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**Proceedings of the Fourteenth Session of the First Assam Legislative Assembly
assembled under the Provisions of the Government of India
Act, 1935**

THE ASSEMBLY met in the Assembly Chamber, Shillong, at 11 A. M., on Thursday
the 2nd March, 1944

PRESENT

The Hon'ble Mr. Basanta Kumar Das, Speaker, in the Chair, the nine Hon'ble
Ministers and thirtyeight Members.

Panel of Chairmen

The Hon'ble the SPEAKER: The Panel of Chairmen for this Budget Session of
the Assam Legislative Assembly, 1944, will be as follows:—

1. Maulavi Abdur Rahman,
2. Babu Akshay Kumar Das,
3. Dr. C. G. Terrell,
4. Mr. Jobang D. Matak.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(to which oral answers were given)

(Starred Question No. I which was the only question for the day was not put and
answered as the questioner Maulavi Mabarak Ali was absent.)

ADJOURNMENT MOTION

**Adjournment Motion re misuse of Defence of India Rules by the Police in
indiscriminate arrest of persons at Sylhet, Habiganj, Chhatak, Dhubri
and Jorhat**

Babu KARUNA SINDHU ROY: I beg leave of the House to move "that this
House do now adjourn to discuss the following urgent matter of public importance of
recent occurrence, namely misuse of Defence of India Rules by the Police in arrest-
ing indiscriminately persons on the 26th January 1944 at Sylhet, Habiganj, Chhatak,
Dhubri and Jorhat".

Sir, several persons have been arrested at Sylhet, Habiganj, Chhatak, Dhubri and
Jorhat on the 26th January while some of them were hoisting the Red Flag, posting
posters and holding closed door meetings. None of them were hoisting the national
flag or reading the Congress pledge in an open space. They were wrongly arrested.
These arrests were due to the overzealousness of the Police.

The Hon'ble the SPEAKER: The hon. Member is to show how the matter
is urgent and of recent occurrence and how this is in order.

Babu KARUNA SINDHU ROY: Most of them were either working in the
food front or doing relief work, and their arrest is a loss to the Province.

The Hon'ble the SPEAKER: How it was a misuse of Defence of India Rules is
the point which is to be made out.

Babu KARUNA SINDHU ROY : They were arrested under the Defence of India Rules but they have done nothing to violate any section of the Defence of India Rules. They hoisted only the Red Flag—I mean the Communist party flag. It is not an illegal organisation.

The Hon'ble the SPEAKER : I think this will do.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Mr. Speaker, Sir, I oppose this Adjournment Motion on three grounds. First, there is no urgency in the matter. The occurrence which has been complained of by the hon. Mover of the Adjournment Motion is connected with the so-called Independence Day pledge or reading of the Congress pledge. The next anniversary of that day will come in January, 1945 ; therefore, my Friend will have sufficient time to agitate over this matter sometime near about that date.

Next, my point is that the legal adviser to the Government of India have opined that the Independence Day pledge is seditious and is in furtherance of the activities of the Indian National Congress, the Working Committee of which has been declared illegal. Therefore, persons should not be allowed to publicise this pledge.

Thirdly, on the reports that I have received from the district officers, it was the tri-colour flags of the National Congress that were hoisted and not the Communist flags. Under these circumstances I oppose the Motion.

The Hon'ble the SPEAKER : Is the flag banned under the Defence of India Rules ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Yes, Sir, so far as the flag is the symbol of an unlawful organisation

Srijut ROHINI KUMAR CHAUDHURI : On a point of information, Sir, is it not the reported decision of the High Court that the independence pledge does not amount to sedition ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I am going by the legal advice given by the Adviser to the Government of India. In their opinion the pledge is seditious.

Babu KARUNA SINDHU ROY : They did not hoist the National flag but they read the pledge.

Srijut ROHINI KUMAR CHAUDHURI : Mr. Speaker, Sir, may I ask whether the mere opinion of the Legal Adviser can brush aside the decision of the High Court ?

The Hon'ble the SPEAKER : The question of the pledge does not come in at all. It is the question of the hoisting of the National flag, which is sought to be placed before the House. It is alleged that the arrests were all in that connection.

Mr. BAIDYANATH MOOKERJEE : Is the hoisting of the National flag illegal throughout the Province or in some particular districts ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : The Government do not encourage hoisting of National flag which is an emblem of an organisation which has been declared illegal throughout the Province.

The Hon'ble the SPEAKER : Whether throughout the Province ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Throughout the Province.

The Hon'ble the SPEAKER :—When was it promulgated to the Public that the hoisting of the flag would be illegal ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Proceedings of the Independence Day, reading of the pledge and hoisting of the tri-colour flag of the Indian National Congress are to be prohibited in various districts, especially, Sylhet, Lakhimpur and Kamrup.

The Hon'ble the SPEAKER : Have the arrested persons been convicted ?

Babu KARUNA SINDHU ROY : One was convicted and three were detained in the Hajat. At Habiganj, they hoisted the Red Flag, not the Congress flag.

The Hon'ble the SPEAKER : They will be tried then ? Then the matter is *sub-judice*.

Babu KARUNA SINDHU ROY : One case has been disposed of and other cases are still pending.

The Hon'ble the SPEAKER : This is *sub-judice*.

Then the question whether the hoisting of the flag was legal or illegal is to be decided by Court. Is it not so ?

Babu KARUNA SINDHU ROY : Yes, Sir.

Khan Bahadur Maulavi KERAMAT ALI : Sir, these orders were issued by the Government of India and the Assam Government are to carry these out. Now, is it the Government of India or the Government of Assam that are to be censured ?

The Hon'ble the SPEAKER : This Government may be censured for the particular way in which they were trying to enforce these orders.

But having regard to the fact that the matter is *sub-judice*, I hold that this Motion is not in order.

Adjournment Motion for failure to start relief measures in Baniyachong to protect the village from complete annihilation in future

Babu KARUNA SINDHU ROY : Mr. Speaker, Sir, I beg leave to move "that this House do now adjourn to discuss the following urgent matter of public importance, namely failure of Government (a) to start relief measures in Baniyachong (b) to arrange for thatching and repairing dilapidated houses (c) to give sufficient doles to the poorest and hard-hit villagers and (d) to arrange for sanitation for protecting the village of Baniyachong from complete annihilation in future".

The Hon'ble the SPEAKER : It reads like a Resolution.

Babu KARUNA SINDHU ROY : I have been informed, Sir, by our workers that sufficient relief measures have not been taken in Baniyachong. The milk and barley which were sent there were not sufficient and the people are living in dilapidated houses and there are no thatching. They will suffer in rains and will die for want of shelter. Government are not taking any steps for repairing their houses. There are many destitute families also.

The Hon'ble the SPEAKER : There is one defect in the hon. Member's Motion. As the Motion is worded, there is nothing to the effect there that this is a matter of recent occurrence.

Babu KARUNA SINDHU ROY : While drafting all the Motions I have put the words 'of recent occurrence'. These words have been missed from it, Sir.

There are many destitute families—now about 60 families are wanting doles and after two months 200 families will require giving doles because only 50 per cent. of the *aman* paddy has been harvested and many of the families have not got large quantity of paddy. There is no adequate sanitary arrangement. Government have not taken any step to eradicate water-hyacinth and to excavate Chanaru river.....

The Hon'ble the SPEAKER : I think, this will do.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA.—Mr. Speaker Sir, I admire the humanitarian urge in the hon. Mover for bringing in this Adjournment Motion before this House. But it hardly comes within the purview of an Adjournment Motion. This matter was thoroughly discussed in November Session and I mentioned then the sanitary and medical arrangements Government had made. I and the Hon'ble Medical Minister visited the locality on the 11th December and I publicly thank the hon. Mover that he also was present at the time when we visited. But I am surprised at the allegation he now makes in his statement before the House, for, he with his own eyes, saw that as many as seven new centres in addition to the normal one Dispensary for the village were opened for medical relief. He saw Government were giving rice dole to the poor—as many as 1,300 families were receiving rice free at the hands of Government. He was also present at the time when I was distributing free Standard cloth to the poor in lieu of blankets. We have spent about Rs.5,000 for the Standard cloth, this year. Sir, we got blankets rejected by the

military and 1,500 pieces of woollen blankets have been issued free to the poor people there. Sir, we propose to sell some pieces to those who can buy at half the cost price. Then again, Sir, the Supply Department arranged with great difficulty 25,000 tins of condensed milk which have been issued to the patients there. Barley and sugar have also been issued. And on the top of that we propose to start a Hospital with accommodation for 50 patients and we have placed there as Special Officer, one trained in malaria who have already undertaken all kinds of anti-malarial propaganda and measures and for this purpose we are granting 500 tins of kerosene oil to carry out this work. So, Government barring giving thatch and building materials have given every kind of assistance that is possible within their own limited resources. And after all that, to say that the Government have done nothing, will I think, be the height of ingratitude and I never expected this from a worker of the type of Babu Karuna Sindhu Roy.

Mr. BAIDYANATH MOOKERJEE: What about thatching, Sir?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: We could not do anything because of the non-availability of thatch to Government as well as to the public in the locality.

The Hon'ble the SPEAKER: Does the hon. Member press his Motion for leave to move motion having heard what the Hon'ble Premier has said?

