to certain Bills

The Hon'ble the SPEAKER: I now authorise the Secretary to the Assembly to read out the messages from His Excellency the Governor and also from His Excellency the Governor-General *re* assent to certain Bills.

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

- (1) The Assam Finance Bill, 1947.
- (2) The Assam Sales of Motor Spirit and Lubricants Taxation (Amendment) Bill, 1947.
- (3) The Assam Revenue Tribunal (Amendment) Bill, 1947.
- (4) The Assam New Motor Cars (Control of Commercial Sales) Bill, 1947.
- (5) The Assam Maintenance of Public Order Bill, 1947.
- (6) The Assam Professions, Trades, Callings and Employments Taxation Bill, 1947.
- (7) The Assam Committees of Enquiry (Appointment and Evidence) Bill, 1946.
- (8) The Shillong Civil Courts Laws Bill, 1947.

Intimation has also been received from the Secretary to His Excellency the Governor of Assam that His Excellency the Governor-General has also assented under the provisions of section 76 of the Constitution Act to the following Bills, which were passed by both Chambers of the Assam Legislature:—

- (1) The Assam Electricity Control (Emergency Powers) Bill, 1947.
- (2) The Sylhet Non-Agricultural Urban Areas Tenancy Bill, 1946.

The Gauhati University Bill, 1947

The Hon'ble the SPEAKER: Item No.7. The Hon'ble Srijut Gopinath Bardoloi.

The Hon'ble Srijut GOPINATH BARDOLOI: Mr. Speaker, Sir, I beg to introduce the Gauhati University Bill, 1947, and to move that the Bill be referred to a Select Committee consisting of the following Members:—

1. Maulavi Sayidur Rahman,
2. Maulavi Abual Majid Ziaosh Shams,
3. Mr. C. W. Morley,
4. Srijut Kameswar Das,
5. Srijut Motiram Bora,
6. Srijut Lakshesvar Borooah,
7. Sree Satindra Mohan Dev,
8. Srijut Purna Chandra Sarmah,
9. Mrs. Bonily Khongmen, and
10. The Mover *i.e.*, the Minister-in-charge.

Five Members to form a quorum.

In moving this Motion, Sir, I am bringing before this House a much needed piece of legislation and long delayed course of action. The history of the University Movement in Assam is as old as three decades. In 1917, Sir Michael Sandler visited Assam in connection with the investigation regarding the improvement of the Calcutta University. It was at that time that after having seen the precincts of the Gauhati College and its vicinity, the beautiful site of Gauhati, he said that a residential University would be ideally suited to Gauhati. He, of course, said that the number of students might not be very large or the subjects of study might not be very extensive; but he was of the opinion that Gauhati should definitely be a site of a teaching and residential University. For reasons which I do not want to detail to-day, this much needed measure was held up for this long distance of time. There was the difficulty of finance; at one time there was the difficulty of agreement between parties; there was the difference between one valley and the other; and all these prevented the fulfilment of this greatly needed measure for the people of the Province. To-day we meet under different circumstances and in an entirely different atmosphere.

In the first place, the Calcutta University itself which was catering to our needs had, times without number, repeated to us that they had extended so enormously that they could not look to the interests of another territory with so many colleges and so many schools; and some friends of that famous body earnestly wanted that we should take early steps for the establishment of a University for Assam. There were other difficulties in regard to secondary education. There was the question of a Secondary Board of Education to be set up in Bengal and the question that perturbed us at that time was, what would be the condition of our schools—Secondary Schools—if that Board came into existence. It would only mean that our schools would have to be cut away from the Bengal Board while the Calcutta University would yet maintain its own control over them just as before, while that Board, the Board from Bengal, would have been functioning quite independently and differently of the Calcutta University.

These were the immediate difficulties which made this Government take up this measure. Apart from these facts, you find, Sir, from the Objects and Reasons of the Bill why a University is needed for this Province. I am sure, Sir, you know that apart from the necessity of having a cultural and educational centre for the people of the Province itself, there are more than one reason why a University is required for this Province. This Province, I should say, more than many other provinces affords facility for study of particular subjects. We have a very rich province in flora and fauna and subjects relating to this branch of human knowledge would find ample opportunity for study in a centre where the students might get easily

into touch with these things. Then we live in a land of various kinds of people and therefore Anthropology could be taught more easily here than in any other province. Again we are in a land of rivers. I do not think anywhere you will find rivers not only in so many in numbers but also in so varied in character as you find in Assam. Most of them flow from the hills and a study of these rivers will be essential ; and, river training being such an important subject for study to-day it would have better opportunity for study in Assam than anywhere else. There are other subjects of course in which we should have special facility for study, culture and development. All these make it very necessary that there should be a University in the Province.

Government had in the meantime taken certain initial steps in the matter ; but before describing those facts to you I want to tell you how the University Trust Board had in the meantime given the start to our venture. You might know that a University Trust Board was created some time in April 1945. A great drive was organized, subscriptions were raised and public opinion was created and educated on the necessity of a University. I am associated in that venture and I could tell you even as one of the Trust Board Members that we had collected five and a half lakhs of rupees which are yet in the Bank besides receiving promises, say, for another eight to nine lakhs of rupees so that the University might start its career before it even expected help from the Government. The University Trust Board has agreed to make over that money to Government and will also cease to function as soon as the necessary authority in the University is created under the Act. So, Sir, this movement for a University is not a matter in which Government are alone taking the initiative. It is a sort of a movement from among the people and I am glad to tell you that in this move, almost every one in the Province irrespective of community or religion showed great enthusiasm. Therefore, Sir, if we can bring the University into existence, I feel, we shall be satisfying the aspirations of the people of the Province and we shall be doing an act so long needed and felt by the people.

Then I would like to give some idea (as I said just now) of what actions Government are taking in this matter. You might possibly know that the Central Government has a Central Advisory Board of Education and as a part of that body, they have also what they call a University Grants Committee. The Central Board of Education advise in the whole sphere of Education. Basic Education is one of the activities of this Board to which they have given great attention. The University education is another function of that Central Advisory Board and in exercise of that function they have the University Grants Committee. The function of this Committee is to give aid to the institutions which are in existence. In pursuance of that policy they give aid to the institutions like the Aligarh University, the Benares University and so on. They have maintained a Commission to examine the requirements of the different institutions. But I thought if we could take advantage of this Central Advisory Board in shaping the Bill and financial assistance from the University Grants Committee, I would take the last step for the fulfilment of this object. With that end in view I have seen not only the Hon'ble Member-in-charge of Education, Hon'ble Maulana Abul Kalam Azad, but also persons who are directly concerned with this work. I saw Dr. Sargent, Dr. Sen and other people who are connected with the Central Advisory Board. I could tell you for your information that they have agreed to come and examine our plan of the University. They also held out to us some hope of financial assistance. At any rate, Hon'ble Maulana Abul Kalam Azad has been graciously pleased to say that all possible assistance would be given for this University. These promises and hopes encouraged us in expediting this scheme of University and therefore we have come with this Bill.

Now, you will find, as in respect of the Assam Primary Education Bill also, the Bill gives only the forms of the administration but not actual contents of education which have been left to Academic Bodies of the Council. The contents of education will be studied by these bodies to be set up there under the provisions of the Bill. One of these bodies, the Academic Council, will deal with the contents of education. Again we have only broadly defined the scope of the Bill, and we have done so in a general manner; but what actually will be the steps etc., to be taken, will of course be dealt with by the authorities that will come into existence in accordance with the Act.

Regarding the framers of that Act, I can just explain to you in a very few words, how the whole thing is proposed to be run. The real academics of the University will be left to be dealt with by the Academic Council and the bodies that will come into existence. But for general administration, we found that the Delhi and other new Universities have got a body, which is not strictly all academic, for the determination of the broad policy of University Education. In that we have tried to associate donors of certain amount; we have tried to associate learned men from other places. I am referring to what I said that body which we have termed as 'Court'. I think, there is some kind of "Court" in the Dacca University, the Aligarh University and in the Benares Hindu University with the same object of securing the association of well-to-do men and well-wishers who may not actually work in the University. This Court may sit annually or under emergent circumstances more than once, may enquire into the administration of the University during the course of the year. They will be authorities to pass the statements of income and expenditure and the annual budget. They would certainly give their considered opinion on the administration of the University as a whole in a manner by which the Executive Council will be strengthened in the exercise of their function for the good of the administration.

With this exception, the frame works of the University Bill are not very much different from those of the Calcutta University. The Academic Council will govern the academic side of the University. There is the Executive Council in which there will be respective heads of particular departments as also representatives of Government will function, and which will be a body in which the Vice-Chancellor will have his important role to play in which activities of the University in the day-to-day administration. Powers will be given to this body under the provisions of this Act under which it will be able to frame statutes and ordinances for acceptance by the Court and thus shall guide the University in their details.

I most earnestly request you to give adequate consideration to the Clauses and give the Bill a final shape in the Select Committee. Before I close, it is necessary for me to convey our thanks, thanks of the Government, for certain ventures which were adopted by the previous Government towards the establishment of a University. They did some spade-work, but for the reasons well-known to you the matter was dropped. We revived the work from where they had left and we feel that this House will not only support this Bill but will lend their whole-hearted co-operation in fulfilling the need we all greatly felt for the last few years.

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

*The Hon'ble Srijut RUPNATH BRAHMA: Mr. Speaker, Sir, if the Hon'ble the Prime Minister agrees, I would like to suggest one more name to be included in the Select Committee.

The Hon'ble Srijut GOPINATH BARDOLOI: I think, the names are already too many.

*Speech not corrected.

***The Hon'ble Srijut RUPNATH BRAHMA:** I want to suggest the name of Srijut Dhirsing Deuri.

The Hon'ble Srijut GOPINATH BARDOLOI: You may ; I have no objection to accept but we may become too many.

***Srijut PURNA CHANDRA SARMA:** My name may be dropped in favour of Srijut Dhirsing Deuri.

The Hon'ble the SPEAKER: Motion moved:

“That the Gauhati University Bill, 1947, be referred to a Select Committee consisting of the following Members:—

1. Maulavi Sayidur Rahman;
 2. Maulavi Abual Majid Ziaosh Shams ;
 3. Mr. C. W. Morley ;
 4. Srijut Kameswar Das ;
 5. Srijut Moti Ram Bora ;
 6. Mrs Bonily Khongmen ;
 7. Srijut Lakshesvar Borooah ;
 8. Shri Satindra Mohan Dev;
 9. Srijut Dhirsing Deuri, and
 10. the Mover (*i.e.*, the Minister-in-charge).
- Five Members to form a quorum.