Babu KARUNA SINDHU ROY: Yes, Sir.

The Hon'ble the SPEAKER: Having regard to what has been said by the Hon'ble Premier and the hon. Member asking for leave to move this Motion, I do not think that it is a fit subject for an Adjournment Motion. After what has been said by the Hon'ble Premier, the hon. Member should have withdrawn his Motion for leave. I, therefore, hold that this Motion is not in order.

Adjournment Motion *re:* refusal of Government to give permission to hold meetings for the Defence of the Province at Patharkandi, Sylhet and Dibrugarh.

Babu KARUNA SINDHU ROY: Mr. Speaker, Sir, I beg leave of the House to move "that the House do now adjourn to discuss the following urgent matter of public importance of recent occurrence namely refusal of Government to give permission to hold meetings for the Defence of the Province at Patharkandi, Sylhet and Dibrugarh".

Sir, at Patharkandi permission was given for a Grow More Food Conference but subsequently it was refused. I have got a letter from Government but the reasons are not very explicit. They have given the reasons that it was a meeting of labourers.....

The Hon'ble the SPEAKER: It is an old matter. It came up before the House during the last Session.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Yes, Sir, we discussed it.

Babu KARUNA SINDHU ROY: But, Sir, we did not get facts and after going there I gathered the facts and I have got the facts now.

It was really a meeting on Grow More Food Campaign but the permission was refused on the plea that a meeting was held previously with labourers of the Longai Tea Garden. Labourers meeting was held in a private house. It was a registered union's meeting. It was not the meeting for organising the Kisan conference. It was refused on the plea advanced by the Manager of the Longai Tea Garden.

There are other petitions also. I applied for permission for four Kisan conferences for four Subdivisions, Habiganj, Karimganj, Maulavibazar and North Sylhet. Applications were made on the 15th of February and the reply did not come in time. The dates of the conference were 28th and 29th February. We have not yet got the reply though enquiries were made in the Deputy Commissioner's office. Again at Dibrugarh a conference was to be held on the 7th November. A petition was signed by the Secretaries of many organisations, *viz.*, Kisan Sobha, Muslim League and other organisations.

The Hon'ble the SPEAKER: This will do, I think.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Sir, my Friend discussed this matter in November Session also. The meetings of Patharkandi and

Dibrugarh were to be held in the latter part of November last. We made a reference to our local officers in the latter part of November on the same question. I then gathered materials. As a matter of fact, my report is that some Communist workers invited simple labourers of tea gardens to a private house on the plea that a *kirtan* ceremony was going on in that house and my Friend said that members of the Kisan Sobha met in the house to hold a labour meeting. The owner of the house was furious as he was not prepared for the *kirtan* in which the invited people are to be given some "prasad". I am told that he was not prepared to admit that there was any labour meeting in his house at all. He thought that it was an attempt to bring him down in the eyes of the society as he was not able to provide "prasad". I have got very authentic statements from local authorities as regards the allegations made by my Friend. Moreover, as I have already stated, and he also said, this matter was discussed in November last, I think there cannot be any further discussion in a subsequent Session of the Assembly unless there were any fresh materials.

The Hon'ble the SPEAKER: Then the Motion is not in order. There are no actions of this Government which are made to be a subject for an Adjournment Motion.

Then the next Motion.

Adjournment Motion re: failure of Government to take drastic action against the Officer-in-charge, Jamalganj Police Station

Babu KARUNA SINDHU ROY: Sir, I beg leave to move "that this House do now adjourn to discuss the following matter of public importance of recent occurrence, namely failure of Government to take drastic action against the Officer-in-charge, Jamalganj Police Station, for his various atrocities, several mal-practices and high-handed misdeeds perpetrated at Rangia, Beheli, Haoria, Alipur and other places under his jurisdiction."

The Hon'ble Premier assured me in the last Session that he would send a special officer from Shillong to enquire into the atrocities committed by the Officer-in-charge of Jamalganj Police Station but no officer has gone there. The Officer-in-charge is still continuing his atrocities in the villages of Beheli, Haoria, Alipur and other villages. He went to Beheli and arrested many persons in connection with the Inathganj dacoity case and he is now implicating many others in that case. My information is that no charge has been framed against them and no case has yet been made out and some of them are rotting in jail and some of them have been bailed out. This Officer also extracted money from many persons. I want an assurance from the Hon'ble Premier that he would send a special officer to enquire into this matter.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, this matter was discussed last time and in that connection I gave an assurance. I can give this assurance to my hon. Friend that whatever may be the outcome of the judicial decision, I will take steps for a Departmental enquiry and I hope I shall be able to satisfy my hon. Friend the Mover. For the remembrance of this House I will mention all the sequence of events which led to this Adjournment Motion. A case of dacoity was reported to the Jamalganj Police Station. They went to a village called Rangiatek in pursuance of investigating that alleged crime. In the course of that enquiry the police were assaulted and the police prosecuted people who were supposed to have assaulted them. As a counter-blast seven complaint cases were filed before the Magistrate against the police of which five complaints were dismissed and two were proceeded with. After a certain period of time, these two cases were withdrawn by the complainants. So, on behalf of the people, there was absolutely no case because five cases were dismissed and two were withdrawn by the parties themselves. But in the police assault case, *i.e.*, assaulting the police, a case was started by them and five people were convicted on their own admission but there are absconders who have not yet surrendered and the case may be said to be still *sub-judice*. So long absconders do not submit and their cases are not finished, I am handicapped in starting a judicial enquiry but I am prepared to send a high officer for an enquiry.

As regards the allegation of my hon. Friend about bribery of which he made a statement here, I am afraid, he cannot make such a statement outside. Just now he made mention of a specific case. If he will give me the names of the people from whom money has been taken I will immediately start an enquiry.

Babu KARUNA SINDHU ROY: I have got the names with me, Sir.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Very well, give them to me and I will start an enquiry.

The Hon'ble the SPEAKER: In view of what the Hon'ble Premier has said and in view of the fact that the matter is still *sub-judice* there is no case for an Adjournment Motion. Does the hon. Member press his Motion for leave?

Babu KARUNA SINDHU ROY: In view of the assurance given by the Hon'ble Premier I do not press my Motion.

Mr. BAIDYANATH MOOKERJEE: May I know from the Hon'ble Premier whether he will think it worthwhile to transfer this Officer from that Police Station?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I will consider this suggestion, Sir.

Adjournment Motion re: failure of Government to cope with the problem of non-subsidence of water from Buro fields in Sunamganj subdivision.

Babu KARUNA SINDHU ROY: I beg leave to move that this House do now adjourn to discuss the following matter of public importance of recent occurrence namely failure of Government to cope with the problem of non-subsidence of water from Buro fields in the Sunamganj subdivision this year, which frustrated the Grow More Food Scheme of Government as 50 per cent. of Buro fields have remained uncultivated".

Sir, I went to the locality of Sonar Haor.....

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: On a point of information, Sir. How the hon. Member came to the conclusion that 50 per cent. of the Buro fields remained uncultivated this year? On what basis the hon. Member calculated this? I come from that subdivision and.....

Babu KARUNA SINDHU ROY: The hon. Member has not gone to the locality himself. I went to the locality myself.....

The Hon'ble the SPEAKER: Order, order. I do not see what is the failure of Government to cope with the problem of non-subsidence of water from Buro fields.

Babu KARUNA SINDHU ROY: Sir, a Bund is required to be made and a canal is required to be excavated. The people of Marula, Gopinath Noagaor and other villages living near the Haor applied to the Deputy Commissioner for excavating this *Khal*. But no step so far has been taken.

The Hon'ble the SPEAKER: I do not think the Motion is in order.

Adjournment Motion re: acute shortage of common salt in the Goalpara Subdivision and Government's inability to supply it in adequate quantities.

Srijut PARAMANANDA DAS: Mr. Speaker, Sir, I move my Adjournment Motion. "That this Assembly do now adjourn its business to discuss a definite matter of urgent public importance, and of recent occurrence, namely, the acute shortage of common salt throughout the Goalpara Subdivision and Government's inability to supply it in adequate quantities".

Sir; last fortnight the scarcity of this commodity throughout the Subdivision was so acute that some people were given only one seer and some people two seers for one month, and that this quantity is quite inadequate is known to all. The Subdivisional Officer has not been able to provide the people with adequate quantity of this essential commodity. Sir, common salt is as important as fresh air and water for all people, rich or poor. It is known to all that there is no other substitute for salt. So, Sir, I beg leave of the House to move the Motion.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, the hon. Mover is correct in saying that there was a shortage of salt in the Goalpara Subdivision. But the condition has now improved. I was there at Goalpara about the

middle of last month and the people complained to me that in various interior villages salt was selling at rupee one per seer on account of shortage. I enquired of the Deputy Commissioner, Goalpara, who was present there about this and he said that it was true and that for want of transport facilities salt could not be immediately sent to Goalpara Subdivision when the Subdivisional Officer indented for it. There was a big stock of 33,000 maunds of salt at Dhubri. He further said that as early as 8th February he had asked the Railway administration to place wagons at his disposal to send to Bongaigaon 800 maunds of salt for Goalpara Subdivision. But even upto the 15th or 16th February the Railway could not be able to give any wagon for that purpose. Therefore, by means of country boats the Deputy Commissioner sent 1,200 maunds of salt from Dhubri to Goalpara Subdivision. For Railway transport is not in the hands of the local Government. We have sufficient stock in the District and the Deputy Commissioner and the Subdivisional Officer are doing their level best to distribute this either by motor transport or by country boats or by bullock carts. So, Sir, it is the failure of the Railway administration to place wagons at the disposal of the Deputy Commissioner which has caused this acute shortage of salt. But things were improving from the date while I was at Kokrajhar, on 15th February, when intimation was given by the Railway administration that they had carried 200 bags or 400 maunds of salt to Bongaigaon. Government have also started out centre at Bongaigaon, the supplying agency for the benefit and convenience of the people of Goalpara Subdivision.