Maulavi ABUAL MAJID ZIAOSH SHAMS: Mr. Speaker, Sir, I congratulate the Government and specially the Hon'ble Mr. Bardoloi on the University Bill which has been put before us. It will remove a desideratum from Assam which has been long felt. I will simply speak on some principles on which provisions should be made in the Gauhati University Bill, or for the matter of that in the new University Act. The aim of a University, Sir, is not only to educate us on our intellectual side and to educate us on various branches of knowledge so that our intellectual horizon may be enlarged, but there are some deeper reason and higher motive why the University should be utilised and it is to broaden our outlook in life so that we may not be only citizens of Assam but we should be citizens of India, should feel for India in which we live and have our being, and also should be citizens of the world. Human beings are coming into the world and again they leave the world; that is not the end of our lives and that is not what they are meant for. If you think deeper you will be inclined to believe that a University should be utilised with still higher purposes to make us fit for the future which will come later on after we have left the world that is for the infinite life to come. In order to broaden our outlook in life, the University itself should have broad ideas and the provisions should be made on the Bill itself so that our outlook in life may broaden and for this purpose I would suggest that adequate and proper provisions should be made in the University Bill so that the culture of various communities and the races of Assam of which we have diverse in number should be adequately safeguarded and that the religious culture which is essentially needed for a particular community should also be provided for in the Bill itself. Assam should be proud of her diverse population, and that amidst this diversity of population—it must be to her credit and to the credit of ourselves—there is practically no communal disturbances which have disfigured some provinces in India. If that be the outlook of Assam it behoves us that we should respect the culture of each community in Assam. So, adequate provisinos should be made for the safeguard of the language and culture of all peoples in Assam.

Then, another point on which I want to emphasise is this. I do not want to say that in Assam there is a dearth of educationists but since we are making a start in the University it will be better, I think, to be expedient and discreet to invite, during the time when the Bill is in a Select Committee stage, eminent educationists from other provinces, say one, two or three as advisers when the Select Committee sits and before amendments are made. With these words, Sir, I again congratulate the Hon'ble Leader of the House on this Bill which has come after so long years.

The Hon'ble the SPEAKER : I take it that there is no further discussion. I am therefore putting the question.

The question is:

"That the Guahati University Bill, 1947, be referred to a Select Committee consisting of the following Members:—

1. Maulavi Sayidur Rahman ;
2. Maulavi Abual Majid Ziaosh Shams ;
3. Mr. C. W. Morley ;
4. Srijut Kameswar Das ;
5. Srijut Moti Ram Bora ;
6. Mrs. Bonily Khongmen ;
7. Srijut Lakshesvar Barooah ;
8. Shri Satindra Mohan Dev ;
9. Srijut Dhirsing Deuri, and
10. The Mover (*i.e.*, the Minister-in-charge).

Five Members to form a quorum."

The question was adopted.

The Hon'ble Srijut GOPINATH BARDOLOI : The date for submission of the Report is 12th of September, 1947.

The Hon'ble the SPEAKER : Yes, the date for submission of the Report is 12th of September, 1947.

Adjournment

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

After lunch

Informations regarding troubles of Assam Students at Calcutta

Srijut HARINARAYAN BARUA :

ডাঙৰীয়া, মই এটা সংবাদ গবৰ্ণমেণ্টৰ পৰা খুজানিব জিছো যে আমি শুনিছো যে কলিকতাত আমাৰ যি সকল অসমীয়া ছাত্ৰ আছে সেই সকলক তাৰ হোটেলৰালা সকলে হোটেল পৰিত্যাগ কৰিবৰ কাৰণে নোটিচ দিছে আৰু তেওঁলোকৰ Ration Card forfeit কৰিছে, এই বিষয়ে গবৰ্ণমেণ্টে কিবা খবৰ পাইছেনে ?

The Hon'ble Srijut GOPINATH BARDOLOI : এতিয়ালৈকে এনেকুৱা কোনো খবৰ officially পোৱা নাই। মই আহোঁতে এজন ছাত্ৰই আহি বাটতে মোক কৈছিল, কিন্তু সেই খবৰ কিমানদূৰ সত্য সেইটো এতিয়ালৈকে কোনো চৰকাৰী উপায়েৰে পোৱা নাই।

Srijut HARINARAYAN BARUA : এই বিষয় লৈ গবৰ্ণমেণ্টে সোনকালে কিবা তদন্ত কৰিবনে ?

The Hon'ble Srijut GOPINATH BARDOLOI : কথা সত্য হলে অৱশ্যে তদন্ত কৰিব লাগিব।

Srijut GAURI KANTA TALUKDAR : আমি শুনিছো যে আমাৰ লৰাবিলাকে বহুত কষ্ট আৰু বিপদৰ সম্মুখীন হৈছে। অসহঃপক্ষে পশ্চিম বঙ্গৰ গভৰ্ণমেণ্টৰ পুৰান মন্ত্ৰীৰ লগত কথা-বাৰ্তা হৈ আমাৰ লৰা বিলাকৰ সুখ-শান্তি আৰু নিৰাপত্তাৰ ব্যৱস্থা কৰা উচিত নহব জানো ?

The Hon'ble Srijut GOPINATH BARDOLOI : যদি কথাটো সত্য হয় তেনেহলে কিবা এটা কৰিব লাগিব বুলি মই কৈছোঁ।

Srijut GAURI KANTA TALUKDAR : এনে সৰুটুকুৰক অৱস্থাত বাতৰি কাকতৰ খবৰৰ ওপৰত নিৰ্ভৰ কৰিয়েই বিচাৰ কৰা গভৰ্ণমেণ্টৰ পক্ষে উচিত নহব জানো ?

The Hon'ble Srijut GOPINATH BARDOLOI : মই ভাবি লৈছো যে যদি তেনেকুৱা কথা হৈ থাকে আৰু তেনেকুৱা কথাৰ নিমিত্তে তেওঁলোকৰ কিবা দুখ বা কষ্ট পাব লগা হৈছে। তেতিয়া তেওঁলোকে নিশ্চয় গভৰ্ণমেণ্টক জনাব।

The Assam Pure Food Bill, 1947

The Hon'ble Srijut RAMNATH DAS : Mr. Speaker, Sir, I beg to present the Report of the Select Committee on the Assam Pure Food Bill, 1947, and to move that the Bill as reported by the Select Committee be taken into consideration.

Sir, at the outset I must extend my thanks to the hon. Members of the Select Committee who took much trouble to attend the Select Committee meeting and who rendered valuable assistance to enable me to place the Bill as it stands to-day.

In the Select Committee many portions of the Bill which were thought unimportant or unnecessary have been eliminated and many important provisions which were not included in the original Bill have been included. The portions which were eliminated have now been bracketted and italicized in the Bill and the portions that have been incorporated have been underlined. In all the recommendations, I am thankful to the Select Committee that they were unanimous except in one point by which Mr. H. Patterson wanted to divest the Local Boards altogether from the responsibility of the administration of this Bill; to this other hon. Members did not agree. I also opined that the Select Committee could not do that as it was beyond the scope of the Select Committee.

The reasons and purposes of the Bill have been explained by me at the time when I introduced this Bill for reference to the Select Committee. The main object of this Bill is to prevent adulteration of food, sale of adulterated food or food not of the required standard or food which is injurious to the health. The present Act as it stands is defective in many ways because its provisions are not comprehensive, and because the administration of the Act is mainly thrown on the Local Boards, and as I said at the time of introduction of the Bill that many Local Boards had also failed to administer the Act properly. In the present Bill Government tries to remove these most important defects. In addition to other provisions we have made provisions giving responsibility also to Government to administer the Act.

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

The Hon'ble the SPEAKER : Motion moved :

“That the Assam Pure Food Bill, 1947, as reported by the Select Committee be taken into consideration.”

Maulavi ABUAL MAJID ZIAOSH SHAMS : Mr. Speaker, Sir, I rise to beg leave of the House to recommit the Bill to the Select Committee for the following reasons. In my reasons I shall discuss some principles of the Bill too. It is known to the Hon'ble Mover of the Bill—the Hon'ble Member-in-charge

that in the Select Committee many members including my humble self were taken in as members of the Select Committee, but some of them could not serve these as it is known to you that at that time the Muslim Leaguers boycotted the Assembly. The Assembly was boycotted by my party on certain party mandate. That does not in any way take away from the Bill the merits it has got there already. It does not detract at all from the valuable help which the members of the Select Committee have rendered, for which thanks are due to them. But, Sir, there are many points on which the Hon'ble Member-in-charge has not at all been able to effect an improvement on the existing Act which has been functioning for the last two decades. Why this Bill is at all wanted? Because the present Act is stated to be inadequate and the reasons are many. The first reason is that the present Act has become a dead letter. For that also there are various causes, one may be the apathy of the local authorities and the other reason is that the public are apathetic too by not enforcing their will upon the local authorities so that the latter may take action. Other reasons are that the staff is perhaps inadequate to cope with the situation and the existing health officers also are not very enthusiastic in the matter. In some cases there is honest negligence, in other deliberate negligence because some of them are in the pay of the adulterators. There is nothing in the present Act, and also in the present Bill, to cast a duty upon the local authorities to detect cases. The local authorities can with impunity go without detecting cases. But I may bring to the notice of the House that in the Bill on the same subject brought forward by my humble self last year a duty was cast upon the local authorities of certain definite lines and there was also sanction behind disobedience. In my Bill I made a provision that the local authorities or for the matter of that the public health officers employed by them, must submit a monthly report as regards the number of cases which are actually detected by them and the number of samples which are sent for examination to the Public Analyst. In the present Bill there is no such provision at all. Supposing the local authorities or their staff do not send any samples at all for examination by the Public Analyst, and as such there is no detection of the crime, what is the penalty? There are no penalty and no sanction behind it. As I have explained it, in case the local authorities are negligent it would be taken a breach of duty according to the present Bill under certain provisions of the Municipal Act or the Local Self-Government Act. There existed a duty like that before and it also exists now. But what do the local authorities do now? Their health officers merrily go on without sending any samples and without detecting any crime under the Act, but still they go unpunished. So, a stricter provision should be made, so that it casts a duty upon the local authorities and their staff to send samples, so that Sir, another reason why this detection of crime is frustrated is that the Public Analyst may, under certain circumstances, as is happening even now, not send true reports. I am speaking not from my experience alone but from the experience of others. One Chairman of a Municipal Board told me—I won't name who is the Public Analyst because I do not want to scandalise him—that he sent the same samples of the same thing from different dealers to the Public Analyst for examination. In one case the seller happened to be the Public man and in the other case a poor man. The report came to the Public Analyst that the moneyed man was pure food but that taken from the sample was adulterated. So, how could you punish the Public Analyst in the poor man? There is no provision in the present Bill to cover such cases for successful prosecution. There should be provision for more than one Public Analyst. If the sample is sent to one and the report is not up to expectation it should then be sent to another Public Analyst either of the Province and even outside the Province. The judicial officer may be supplied with tangible facts why the sample was sent for re-examination by another Public Analyst.