The Hon'ble the SPEAKER: Does the hon. Mover press his Motion for leave having heard the Hon'ble Premier?

Srijut PARAMANANDA DAS: I have heard what the Hon'ble Premier has just now said. But the situation does not seem to be improving and it is remaining still the same. People are clamouring for more salt and I find that even at Bongaigaon people are still clamouring for salt and it is sold there in the black market at rupee one per seer. Therefore, it cannot be said that salt is sufficiently supplied at all.

Khan Bahadur Maulavi KERAMAT ALI: On a point of information, Sir. What does the hon. Member want the Government to do? Government have said that they are trying to improve the situation.

Srijut PARAMANANDA DAS: To speed up the supply, Sir.

Khan Bahadur Maulavi KERAMAT ALI: Government have already said that

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Government have already said that they have taken up the matter in hand. There is a Subdivisional Food Committee and I think the hon. Member is on that Committee and he will have opportunity to serve the people and in that Food Committee people of the local areas are also represented.

Srijut PARAMANANDA DAS: In this respect this Food Committee cannot do anything, if it does not get any supply of salt.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: It has got already some quantity and we are trying to bring more salt into the Goalpara Subdivision.

The Hon'ble the SPEAKER: Does the hon. Mover press his Motion for leave of the House to move the Motion?

Srijut PARAMANANDA DAS: Yes, Sir.

The Hon'ble the SPEAKER: But having heard what the Hon'ble Premier has said, I do not think this Motion is now in order. Why the hon. Member wants to discuss this matter again when the Hon'ble Premier has said that the Government is doing their level best to improve the situation. The hon. Member wants that the supply of salt should be speeded up and if that is the intention of the hon. Member I cannot hold that the Motion is in order.

Adjournment Motion re: failure of Government to protect the mosque of Kumargaon village in Akhaliya in Sylhet Sadar from complete demolition by Military people.

Khan Bahadur Maulavi MAHMUD ALI: I beg leave, Sir, to move "that this House do now adjourn to discuss the following urgent matter of public importance of recent occurrence, namely the failure of Government to protect the mosque of Kumargaon village in Akhaliya in Sylhet Sadar from complete demolition by Military people".

Sir, about fifteen days ago the mosque was demolished by the Military authority and the books that were kept in that mosque could not be traced where they had been taken. It is a matter of regret that Government did not take any notice of the occurrence. So, the people approached me when I was coming through the locality, but I did not like to go and interfere in the matter.

Mr. BAIDYANATH MOOKERJEE: Were the books religious?

Khan Bahadur Maulavi MAHMUD ALI: Yes, as far as I know.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I am sorry to hear what has been said, in regard to the Motion. As I entered this House to-day my hon. Friend met me and said that the Motion had been tabled in order to get an expression of opinion from Government as regards their policy for the protection of the mosque and other religious buildings. As I already told him, my policy has been to insist on the Military to save mosque, temple and church, if it exists on any land they requisition for. In certain cases, they wanted to demolish such religious buildings, but the Government of Assam insisted that they should not be broken down. As regards the mosque referred to in the Motion, up till now I have not heard anything from the Military, nor has the Deputy Commissioner reported anything to Government. I have asked the Chief Secretary to get a report from the Military and also from the Deputy Commissioner as soon as possible. I have absolutely nothing to inform the House, but if my hon. Friend wants, I can say this much, that it is unfortunate that the mosque had already been demolished, and that I will do my level best to insist on the Military that any religious building, mosque, temple, church and even Namghor should be spared at the time of requisition, or should not be demolished if it falls within the lands acquired.

Khan Bahadur Maulavi MAHMUD ALI: I am very sorry that the hero of protection of public rights, the Deputy Commissioner, has not given any information to Government and I have no information of his help to the people although he always helps in such cases.

The Hon'ble the SPEAKER: But the Hon'ble Premier will look into the question and render the help the people require.

Maulavi MUHAMMAD MAQBUL HUSSAIN CHAUDHURY: Did the people of the locality inform the Deputy Commissioner?

Khan Bahadur Maulavi MAHMUD ALI: Yes. (He read a Bengali letter).

৯১০ দিন হইল মিলিটারীরা কুমারগাঁয়ের মসজিদ ভাঙিয়া দিয়াছে। আগামী ১লা মার্চ বুধবার বেলা ১১টিকার সময় খুরমখলা গ্রামের মোহাম্মদ মিছকিন মিয়া'র বাড়ীতে এই মসজিদ ভাঙনের বিষয় নিয়া সভা হইবে। আপনারা উপস্থিত হওয়ার জন্য অনুরোধ।

The Hon'ble the SPEAKER: The question is whether the matter was brought to the notice of the Deputy Commissioner.

Khan Bahadur Maulavi MAHMUD ALI: Yes, Sir, as far as I know. But I do not know, what the Deputy Commissioner did.

The Hon'ble the SPEAKER: Has the Hon'ble Premier anything more to say?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I have nothing more to say. But in the letter, which my hon. Friend has read out, there is no mention that the people informed the Deputy Commissioner about the incident. They were going to discuss the matter on a certain day, the 1st March and probably they would pass a resolution and copy of it would then be sent to the Deputy Commissioner.

Khan Sahib Maulavi Dewan MUHAMMAD AHBAB CHAUDHURY: May I ask the Government whether an enquiry will be made into the matter?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I have already said that I asked the Chief Secretary to ask for a report into the matter from the Deputy Commissioner.

Khan Bahadur Maulavi MAHMUD ALI: On the assurance given by the Hon'ble Premier, I do not press my Motion for leave.

Adjournment Motion re: Government's decision against persons responsible for assault of political prisoners in Jorhat Jail in March, 1943.

Srijut ROHINI KUMAR CHAUDHURI: Sir, as regards my Motion, may I ask the Hon'ble Premier if it is a fact that a decision has been made by Government not to take any action against the persons found responsible for assault of political prisoners in the Jorhat jail? Last time when I made an enquiry I learnt from the Government that the report of the Deputy Commissioner had not reached them even in the month of November 1943. May I know whether it is a fact that the report has been received by Government and they have decided not to take any action? I request the Hon'ble Premier to give an assurance that no such decision has been arrived at and that the matter is still under consideration. If the latter is the case, I need not move my Motion.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I am sorry, Sir, that my *ex*-Colleague, at present on the Opposition, has tabled this Adjournment Motion for eliciting information. He knows that if he had only put a question or even privately asked me, I would have given him the information. Not only have we decided to take action against the persons responsible, but we have gone a step further than the District authorities. We have asked that Departmental proceedings should be drawn up against the Assistant Jailers as well as the Jailer, though the latter was exempted from any proceeding by the District authorities. Action is proceeding.

Srijut ROHINI KUMAR CHAUDHURI: I am very much obliged for the information, Sir. I do not ask for leave.

Adjournment Motion re: threatened scarcity in Surma Valley owing to mismanagement of paddy and rice transaction.

Babu KARUNA SINDHU ROY: I beg, Sir, to move "that this House do now adjourn to discuss the following urgent matter of public importance of recent occurrence, namely threatened scarcity in Surma Valley owing to mismanagement of paddy and rice transaction in the Surma Valley."

Khan Bahadur Maulavi KERAMAT ALI: What is the meaning of the words "mismanagement of paddy and rice transaction" used in the Motion?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I do not know.

The Hon'ble the SPEAKER: Will the hon. Member asking for leave to move the Motion explain?

Babu KARUNA SINDHU ROY: What I mean is that the Government purchasing agents are purchasing paddy and rice in the Surma Valley at various rates and the Government neither.....

The Hon'ble the SPEAKER: What does the hon. Member mean by "threatened scarcity"? Is it a definite matter for discussion in an Adjournment Motion?

Babu KARUNA SINDHU ROY: The prices of paddy and rice are going very high owing to the purchasing transaction made by Government and if it continues, there will be scarcity of rice and paddy.

The Hon'ble the SPEAKER: I don't hold that the Motion is in order. The hon. Member will get ample time to discuss it at the time of budget discussion. This matter can be taken up in various other ways.

Governor's message communicating allotment of days for the presentation of Budget, general discussion of Budget, voting on Demands for Grants, etc.