Then, Sir, the present Bill is defective in that it does not meet the real point, *viz.*, controlling basic articles with which adulteration is done. In my Bill I met these points. It is a well-known fact that ghee and butter are adulterated with vegetable ghee products known as Vanaspati, Dalda or white oil, which is a bye-product in the process of manufacturing petrol. There may be other ingredients also. In Rajputana these vegetable products can be sold only under certain colour, yellow, red or something like that. So, if ghee or butter is adulterated with these ingredients, the natural colour of ghee or butter will not be there. Mustard oil is adulterated with groundnut oil in its crude stage, which is very cheap and with other vegetable oils also. So, provision should be made in the Bill that the dealers of vegetable oils, etc., can import them only under certain conditions and not to sell them to the dealers of ghee, butter, or mustard oil but can be only sold to other *bona-fide* purchasers under permit system who purchase them for other purposes, of course, not for the purpose of adulteration. In my Bill I made some provisions for that. I do not take any credit for that. Simply I say that some such provisions must be there.

Another thing why this present Bill will be inadequate is that the punishment that is proposed to be given is extremely low, as it was in the case of the present Pure Food Act. We do not actually think that the persons who adulterate food are thereby sapping the very vitality of our life and for the matter of that of the nation and are really criminal of much lower order than the thieves and the robbers. The thieves do not take our life; the robbers do not always take our lives. The robbers are at times even transportation of life. With regard to thieves, when they are found to have previous conviction they can have even transportation for life as sentence. But those who adulterate food are sometimes fined Rs. 5. If anybody enquires, he will find that at Dhubri, there have been sentences of fine only upto Rs. 5 only. I know of one Magistrate who felt very much. He sentenced one adulterator to a fine of Rs. 300. Later on on further petition by pleader he lowered it to Rs. 150. My submission, Sir, is this that the punishment in the Bill should be deterrent or the Act should be deterrent enough and should mercilessly provide for punishment for adulteration of food by which the vitality of the nation is being really sacrificed for this nefarious gain and practice. For the second offence provision should be made for sentence of imprisonment. If the punishment is not exemplary, we cannot prevent adulteration of food. The present Bill do not satisfy these and therefore this should be recommitted to a Select Committee to make further provision in this matter.

The Hon'ble the SPEAKER: Does the hon. Member move a Motion?

Maulavi ABUAL MAJID ZIAOSH SHAMS: Yes, Sir, I move a Motion.

The Hon'ble the SPEAKER: May I have a written one?

Maulavi ABUAL MAJID ZIAOSH SHAMS: I am just giving, Sir.

Srijut GAURI KANTA TALUKDAR: Mr. Speaker, Sir..... (A voice—the Motion has not been moved).

(After sometime)

The Hon'ble the SPEAKER: Let us hear Mr. Talukdar.

Srijut GAURI KANTA TALUKDAR: Sir, I want simply to remind my hon. Friend, the Mover of the Motion that the complaints that he has been making can very easily be remedied by moving Amendments instead of the Bill being recommitted to the Select Committee.

The Hon'ble the SPEAKER: How can these things be included by Amendments?

Srijut GAURI KANTA TALUKDAR: As regards punishment, there are some provisions in the Bill and Amendments may be moved if the punishment is required to be made more aggravated. As regards his allegation that powers have been taken away from the Local Authorities, it may be pointed out that the Bill has not taken away their powers.

In view of this I would request my hon. Friend to consider the matter.

The Hon'ble the SPEAKER: Motion moved:

"That the Assam Pure Food Bill, 1947, as reported by the Select Committee, be recommitted to a Select Committee for further consideration."

The Hon'ble Srijut RAM NATH DAS: Mr. Speaker, Sir, I am sorry, I cannot accept the Motion now moved by my hon. Friend. In my opinion, Sir, the Bill is so urgent and important that for the negligence of a Member who wants to move the Motion now and thereby delay it, we should not defer it any longer. Sir, the House appointed a Select Committee in which was included the hon. Mover of this Motion who seemed to have had interest in the matter during the Session before last, along with another Member—hon. Maulavi Sayidur Rahman. But when invited to attend the sitting of the Select Committee they conveniently avoided and did not attend it. Now the hon. Member who avoided to attend the sitting of the Select Committee wants to defer the Bill by referring it to a Select Committee again.

The second point for which my hon. Friend wants to defer the Bill and recommit it to a Select Committee is that he finds fault in the present Act in this that in the present Act the responsibility of administration is left to the local bodies and that we have not made any provision by which we can compel the local bodies to administer this Act. I can appreciate his point but, Sir, in this House many hon. Members spoke in the Session before last that instead of giving the whole responsibility to the local bodies alone it would be better to take a share of the responsibility on the Government itself. So, Sir, in this present Bill although we have not made any provision to compel the local bodies to administer it we have made provisions in this Bill to administer it by Government itself in places where the local bodies do not administer it properly or where the local bodies fail to administer it. So, Sir, in my opinion the Bill should not go to Select Committee again on this account.

The third point on which he gives emphasis is that he considers that there is no consideration for a second public analyst. In this Bill we have made provision for acceptance of certificate from any other public analyst and clause 18 (1) (2) (3) will clarify my statement.

The fourth point on which he gives emphasis for the recommitment of the Bill to the Select Committee is that the penal provisions which are added to the Schedule are not so stringent or severe as the existing circumstances demand. But I may point out that the penal provisions that we have included in the Bill are more stringent and severe than what we find in the original Act. If my hon. Friend wants to make it more severe, I think, he can do so by bringing Amendments in this House.

Sir, this Bill was considered by the Members of the Select Committee when it was discussed in the Select Committee and they have discussed all the points threadbare and made improvement in the original Bill. In the circumstances I shall be excused for not being able to accept his Motion and I would request him to withdraw it.

Maulavi ABUAL MAJID ZIOASH SHAMS: Sir, I beg leave of the House to withdraw my Motion as there is no chance of support.

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

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

The Hon'ble the SPEAKER: The question is:

"That the Assam Pure Food Bill, 1947, as reported by the Select Committee be taken into consideration."

The question was adopted.

The Hon'ble the SPEAKER: Consideration of the Bill clause by clause will be taken up on 12th September and the last date for submission of Amendment is before 2 P. M., on 8th September, 1947.

Maulavi Saiyid MUHAMMAD SAADULLA: May I make one observation? I have heard very patiently the Hon'ble Minister and I was pained to hear him using certain terms which are likely to embitter the feelings between this side and the other. My hon. Friend the Deputy Leader of the Muslim League Party stated clearly that he could not sit in the Select Committee because the Muslim League had at that time boycotted the Assembly and its activities. In spite of that my Hon'ble Friend the Minister twice used the phrase, that the Member "comfortably avoided the Select Committee". He could very well say 'we are sorry that the Muslim League took such a step and his service was not available'. My Friend the hon. Member took considerable thought and had drafted a Bill of his own, so he is an expert on the subject. If such vocabulary is not used from Treasury Benches then there will be no bad feeling between us. But if Government think that they could depend on the heavy majority of the House and use such terms which will embitter us then there could be no co-operation from this side.

The Hon'ble the SPEAKER: I hope the hon. Members will note the fact that consideration of the Bill clause by clause will be taken up on 12th September and the last date for Amendment is before 2 P.M., on 8th September.

The Assam Shops and Establishment Bill, 1947

The Hon'ble Srijut RAM NATH DAS: I beg to move that the Assam Shops and Establishment Bill, 1947, be referred to a Select Committee consisting of the following Members:—

1. Shri Satindra Mohan Deb,
2. Srijut Bijoy Chandra Bhagavati,
3. Mr. Harendra Nath Sarma,
4. Srijut Gauri Kanta Talukdar,
5. Srijut Harinarayan Barua,
6. Srijut Dalbir Singh Lohar,
7. Srijut Chanoo Kheria,
8. Dr. Emran Husain Chaudhury,
9. Maulavi Muhammad Roufique, and
10. The Mover (*i.e.*, the Minister-in-charge).

Five Members to form a quorum and the Committee is to submit its report on or before 30th October, 1947.

Sir, in the Session before last a Bill was moved by a private Member and the Bill was opposed by us on the ground that the provisions of that Bill went or were beyond the provisions of any other similar Bills in India. In opposing that Bill we had assured the hon. House that we would be bringing a Bill of our own with more comprehensive provisions. On that assurance I now put forth this Bill to regulate the holidays, payment of wages and leave of persons employed in shops, commercial establishments and establishments of persons entertainments and the hours of works of persons so employed. In drafting this Bill we have taken into consideration provisions of similar Bills of some other provinces. With these few words, I commend my Motion for the acceptance of the House.

The Hon'ble the SPEAKER : Motion moved :

“That the Assam Shops and Establishment Bill, 1947, be referred to a Select Committee consisting of the following Members :—

1. Shri Satindra Mohan Deb,
2. Srijut Bijoy Chandra Bhagavati,
3. Mr. Harendra Nath Sarma,
4. Srijut Gauri Kanta Talukdar,
5. Srijut Harinarayan Barua,
6. Srijut Dalbir Singh Lohar,
7. Srijut Chanoo Kheria,
8. Dr. Emran Husain Chaudhury,
9. Maulavi Muhammad Roufique, and
10. The Mover (*i.e.*, the Minister-in-charge).

Five Members to form a quorum and the Report is to be submitted on or before 30th October, 1947”.