The Hon'ble the SPEAKER : "For the purposes of sub-section (1) of section 78, section 79, sub-section (2) of section 80 and section 81 of the Government of India Act, 1935, and in pursuance of Rules 13, 15 (1), 16 (1), 17, 18 (1), 18 (2) and 19 of the Assam Legislative Assembly (Governor's) Rules, I, Andrew Gourelay Clow, hereby appoint the following days for the presentation to the Legislative Assembly of the Statement of Estimated Receipts and Expenditure of the Province for the year 1944-45 and for the subsequent stages in respect thereof and for the presentation to the Legislative Assembly of the Supplementary Statement of Expenditure for the year 1943-44 and for the subsequent stages in respect thereof in the Legislative Assembly during the March Session, 1944, namely :—

Thursday, the 2nd March ... Presentation of the Budget for the year 1944-45 in the Legislative Assembly.

Saturday, the 4th March } 1. General discussion of the Budget in the Legislative Assembly.

Monday, the 6th March } 2. Discussion, if any, of estimates of expenditure charged upon the revenues of the Province, other than estimates relating to expenditure referred to in paragraph (a) of sub-section (3) of section 78 of the Government of India Act.

Tuesday, the 14th March ... 1. Presentation of Supplementary Statement of Expenditure for 1943-44 in the Legislative Assembly.

2. Voting on Demands for Grants.

Thursday, the 16th March, }
Friday, the 17th " }
Saturday, the 18th " } ... Voting on Demands for Grants.

Monday, the 20th " }
Tuesday, the 21st " }
Friday, the 24th March ... 1. Further Demands for Grants, if any.

2. Discussion, if any, of Supplementary Statement of Expenditure charged upon the revenues of the Province during 1943-44.

3. Voting on Demands for Supplementary Grants for 1943-44.

Saturday, the 25th March ... Placing of the authenticated Schedules of authorised expenditure before the Assembly.

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

Shillong :

The 23rd February, 1944.

A. G. CLOW,
Governor.

Time limit for speeches

Hon'ble Members have come to know that His Excellency has allotted the 4th and 6th March (*i.e.*, two days) for the general discussion of the Budget. It will be somewhat difficult for me to fix a time limit, if necessary, for speeches until and unless I know how many Members desire to take part in the discussion on a particular day. I would, therefore, request the Leaders of various parties to give the names of their party Members who desire to speak on the subject on different dates to the Assembly Department before 4 P. M. to-day.

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

The Hon'ble the SPEAKER: 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 Session of the Assam Legislative Assembly:—

Monday, the 13th March	}	1. Private Members' Bills.
Thursday, the 23rd March		2. Private Members' Resolutions.

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

Statement re: Course of Government Business

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: With your permission, Sir, I desire to make a statement about the course of Government Business during this Session.

2. The Government Business which is to be taken up to-day is shown in the Day's 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 the Assam Finance Bill, 1944, the Assam Local Board Elections (Emergency Provisions) Bill, 1944 and the Assam Dadans Bill, 1944 are accepted by the House to-day, we propose that these Bills be considered clause by clause on the 7th March and then to move that they be passed.

3. On that day, (*i.e.*, on the 7th March, 1944) we also propose to take up the following Government Business:—

1. Motion to make the Publicity Department a permanent institution in the Province.

2. Motion for re-organisation of the Public Health Department.

4. We propose to introduce and to move for consideration of the following Bills on the 3rd March:—

(1) The Indian Registration (Assam Amendment) Bill, 1944.

(2) The Assam Municipal (Amendment) Bill, 1944.

If the Motions for consideration of these Bills are accepted by the House on that day, we propose that these Bills be considered clause by clause on the 10th and 11th March and then to move that they be passed.

5. On the 10th and 11th March, we also propose (1) to introduce the Assam Standard Weights and Measures Bill, 1944 and then to move for its reference to a Select Committee and (2) to introduce the Assam Motor Vehicles Taxation (Amendment) Bill, 1944 and to move for its consideration.

6. On the 14th March, we propose, with the consent of the Hon'ble Speaker ;

(a) to move for leave to amend the Assam Legislative Assembly Rules ; and if leave is granted,

(b) to move that the Assembly do elect six members to the Select Committee to be constituted under rule 106 of the Assam Legislative Assembly Rules.

7. If the Motion for consideration of the Assam Motor Vehicles Taxation (Amendment) Bill, 1944, is passed by the House on the 10th or 11th March, we propose to take up the Bill clause by clause and to move that it be passed on the 25th March after disposal of Budget business fixed for that day. We also propose to take up any unforeseen Government Business and items which remain unfinished on previous Government days on the 25th March, *i.e.*, the last day of the Session.

Committee on Petitions relating to Bills

The Hon'ble the SPEAKER: Under rule 112(1) of the Assembly Rules, I nominate the following Members to constitute a Committee on Petitions relating to Bills for the current Session of the Assembly:—

1. Khan Sahib Maulavi Dewan Muhammad Ahab Chaudhury.

2. Mr. Kedarmal Brahmin.

3. Mr. E. H. S. Lewis.

4. Mr. Jobang D. Marak.

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 Session of the Assembly :—

1. Srijut Joges Chandra Gohain.
2. Khan Sahib Maulavi Dewan Muhammad Ahbab Chaudhury.
3. Mr. F. W. Blennerhassett.
4. Srijut Dhirsingh Deuri.
5. Maulavi Jahanuddin Ahmed.
6. Babu Dakshina Ranjan Gupta Chaudhuri.

Message regarding assent to certain Bills

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 Debt Conciliation (Amendment) Bill, 1941.
2. The Assam Hindu Women's Rights to Property (Extension to Agricultural Land) Bill, 1943.
3. The Assam Maternity Benefit Bill, 1940.

Condolence Motion on the death of Mrs. Kasturba Gandhi

The Hon'ble the SPEAKER: Hon. Members are aware that the whole of India is mourning the death of Mrs. Kasturba Gandhi which melancholy event took place on the 22nd February last. Before we proceed to take up the other items of business of the day on this first day of this Session I rise to pay my humble tribute of respect to the memory of Mrs. Gandhi and to give expression to our deepest sorrow and sense of loss and our sympathy to Mahatma Gandhi and the other members of the bereaved family. Undoubtedly India has sustained an irreparable loss by the death of Mrs. Kasturba Gandhi. She was indeed a shining example of the best type of Indian womanhood and as the partner in life of Mahatma Gandhi, who is said to be the greatest living man in the world and whose life has been such a grand and ceaseless endeavour to better the lot of humanity at large and to secure for India her rightful place in the comity of nations, Mrs. Gandhi played her part well having been so steadfastly devoted to the very cause which Mahatma Gandhi's life represents. Again, she was, truly speaking, a spiritual counterpart of the life of Mahatma Gandhi and a great source of inspiration to him. She not only did share with the Mahatma his joys of life, but she shared with remarkable fortitude and patience his woes which came in the wake of all his endeavours for the fulfilment of his noble mission of life. India will always mourn her death. But her life will remain a perpetual source of inspiration to us all. Her patriotism, her unswerving devotion to the cause of India must always remain vivid and impressive before our eyes to guide us in our struggle for the cause of independence of India.

I hope hon. Members would like that as a mark of respect to the memory of Mrs. Gandhi we should suspend our business of the day for a time. Before I do that, I would like to give an opportunity to those hon. Members who would like to give expression to their feelings.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, the Ministry, and especially myself, find no difficulty in associating themselves with the nation and endorsing what you have said on the loss to India in the death of Mrs. Kasturba Gandhi. As you truly said she was an ideal of Indian womanhood. She cast her lot with her illustrious husband in weal and woe, for rich and poor, and she was constantly by the side of the great Leader of India who, as you rightly said, has been striving hard for the freedom of India. Like all the wives of great men she

secreted herself from the public and was the silent inspirer of every great endeavour which Mahatma Gandhi had launched. We may differ with Mahatma Gandhi in his politics and principles, but we are charitable enough to condole with him, sympathise with him and I personally mourn his loss with others as a fellow sufferer.

Mr. BAIDYANATH MOOKERJEE: Mr. Speaker, Sir, on behalf of this side of the House I associate myself with every word that has come from you. Sir, you have rightly said that Mrs. Kasturba Gandhi was a shining example of Indian womanhood. She did a good deal for Indian womanhood and not only for Indian womanhood but for the whole of India. Sir, you have expressed our feelings so exhaustively that I find very few words to add. So, Sir, I again express our views that we are entirely at one with you in this respect and I think it will be befitting the occasion if you very kindly adjourn the House for, say, half an hour at least.

Mr. A WHITTAKER: On behalf of the Members of my party I have no hesitation whatever in associating myself with this expression of sympathy for the loss of the wife of a great man. I do not wish to introduce any discordant note, however, but I would suggest that unlike certain other public Assemblies in this country we do not make a practice of adjourning our sittings when sympathising with every person whose death we mourn. I do not think that an adjournment of the House for half an hour, half a day or even the whole day will add anything to the significance of any expression of grief we may make in this Assembly. I would ask, Sir, that we do not now start a precedent which I foresee will be embarrassing to all parties of the House in subsequent years.

The Hon'ble the SPEAKER: A message conveying these expressions of sorrow and sympathy would be sent to the bereaved family. As to what Mr. Whittaker said, I would like to say that I have already declared that the House should adjourn for some time. On any occasion of this nature arising in future the House may decide what should be its convention as regards suspension of its business. Referring to the Agenda it would appear that we have got only the presentation of the Budget and some other items of business which I think, cannot take much time. So I would like to adjourn the House now for about half an hour—(voices—till recess time). Very well. I as a mark of respect to the departed soul, adjourn the House up to recess time. But I would however ask hon. Members to rise in their seats and observe silence for two minutes.