The Hon'ble the SPEAKER : Does any other hon. Member want to speak ?

(After a pause)

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

The question is :

“That the Assam Shops and Establishment Bill, 1947, be referred to a Select Committee consisting of the following Members :—

- (1) Shri Satindra Mohan Deb,
- (2) Srijut Bijoy Chandra Bhagavati,
- (3) Mr. Harendra Nath Sarma,
- (4) Srijut Gauri Kanta Talukdar,
- (5) Srijut Harinarayan Barua,
- (6) Srijut Dalbir Singh Lohar,
- (7) Srijut Chanoo Kheria,
- (8) Dr. Emran Husain Chaudhury,
- (9) Maulavi Muhammad Roufique, and
- (10) The Mover (*i.e.*, the Minister-in-charge).

Five Members to form a quorum and the Report is to be submitted on or before the 30th October, 1947."

The question was adopted.

The Hon'ble the SPEAKER: Item No. 10. Hon'ble Srijut Bishnuram Medhi.

The Assam Sales of Motor Spirit and Lubricants Taxation (Second Amendment) Bill, 1947

The Hon'ble Srijut BISHNURAM MEDHI: Mr. Speaker, Sir, I beg to introduce the Assam Sales of Motor Spirit and Lubricants Taxation (Second Amendment) Bill, 1947, and to move that the Bill be taken into consideration.

In moving this Amending Bill, I may say that the main purpose of the Amendment is to give some relief to the persons who have stationary engines or who use diesel oil for stationary engines. Representations were made to Government by various companies and individuals and the Government took the matter into full consideration and considered it necessary that some reduction should be given in the matter of levying taxes on diesel oil used for stationary engines. This diesel oil was for the first time included in the first Amending Bill of 1947.

According to the new Amendment there shall be levied and collected from every retail dealer a tax on the retail sales of motor spirit (except diesel oil and internal combustion oil other than petrol) and of lubricants at the rate of three and four annas respectively per gallon, and on diesel oil and other internal combustion oils as aforesaid a tax calculated at twenty per cent of the value thereof or at the rate of one and a half anna per gallon, whichever is less.

So in order to give relief to the persons who use stationary engines and diesel oil for stationary engines, this further Amendment is moved.

Therefore, I commend this Motion for the consideration of the House and I hope this Amending Bill will be accepted by the hon. Members of the House.

The Hon'ble the SPEAKER: Motion moved :

"That the Assam Sales of Motor Spirit and Lubricants Taxation (Second Amendment) Bill, 1947, be taken into consideration."

(After a pause)

The Hon'ble the SPEAKER: The question is :

"That the Assam Sales of Motor Spirit and Lubricants Taxation (Second Amendment) Bill, 1947, be taken into consideration."

The question was adopted.

The Hon'ble the SPEAKER: Here also consideration clause by clause will take place on the 12th September, 1947, and the last date for submitting Amendment is before 2 P.M., on the 8th September, 1947.

The Hon'ble the SPEAKER: Item No. 11. Hon'ble Srijut Gopinath Bardoloi.

Maulavi Saiyid MUHAMMAD SAADULLA: May I point out, Sir, that this programme of business is for to-day and to-morrow and if we take up all the items to-day there will be no work left for to-morrow. So I suggest that the Assembly be adjourned at 3 P.M., to day.

The Hon'ble the SPEAKER: Yes, we will adjourn at 3 P.M.

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

The Hon'ble Srijut GOPINATH BARDOLOI: I beg to introduce the Assam Commissioner's (Transfer of Powers) Bill, 1947 and to move that the Bill be taken into consideration.

The House, I hope, will recollect that in 1939, the Assam Commissioners' Powers Distribution Act was passed after it was decided to abolish one out of the two posts of Commissioners in the Province of Assam. Further experience have convinced us that even the remaining post of Commissioner could be appropriately abolished without any detriment to the efficiency of the administration. It was, therefore, decided by the Government that the second Commissionership also should be abolished. The House probably knows that the jurisdiction in so far as the hills are concerned, have been taken over, although not actually in law but in practice, by the Adviser to the Governor, while in the meantime the administration of the Excluded Areas and Tribal Areas is done under his directions. So far as other districts are concerned, its boundaries are now limited in the sense that the functions that were exercised by the Commissioner in respect of other Valley in reference to certain matter have also ceased to exist on account of transfer of Sylhet. For this change, it is all the more necessary that the post of second Commissioner should also be abolished.

The question in this Bill is to distribute the powers, which were exercised by the Commissioner and all that is proposed to be done according to the Bill, is that Government by a notification should be able to distribute such powers as they would like, among such officers as they consider best for the administration of those powers. One of the powers of the Commissioner is to report on the work of the Municipalities, to report what actions are to be taken by Government in respect of other self-governing institutions like the Local Boards. Now, the Bill proposes that such powers shall be exercised by that authority which Government may appoint for that particular work. Therefore, the only point in this Bill is Clause 3 (1) which says: "Notwithstanding anything contained in the Assam Commissioners' Powers Distribution Act, 1939, the Provincial Government may, by notification in the official Gazette, transfer any or all of the powers exercised in any matter whatsoever by the Commissioner immediately before the commencement of this Act, and any jurisdiction vested in the Commissioner as aforesaid, to such other authority or authorities as may be specified." That is really the sum total of this Bill and I move this Bill for consideration of the House.

The Hon'ble the SPEAKER: Motion moved:

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

(After a pause)

The Hon'ble the SPEAKER: Now, I put the question:
The question is:

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

The question was adopted.

The Hon'ble the SPEAKER: In respect of this Bill also, consideration clause by clause will be taken up on the 12th September next, and the last date for submission of Amendments is before 2 P.M., on the 8th September, 1947.

The Assam Ministers' (Salaries and Allowances) Bill, 1947

The Hon'ble the SPEAKER: The next item is No. 12, that is the introduction of the Assam Ministers' (Salaries and Allowances) Bill, 1947.

(Voices—We have not got copy of this Bill.)

The Hon'ble Srijut BISHNURAM MEDHI: We can take it up afterwards.

The Hon'ble the SPEAKER: Whether we take it up afterwards or not is not the point. The question is whether you are going to move the Bill for consideration to-day or not, that is the point at issue, I think.

The Hon'ble Srijut BISHNURAM MEDHI: As the Bill has not been distributed, I think, it is not fair to take it up to-day.

The Hon'ble the SPEAKER: We pass on to the next item No. 13.

The Assam Debt Conciliation (Amendment) Bill, 1947

The Hon'ble Srijut BISHNURAM MEDHI: I do not propose to move the Assam Debt Conciliation (Amendment) Bill, 1947 because practically this Bill was necessary in connection with certain Debt Conciliation Boards existing in Sylhet district; and so far as the Assam Valley is concerned and the district of Cachar is concerned, there is no existing Debt Conciliation Board. So at present I need not move this Bill.

The Hon'ble the SPEAKER: Item No. 14—Hon'ble Srijut Bishnuram Medhi.

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

The Hon'ble Srijut BISHNURAM MEDHI: This Assam Land and Revenue Regulation (Amendment) Bill, 1947 is in accordance with an All-Party Agreement. There was a general desire from all sides and from all the representatives of the people.....

The Hon'ble the SPEAKER: The Hon'ble Minister will please move the Bill first.

The Hon'ble Srijut BISHNURAM MEDHI: I beg to introduce the Assam Land and Revenue Regulation (Amendment) Bill, 1947 and to move that the Bill be taken into consideration.

In moving this Motion, it may not be out of place to say that an All-Party Agreement was arrived at regarding the settlement of land and that it was the intention of all parties to protect the interests of the Tribal and the backward people in the matter of settlement of land.

The Resolution of July 1945 on the Land Settlement Policy was also based on an All-Party Agreement and the desirability of protecting Tribal classes and backward people in areas predominantly occupied by them against aggressive

elements which are apt to endanger the normal economic and social basis of village life was recognised and the formation of belts and blocks of areas for the purpose of protecting their interests was considered necessary. This Bill gives power to Government to constitute such belts and blocks and places and such matters as disposal of land, the right of annual and periodic settlement holders, ejection of unauthorised encroachers, etc., on a slightly different footing than in areas which are governed by normal provisions of the Assam Land and Revenue Regulation of 1886. There was a provision for appeals also and the measure is essentially of an administrative nature.

In regard to protection of the backward people and the Tribal people of the plains areas, new sections 160 and 161 have been added to the Land Revenue Regulation of 1886. Section 160 lays down—“(1) Notwithstanding anything hereinbefore contained, the Provincial Government may adopt such measures as it deems fit for the protection of those classes who on account of their primitive condition and lack of education or material advantages are incapable of looking after their welfare in so far as such welfare depends upon their having sufficient land for their maintenance.

(2) The Provincial Government may, by notification in the official Gazette, specify the classes of people whom it considers entitled to protection by such measures as aforesaid.” I hope this will give some idea as to the intention of Government to give protection to Tribal peoples as well as others who are backward and may not cope with the more intelligent sections of the people in the matter of settlement of land. These are some of the principles for which this Bill was brought in.

In view of this I beg to place this Motion for consideration of the House and I hope the hon. Members will accept my Motion for consideration.

Maulavi MUHAMMAD ROUFIQUE: Mr. Speaker, Sir, I rise to oppose the introduction of this Bill. You will find that this Bill was dated 28th August 1947, but the Bill was laid on my table only to-day and some of us have not even got copy of the Bill. Settlement of land affects various classes of people and it is an important Bill. Why should it be rushed through in this way?.....

The Hon'ble the SPEAKER: Anyway, we shall take it up to-morrow.

Maulavi MUHAMMAD ROUFIQUE: We should have been provided with the Bill beforehand.

The Hon'ble the SPEAKER: Have all of you got copy of the Bill?
(Voices—No, none of us have got it.)

Maulavi Saiyid MUHAMMAD SAADULLA: I find my copy on the table to-day.

Mr. C. W. MORLEY: I have not got one.

The Hon'ble the SPEAKER: Any others who have not got copies of the Bill? They will be supplied with.

Adjournment

The Assembly was then adjourned till 11 A.M., on Tuesday, the 2nd September, 1947.

SHILLONG
The 4th October 1947.

A.G.P. (L.A.) No. 133—118—8-10-1947.

A. K. BARUA,
Secretary, Assam Legislative Assembly