Members rose in their seats
for two minutes)

The Hon'ble the SPEAKER: The Assembly remains adjourned till 2 p.m.
After lunch

Presentation of the Budget for 1944-45 and Budget Speech of the Hon'ble Finance Minister

Mr. Speaker, Sir,

I rise to present the Budget estimate for the year 1944-45. The financial year that is just closing was a period of great stress, strain and anxiety for the Government, marked as it was by a distressing famine in our neighbouring Province of Bengal, which had its inevitable repercussion on conditions in our Province as well. Though our Province was spared the devastation and desolation that afflicted our neighbours it did not escape the hardship brought about by high prices of rice and other necessaries of life that ruled throughout the greater part of the year. Government watched the situation carefully as it developed and continued to adopt various measures to counteract the effect of high prices on the economic life of the country. Price control, procurement schemes, supply of free rations to several categories of low paid Government

servants, supply of foodstuffs at controlled price, modified schemes of rationing, wide distribution of standard cloth at prices within the reach of the poorer classes are amongst the steps taken by the Government to meet what threatened to be a menacing situation; it can legitimately be claimed that, except in isolated areas, acute distress was successfully prevented. Involved in strenuous efforts in mitigating hardship within her own border Assam was not slow in extending help to her neighbour in distress, compatible with consideration for her own safety. Imposition of free trade in rice in the Eastern Zone did upset for a time the balanced distribution of Assam's resources, but with its withdrawal the situation was soon brought under control. Winter crops yielded a rich harvest and there has been a marked fall in prices during recent months. Energetic steps are being taken to control the price of cloth and other necessities of life and there is reason to hope that the upward trend of prices has been checked and the dismal experience of last year may not be repeated again. All these necessitated considerable expansion of the administrative machinery and the financial commitments. The immensity of the task confronting the newly created Supply Department may be judged from the fact that Food Purchase Schemes alone involve expenditure nearly equal to the average income of the Government of Assam. Provincial Motor Transport Organisation which has been valiantly striving to cope with the complex problem of road transport has been vitalised by welcome accretion of resources under Lease and Lend Scheme. This involves heavy outlay, remunerative and essential though it undoubtedly is. In a Front Line Province like Assam with guns booming just across the border and aircraft, friendly and hostile, looming overhead, the Department of Civil Defence assumes an unique importance and increased expenditure in this Department is an index of its multifarious expanding functions. While committed to all these inevitable and necessary expenditures Government has not been unmindful of the fact that deficiencies of the present expenditure in our nation building departments will have to be made up for in the post-war period. We have therefore decided to conserve part of our resources to be spent with better advantage after the war. The Post-War Reconstruction Fund which we propose to inaugurate from next year provides for this.

To turn now to the Accounts for the year 1942-43, our estimate of revenue deficit of Trs. 9,52 was actually converted into a surplus of Trs. 32,06 owing to better yield from Agricultural Income-tax, Land Revenue, Forests and other taxes and duties, especially the Petrol tax, which not only this year but also in 1943-44 and 1944-45 is contributing a very handsome windfall to Provincial revenues owing to the enormous amount of petrol consumed by the military.

While presenting a Note to the Assembly in November last on the present financial position, based on the information then available, we had drawn a picture which was rather gloomy and depressing. Latest figures however give promise of a brighter outlook. The reasons for these

variations have been explained in detail in the Budget Memorandum and it is hardly necessary for me to repeat them again. In the Revised Estimates for 1943-44 we now anticipate a revenue surplus of Trs. 7,53 in 1943-44 instead of a deficit of Trs. 8,09 estimated in the original Budget. Since these revised estimates were prepared we have received later figures from the Forest Department and the Government of India which indicate that Forest receipts are likely to be 4 lakhs in excess of those included in the revised ; while our share of Income-tax divisible pool is likely to be 11 lakhs higher than was forecast by India as lately as December last. Against this additional 15 lakhs on the receipt side we have, however, entered into certain additional commitments which are likely to increase the expenditure side of the Budget by one or two lakhs.

Coming to the Budget Estimate for 1944-45, the revenue receipts are estimated at Trs. 4,51,71 against the Revised Estimate of Trs. 4,36,93. Increases under Land Revenue and Excise as in 1943-44 mainly contribute to the improved receipts. The Revenue Expenditure is estimated at Trs. 4,62,11 against the current year's sanctioned grant of Trs. 3,72,29, an increase of Trs. 89,82. The great rise in prices of all articles and supply of foodstuffs to Government servants at concession rate and free ration, increased expenditure on Agriculture, generally speaking, account for this increase. The Capital Receipts are estimated at Trs. 25,43,48 and Capital Expenditure at Trs. 25,58,60 ; the details of the increase have been explained in the Budget Memorandum.

The Revenue Budget shows a deficit of Trs. 10,40. The Revenue Budget would show a surplus of Trs. 14,60 but for the fact that a sum of 25 lakhs is being set aside from revenue to form a nucleus of Post-War Reconstruction Fund and this is entirely responsible for the deficit. Our share of the divisible pool of Income Tax receipts is expected to be still further increased in the budget year by another 11 lakhs according to figures very recently received from Government of India, so that on the whole, if expectations materialise, there should be a small surplus of about half a lakh even taking into consideration the 25 lakhs, set aside for Post-War Reconstruction Fund, most of which will be covered by the additional 22 lakhs expected to be recovered during this year and next year from the Income Tax pool.

I would now proceed to discuss the salient features of some of the main heads of income and expenditure. *Land Revenue* forms the most important head of our income and this is estimated to record an increase of Trs. 20,40 next year reflecting the effect of the complete withdrawal of the remission. The marked feature of the Land Revenue Administration during the current financial year has been the special endeavour made by Government to accelerate the process of land settlement, with a view to intensifying the efforts for growing more food and providing land for the increased number of landless in the Province. In August last Government issued a Resolution to this effect and instructions were issued to District Officers. Pursuant to this Resolution the Professional Grazing Reserves were also examined by a Special Officer for the purpose of determining how far these were surplus to requirement.

Government decision about dereserving excess areas has recently been communicated to the District Officers. The urgency of the early implementation of the Land Settlement policy has been particularly stressed, so that lands dereserved may be brought under cultivation for March/April sowing of the Ahu paddy and other food crops. It is yet premature to calculate the extent of areas likely to be brought under settlement or to estimate the probable receipts therefrom. The Government of India is taking a particularly keen interest about the progress of our land settlement policy and have called for monthly reports of settlement to be forwarded to the Secretary to the Government of India in the Food Department. The Central Food Planning Committee also recommended that the implementing of our Resolution should be expedited.

We have also introduced a scheme in Sylhet, that is, the settlement of formerly reserved land on Chukti-Bhagi System, which contains novel features. Under this scheme settlement holders acquire no right on the land beyond the terms of special lease sanctioned for the purpose and pay in lieu of land revenue, a fixed quantity of crops, serving as an addition to the stock of paddy in the hands of Government for emergency.

In Provincial *Excise* the deterioration in receipts from country spirit continues mainly due to difficulties of transport but this is more than counterbalanced by increasing receipts from Ganja and India-made foreign liquor, the consumers in the latter cases being mainly people from outside the province.

The income of the *Forest* Department fluctuates more than any other and it is particularly true in the time of war, when apart from disturbances in economic factors the nature of the demand varies from time to time just as much as the amount of the demand. The Department has therefore to look far ahead but its activities depend not only on varied fortunes of the war but also on careful planning and ingenuity in meeting problems and obstacles which arise unforeseen and troubles such as inflation or transport difficulties. The greatly increased revenue exhibited in the budget shows how effectively the department has tackled these problems. It is, however, to be remembered that the financial gain to some extent represents inroads on forest capital which must be made up after the war, and that plantation work has suffered from lack of man power and facilities for supervision.

These greatly expanded activities of the Department are placing a great strain on the staff and a demand has widely been made for re-organisation. Proposals for this purpose are under examination by Government. The needs of the Department like a Training School to turn out more qualified types of subordinate officers, Government will have to consider in connection with Post-War Reconstruction.

Honourable Members of this House have shown a keen interest in the progress of the *Drainage and Embankment* Schemes. They will be interested to know that the execution of some of these schemes is being pushed on with commendable vigour and it is expected that a number of

these projects will be completed before the coming rainy season. In order to accelerate execution of these works in the interest of Grow More Food Campaign, some of the elaborate requirements of the Drainage and Embankment Act have been dispensed with, so far as projects to be completed immediately are concerned. For the construction of Brahmaputra Bund near Desangmukh Trs. 2,70 have also been provided in the Budget. Work on this will proceed in accordance with the provisions of the Embankment and Drainage Act. To meet audit requirements a separate head of Account 68B.—Navigation, Embankment and Drainage Works has been opened to exhibit under this head charges on works, which are undertaken satisfying the requirements of the Embankment and Drainage Act, 1939.

In the sphere of *General Administration* the Budget figures hardly disclose one of the most important aspects of the present position, which is the shortage of man power which exists in Government services, just as much as in vital industries and Defence services. The complaint from all service quarters, and particularly in new Departments such as Supply, is the lack of experienced man power. The lower one goes in the services, the greater the tendency there is for low paid men to be half-hearted in their work owing to the attractions of very lucrative opportunities for earning money that exist in private life. There is a tendency at such times to forget the advantage lying in the sheltered condition of permanent Government service. Government have therefore had to take measures in order to forestall a possible breakdown even in such Departments as clerical services by insisting on the one hand on the application of the Essential Services Ordinance to all officials and by making conditions and prospects of service more attractive on the other.

The transport problem has intensified the difficulties of touring officers. The Government have decided to go some way to meet their needs by providing 20 converted 15 cwt. trucks which will be available in a pool for touring officers generally and not allocated to any individual or department. The relevant figures are not exhibited in the Budget because they are not yet known but the expenditure will to a large extent be set off by reducing Travelling Allowance charges owing to the fact that mileage will not be drawn by users of these vehicles.

Government have decided to make the nucleus of the *Publicity Department* permanent in view of the great appreciation shown of the work of the branch from all quarters and a Motion will be brought before the Assembly at this session for this purpose.

As will appear from a Supplementary Demand to be placed before the Assembly one of the greatest problems in the *Jail Department* is the procurement of food and other supplies at a reasonable cost. Besides two important escapes from small jails in the recent past illustrate the need for reconstruction of jails on improved lines, which, however, must await the Post-War period. As regards political prisoners, the claim for family or personal allowances has in each case received serious and sympathetic consideration from the Government.

The net increase in the Provincial Budget for the *Police* forces is out of all proportion to the enormous increase in the sanctioned forces. This is because the Central Government have undertaken the payment of very large elements of additional police. There is considerable lag in the recruitment of sanctioned forces and these do not really represent the actual requirements, for there is an enormously increased burden falling upon the department at this time. When recruitment comes up to needs it is probable that it will be necessary to invoke further sanctions, since the Provincial Government will be bound under terms by which the Central Government have waived our contribution for Assam Rifles, to meet from their own resources all demands for extra police for ordinary duties of the Police Department. The Department has been remarkably economical in its demand for any other than absolutely immediate needs—only one small new scheme being included in the Budget. The difficulties of local transport have been to some extent overcome and there is a provision for a fleet of 25 Police carrying vehicles. The Government of India have consented to pay half the cost of the village responsibility scheme with its village Defence Parties, which is receiving the necessary public co-operation though working under the handicap of difficulties of transport and lack of amenities.

Of all the new schemes provided in the Budget *Education* claims the lion's share involving an expenditure of Rs. 1,47,535. Increased recurring grants have been provided for four of the non-Government Colleges including a women's college. The condition of aided schools of the Province and the degree to which they have been hit, due mainly to the abnormal situation created by the war, have not escaped the attention of the Government. By way of giving relief to these institutions in tiding over present difficulties, a sum of Rs. 50,000 has been provided. With a view to aiding local bodies to enable them to grant dearness allowance to their teachers Government has undertaken to bear 60 per cent. of the cost, provided the respective Boards bear the remaining 40 per cent. For the expansion of primary education in rural areas Trs. 25 have been included as a new item of expenditure.

In the *Medical and Public Health* Departments shortage of qualified medical men continues to be a serious problem. With attenuated staff and supply the Departments are struggling to meet the medical needs of the Province with as much success as is possible under the present circumstances. In view of the great interest taken by Hon'ble Members of the Assembly about conditions in Baniachong, I may inform the House that the situation there is being vigorously tackled and among the measures taken the Inspector General of Civil Hospitals has been asked to incur the necessary expenditure for the establishment of a 50 bedded emergency hospital in the area at an estimated cost of Rs. 6,500 with a monthly recurring expenditure of Rs. 2,000.

For the better control of epidemics and other contagious diseases and for more efficient working, the re-organisation of the Public Health Department is considered an imperative necessity. The Hon'ble Minister in-charge of Medical and Public Health will move a separate Motion

in the Assembly for this purpose. If the scheme is approved effect will be given from 1st April 1944.

The mounting scale of expenditure on *Agriculture*, the Budget Estimate of Trs.28,24 for 1944-45 as compared with Trs.12,67, the actuals for 1942-43, indicate the extent of the vigorous drive undertaken by the department in furtherance of the Grow More Food Campaign. Increasing areas under rice, pulses, sugarcane and vegetables are being brought under cultivation and the distribution of seeds and manures is being augmented. The Rice Irrigation Projects are contributing materially to the production of more foodstuff. Over 150 such schemes have so far been undertaken, which will benefit an area estimated at 553 sq. miles, thereby increasing production by about 58,987 tons of paddy. These schemes are very popular among the cultivators and there are ever increasing demands for more.

Provision has been made for strengthening the Administrative side of the Department by employment of additional staff to cope with increased work and for increased stipends to overcome the shortage of trained men for further employment.

In the *Co-operative* Department the programme of rehabilitation is beginning to be intensified. In view of the improved financial position of the rural population, due to abnormally high prices of their agricultural produce, they are able to a large extent to liquidate the debts owed by them to the societies. Advantage is being taken of this opportunity for the collection of outstanding dues. The organisation of consumers' co-operative stores, which were started with a view to solving the difficult problem of equitable distribution of foodstuff and other essential commodities to the general public, has made rapid strides. About 600 such stores have already been registered, and papers for the registration of over 400, which are already working, are pending at various stages. It is estimated that they already cater for a total of over 4 lakhs of persons and their membership is daily growing. It is encouraging to find that the co-operative movement is emerging from stupor and stagnation to virility.

The *Industries* Department is extending its activities in various directions, shortage of mill-made cloth having given added impetus to our handloom industry. The erection of a training centre for sericulture in the Titabor Sericulture Station and the conversion of the present Mulberry Station at Senchua into a seed supply station, for which provision has been made in the Budget, are expected to help the development of sericulture in the Province.

The appointment of an *Assistant Labour Commissioner* has come none too soon for the welfare of labour will obviously play an important part in the work of Government in the future. The problems that are already facing this office of Labour Commissioner are already important and are rapidly growing.

The transport situation has afflicted Government with the same difficulties as it has the public in regard to supply of *Stationery*, and there is a serious time lag in the supply of forms. A problem for the future will

be development of the Government Press and the arrangements which should be made for Government printing in general.

The *Public Works* Department continues to be mainly engaged in construction of roads and bridges of military importance, the expenditure on which is charged direct to the Defence head. This, to some extent, is responsible for the smaller number of new schemes proposed to be taken up by the Department during the next year. The advantage of postponing all but such work as is inescapable lies in reducing inflationary tendencies at present and results in storing up work to be included as part of Post-War Reconstruction Schemes. It is also to be borne in mind that it is uneconomical to carry out work at the present high rates with the limited funds available, which will go much further if taken up after the war is over.

Increase of work on Defence projects have necessitated the reconstitution of the Sylhet and Cachar Divisions and the creation of a new Division at Maulvibazar as well as a few new Subdivisions. Two new Subdivisions at Tinsukia and Sibsagar under the Lakhimpur Division have also been opened.

Extra officers and staff necessary for the purpose have been sanctioned and provided for in the next year's Budget. This will not, however, throw any extra burden on the resources of the Province, as, although the pay and allowances of these extra officers and staff are charged to the Provincial Budget the increase in expenditure on that account will be counter-balanced by recoveries to be made from the Central Government on *pro-rata* basis at the close of the year.

It may also be noted in this connection that the temporary Divisions and Subdivisions will continue only as long as their necessity is actually felt, and these are abolished directly the work is reduced to normal in any area. The Bilashipara and Bijni Subdivisions under the Western Assam Division and the Barapani-Mawphlang Subdivision under the Khasi and Jaintia Hills Division have thus been abolished on the completion of works.

There is a proposal to bring the Divisional Mechanics now borne in the Work-charged establishment on to the regular permanent and pensionable establishment. This proposal was passed by the Assembly during the Budget Session in 1941 but owing to certain technical difficulties the proposal could not be given effect to. A fresh schedule for the purpose has accordingly been submitted separately during the present Session for the vote of the Assembly.

This Department is also actively busy in Post-War Planning of Roads. A programme is being drawn up by the Government of Assam in pursuance of the policy formulated by the Government of India and communicated to all provinces. The preparation of the plan for Post-War Development of roads is to be taken up energetically and for this purpose it is necessary that work should commence without delay. As the project estimates have to be submitted to the Government of India before the 1st August 1944, and detailed estimates for the First Phase by

the 31st December 1944, the staff required is to be appointed immediately. Consequently two Executive Engineers have already been posted for this purpose, and a supplementary grant for the expenditure involved during the current year has been asked for separately. Steps are being taken to post the full staff required in this connection and the expenditure for the same will be a charge in the next year's budget. As advice in this respect was received late from the Government of India it was not possible to include the provision for this purpose in the next year's budget. A supplementary demand for additional grant for the next year will be submitted in due course. The future prosperity of the Province is intimately related to the improvement of road communications in Assam, and as considerable help is expected from the Central Government in respect of reconstructing roads in Assam, it is important that we should not lag behind in the preparation of new schemes. The activity of the Public Works Department in this respect is therefore a thing to be welcomed.

A very large proportion of our tools and plant which had been transferred to the Defence Department has also to be replaced. Furthermore, the coming year presents the most appropriate opportunity to obtain plant and machinery under Lease and Lend terms, for it will be difficult to secure such plant on the termination of the war. As, however, these tools and plant will continue to be largely used in Defence projects, the estimated recoveries from the Military Department will correspondingly increase and a good deal of our expenditure will be recovered through *pro-rata* charges.

The activities of the *Civil Defence* Department have, since its inception as a separate Department from 1942-43, expanded to a considerable extent and are still under expansion. Important towns and stations in vulnerable areas have been classified and provided with necessary staff on the approved scale. There are 12 Class I Towns, 4 Class II Towns, 7 Class III Towns and 16 Class IV Towns. Besides arrangements have been made for the protection of the villagers of the Basti Areas near Airfields. The existing A.R.P. measures have further been supplemented by the establishment of a Blood Transfusion Service, the Assam Blood Bank and hospitals for the treatment of air raid victims. Measures have also been taken for facilitating training and publicity to the public and maintaining vital communications in case of emergency. There have been established fully equipped fire-brigades in 14 towns and stations under the supervision of Fire Officers and Sub-Officers of the National Fire service. All these account for the increased expenditure in the Civil Defence Budget. As referred to in the Budget Memorandum the reduction of the size of slab by the Government of India from 10 lakhs to 8 lakhs has resulted in some relief to the Provincial exchequer.

The establishment of the *Assam Transport* organisation was decided upon, and received the approval of the Assembly at the March Session 1943 in view of the lack of road transport for the needs of the civil population and loss of vehicles which had to be requisitioned at the time

of the threat to India's borders in May, 1942. The original intention had been mainly to recondition such vehicles as were obtainable from the Army and to build up a fleet of 200. During the year 1943, however, promises were received of a considerable number of vehicles from Lease Lend stocks and it was decided to take advantage of this and build up a fleet of 500 vehicles, in recognition that the utilisation of the railways was becoming of increasing difficulty for civil purposes. That is the position now, and unless this transport is obtained, conserved and worked on the most carefully organised system Government anticipate that the Province will suffer severely in its supplies.

Assam Transport now numbers 460 vehicles, new chassis which have been fitted with bodies, *plus* 20 reconditioned. With new vehicles coming in it has been possible to sell off a number of doubtful runners for the sum of Rs. 1,97,515, representing a very large profit on the outlay of one lakh. Meanwhile a great need developed for employment of the fleet for Defence purposes and also on account of the improvement of the Assam Trunk Road and other roads, which was as essential to the operation of Assam Transport as to the Central Government's requirements and was very profitable. The tonnage handled in November was 64,850, of which civil requirements represented somewhat over ten per cent. though the number of lorry-days occupied on civil work, which is less profitable, was considerably above that percentage. December figures were 73,767 tons carried. The expenditure during 1943-44, including capital expenditure, amounts to a little less than 66 lakhs of which the value of vehicles and stores amount to nearly 40 lakhs. Earnings already amount to over 28 lakhs. The financial prospects, therefore, provided that continuity of work can be maintained, are most promising.

The main difficulty throughout the development of Assam Transport has been the lack of experienced staff. The back has now been broken, however, and the Central Government have offered their fullest assistance in meeting immediate needs, while local men are being trained up to take over duties from the temporary employees secured by this means. An important decision has been taken, now that the situation has become clearer, to divorce Assam Transport from the functions of control over public transport. The services of a senior officer of the Assam Government have been arranged for the duties of Provincial Motor Transport Controller, who will have to undertake the organisation of passenger transport, the need for which has become recently so manifestly urgent. He will have to procure vehicles to be run by private operators on the various routes which have been suffering from shortage and on the routes on which need is developing owing to the difficulty of railway travel, and fix fares, control the use of spare parts and operate a number of war-time necessary controls, such as gas producer plants. The existence of repair workshops organised by Assam Transport will be of great benefit to such owners, while the separation of duties will solve difficulties which have arisen over rationing of petrol and alleged competition of Assam Transport with private operators. Another long-felt need will it is hoped

shortly be met by the acquisition of a qualified commercial accountant, and this will fortify Government in dealing with complaints that have been heard of the high rates charged by the present organisation without the risk of making such reductions as would imperil the capital which Government have embarked.

It is important to explain that though Assam Transport has hitherto been compelled to work largely on road works for the general benefit and has therefore been distracted from the original purpose of carrying civil supplies, the situation will in future be different and Government have already issued orders for diversion of a large part of the fleet to the carriage of civil supplies, the demands of which have quite recently developed very markedly. A good deal of criticism has focussed, not unnaturally, on the fact that in the hurried and up-hill effort to organise the provincial fleet a number of employees who do not hail from Assam have been entertained. Government's intention remains, however, the employment of local personnel to the fullest extent that experienced men are available and to train up such local men to take the place of those who are now carrying out the work. Government are continuing their efforts to secure competent experienced staff belonging to Assam from every possible source.

During the last session of this House the Food situation was fully discussed and the Government's policy in this respect was outlined by the Hon'ble Prime Minister. That policy remains and I need not go into the details of it afresh here. I shall only try to place before this House the financial implications of that policy and the extent of commitments we have undertaken pursuant to that policy.

The fundamental basis of our policy in respect of food supply is procurement. This, in the case of indigenous produce, means purchase on Government account of stocks in the Province, and in the case of foodstuffs which have to come from outside, their import on Government account. Our main indigenous produce is rice. In this case our procurement scheme aims not only at the equitable distribution within the Province but also at fulfilling commitments to Defence forces inside our borders and to other areas less fortunate than Assam. For procurement we have appointed three agents, one in Assam Valley and two in Surma Valley. The other essential foodstuffs which are procured on Government account are wheat products, salt, sugar, gur, dal and mustard oil. The first three commodities have to come entirely from outside while in the case of the other three there is some local production to supplement imports. Government have appointed an agent in Calcutta to procure imported commodities on their behalf and despatch them. They have also recently appointed an agent to procure gur, dal and mustard seeds produced within the Province. They have thus five agents operating, four within the Province and one outside, all of whom are financed by Government; three of the agents were appointed only recently. As the Hon'ble Members are aware, prices of all foodstuffs except salt and sugar rose during the year to thrice or four times what they were at the beginning of the year. Simultaneously we

had to go to the assistance of Bengal in her distress and also to maintain supplies to the population within the Province, particularly organised industry. To meet the extra commitments procurement had to be extended, and due to higher prices it entailed a far greater outlay than was originally contemplated. Hence against the original estimate of Trs.1,68,58 the present revised estimate stands at Trs.3,83,49. For the coming year the estimate is placed at 5 lakhs more only although the internal purchase operations will be on a much larger scale and will cover more commodities than in this year. This is because Government have introduced effective statutory price control which they intend to maintain with all the powers they can command and the resources at their disposal. Again this represents procurement operations only partly, as supplies to organised industry, Railways, etc. are paid for, generally in advance, to the agents direct and do not figure in the accounts.

Next to procurement are equitable distribution and price control. Both of these entail expenditure. Government have already announced their intention to introduce rationing in all the towns of the Province. For rural areas they have adopted a system of distribution through a chain of wholesalers and retailers who get supplies from a number of depots maintained at Government cost at important centres. This applies not only to imported commodities but also to rice and paddy, stocks of which are moved into and kept in areas where they are likely to be required at any time. This means large transport charges, payment for hire of a large number of godowns and staff and losses through deterioration in storage. As the hon'ble members will realise, price control requires such stocks to be more than adequate to meet needs. Godown accommodation in Assam is poor and the climate is against long storage of foodstuffs. The loss through deterioration and damage to foodstuffs is therefore high, although we are continually taking measures against it and improving them with experience gained.

Hon'ble Members are only too well-aware of the insuperable transport difficulties we are having. This does not mean that the Railway and Steamer Authorities have not been helpful. On the contrary, they have done their best to assist Assam and have in fact been the best champions of Assam's needs. But they as well as we have to realise that Assam is a theatre in the vast global war. The Government of India warned us about the possibility of a situation like this. Nevertheless we have made preparation to meet it and have kept stocks ready for about two months' consumption. This again means a great loss but we had to bear it to ensure Assam's needs of essential food-stuffs. We have been holding a stock of about 4 lakhs maunds of salt all through the rains and the loss caused thereby can be imagined. But the wisdom of that policy is now seen when private traders are unable to get supplies and Government salt is the only stuff available for the public. We have been holding and still hold over 50,000 maunds of wheat for any emergency, though our loss over this account has been as high as 15 or even 20 per cent.

I have dealt so far with the extent of commitments undertaken by us and the risks of loss involved. We had also to build up an organisation to deal with these innumerable new problems. When I introduced the Budget to the House this time last year I mentioned that a new Supply Department had then been started. This has steadily grown and has now a separate accounts branch with a number of inspecting accountants going about and constantly supervising the work of the agencies. On the executive side we have appointed or sanctioned 10 Inspectors and 74 Sub-Inspectors in addition to a large rice control staff to prevent export from the Province. The district offices have been strengthened. Still the staff is inadequate and will require additions. The burden of administration of food policy has naturally fallen on the already overworked district officers, to whom this work is also totally different from routine administration. They require all assistance we can give and we are prepared to give it; the difficulty is however in getting men suited for this new kind of work.

While no effort has been spared to deal with the food situation adequately we have taken steps to see that the Provincial finances are not embroiled by these commercial transactions. To meet all possible losses and to create an adequate reserve we have been charging a cess, the proceeds of which go to a separate cess fund. This cess is levied at the rate of $6\frac{1}{4}$ per cent. on rice and paddy issued by the agent whether for internal consumption or export. In the case of imported commodities also the cess was $6\frac{1}{4}$ per cent. on the landed cost at Gauhati but as this was found insufficient to meet the loss in transit and storage and the transport charges to place beyond, the rate has been increased to 10 per cent. The cess account will be scrutinised at the end of this financial year. In the budget we have indicated a lag of Trs. 1,35,35 at the end of this year. This does not mean a loss. Against this we will have recoveries outstanding to the extent of Rs. 40 lakhs while stocks in hand are estimated to be worth about Trs. 1,40,00. The outstanding recoveries will be mainly against Bengal and the Defence services. As regards the latter there has been a good deal of correspondence with the Government of India and some representatives of the Food Department have visited Assam recently. It is hoped that arrangements for payment will now be expedited and the lag reduced. Bengal Government have been written to pay off their outstanding bills.

As regards *standard cloth* I have very little to comment. As the hon. Members are aware standard cloth is sold at a fixed rate all over India and this gives a margin of $4\frac{1}{2}$ per cent. to the Provincial Government. It is expected that this will cover all expenditure. Standard cloth has been arriving in large quantities, and once the distribution arrangements are satisfactory the lag will be very much reduced.

In this connection reference may be made to the Cotton Cloth and Yarn (Control) Order of the Central Government which is a de-hoarding and anti-hoarding measure and the administration of which was entrusted to the Provincial Government. The Director of Industries has been put in charge of it in the dual capacity as *Additional Secretary and Provincial*

Cloth and Yarn Controller. Several orders under Defence of India Rules supplementing the provisions of the Central Control Order have been passed by the Provincial Government, the most important of them being the Assam Cotton Cloth and Yarn Dealers' Licensing Order, 1945, which provides for licensing fees of various categories. The receipts from licence fees are estimated at Trs. 2,50 during the current year as also during the budget year. A further income of Trs. 2,00 for the current year and of Trs. 75 for the budget year is expected from fees for stamping stocks of cloth and yarn. The administrative cost of this control measure is roughly estimated at Trs. 40 during the current year and Trs. 233 during the budget year.

I would conclude with an expression of thanks for the able and ungrudging assistance I received from the officers and staff of the Finance Department and the Chief Secretary and the Secretary and Deputy Secretaries of other Departments.

ALLOTMENT OF TIME FOR VOTING ON DEMANDS FOR GRANTS

The Hon'ble the SPEAKER: Now that the Hon'ble Finance Minister has presented the Budget I think it is necessary to draw the attention of this Hon'ble House to one particular matter connected therewith. The hon. Members know the days that have been fixed by His Excellency the Governor for voting on Demands for grants. As on previous occasions, I have prepared a time table allotting time that should be devoted for discussion of Demands For Grants in this session. I would request the leaders of the parties to examine the time-table and to meet me in my Chamber immediately after we disperse to discuss the time-table and to come to a definite understanding in the matter. Although I have asked the leaders of the parties to meet me, I should be glad to have the assistance of as many other hon. Members as would like to come to my Chamber and examine the time-table. This year, the hon. Members will realise from the speech that has just been delivered by the Hon'ble Finance Minister, that there are some very important new Demands which would come up for discussion and I would, therefore, like to have the assistance of the House in settling the time-table for the discussion of the demands.

Election of Members to the Public Accounts Committee

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: I beg to move that this Assembly do elect seven Members to the Public Accounts Committee under rule 102 of the Assembly Rules for the year 1944-45.

The Hon'ble the SPEAKER: The motion moved :

“That this Assembly do elect seven Members to the Public Accounts Committee under rule 102 of the Assembly Rules for the year 1944-45.”

The question was put and adopted.

The Hon'ble the SPEAKER: Under the rules, I hereby fix Tuesday, the 14th March as the date, and 4 p.m., as the time or as soon as the business of the day is finished, whichever is earlier, for holding the election of Members to the Public Accounts committee. The election will be held on the floor of the House.

The Assam Finance Bill, 1944

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: I beg to introduce the Assam Finance Bill, 1944 and to move that the Bill be taken into consideration. As there is no change in the Bill, I have nothing to comment.

The Hon'ble the SPEAKER: The Motion moved:

"That the Assam Finance Bill, 1944, be taken into consideration."

Mr. BAIDYNATH MOOKERJEE: In introducing the Bill the Hon'ble Finance Minister has said that as there has been no change he does not like to make any speech. But on this occasion, I beg to remind you that when this Bill was first introduced in two consecutive sessions, some of us requested the Government and moved amendments also for giving some relief to the small Tea concerns. At that time we were told that as the Government was not in a position to find out the real situation, they would do that after they could gather the actual figures. Sir, after that, three years have passed. Of course, the Constitution was suspended in the meanwhile but I expected that that assurance will be implemented this time. Sir, I find that nothing has been done for that. And in this connection, I think, it is my duty to bring to the pointed attention of the Government one fact that during next year Government will get as Agricultural income-tax much less than the amount they got for the year 1942-43. Sir, those who are in this line or who cares to read newspapers about tea, they will find that the price has gone down to such an extent that those small Tea concerns who have not got well equipped factories are running at a loss not to speak of any profit. Sir, it may be said that this Government has got no hand in this matter; but I for myself will not be satisfied with this remark because this Government can draw the attention of the Government of India to two facts which I am just placing before this House. First, that the release export quota right has been increased and is going on being increased gradually. Formerly these small concerns which have not their factories or who did not enter into contract with the Government not for any fault or negligence or apathy of their own but because some of them found that even after entering into contract with Government their teas were being refused because they were not found to be up to the standard. So they had one course open to them, they had to sell the export quota rights to other gardens whose teas were accepted by the Government. Now by the release of excess quota rights these fortunate gardens whose teas are accepted by Government do not come to these small Tea concerns for their export quota rights. So, Sir, I think, that Government could see that at the time of issuing licenses for export quota rights the fate of the small Tea concerns and especially of the Indian Tea concerns are not sealed because the European Tea concerns are mostly well equipped and big concerns and they do not feel the pinch whereas the small Indian Tea concerns are feeling the pinch due to excess release of export quota rights for the last two years. And there is another duty which has been admitted in the Budget speech of the the Hon'ble Finance Minister and has been mentioned several times and that is regarding transport difficulties. The teas which were manufactured during the month of November and packed by the first week of December are still waiting for wagons. Sir, the next season is coming in. Most of the gardens will begin to manufacture from the 15th March and their factories and godowns are full with tea chests containing teas manufactured during the last year. So, Sir, in this respect also, I think, that the Government can take special care. If these are done both the Government and a section of the people for whom this Government exists will be benefitted. Sir, of course, I shall get an opportunity to move amendments and deal with the subject more elaborately when this Bill will come before the House for passing. I shall say what more I have got to say then. With these words, Sir, I resume my seat.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: Mr. Mookerjee referred that when the Bill was passed, assurance was given that the grievances of the small Tea Companies will be looked into. All that I can say at the moment, we shall look into it. Mr. Mookerjee has also said that next year's receipt from the Agricultural income-tax is likely to be lower than what has been in the past. Government is aware of that

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position and it is in view of that fact Government kept in abeyance the question of raising of rates. When tea companies were making exceptional profits we did not raise the rate, but when companies would be earning less dividend, there is no reason why we should lower the rate.

Mr. BAIDYANATH MOOKERJEE: I did not ask for lowering the rate.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: Government is aware of the position. Next year the receipt is going to be less than in the past.

Mr. BAIDYANATH MOOKERJEE: My point was that Government could remove that position. I hope the Hon'ble Premier has understood me.

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: Issuing of license or quota is not the function of this Government. I do not know how we can help the hon. Member in this respect.

The Hon'ble the SPEAKER: The question is:

“That the Assam Finance Bill, 1944 be taken into consideration.”

The question was adopted.

The Hon'ble the SPEAKER: Consideration, clause by clause, of this Bill will come up on the 7th March, 1944. The time for tabling amendments will be upto 3-0 P.M. of 3rd March, 1944.

The Assam Local Board Elections (Emergency Provisions) Bill, 1944

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY: Mr. Speaker, Sir, I beg to introduce the Assam Local Board Elections (Emergency Provisions) Bill, 1944, and to move that the Bill, be taken into consideration.

Sir, the reason for which the Government had to bring this Bill before the House has been explained in the Statement of Objects and Reasons, and I think, I have got very little to add. It is known to hon. Members that normally the Local Board elections were due by the 1st April, 1941, but as there was demand from the public as well as from many of the Members of this House that the Local Board constituencies should be revised on the basis of the increased population and as there were other demands from minority communities for representation in the Local Boards, Government at that time considered it necessary to bring in a Bill for the postponement of the Local Board elections and brought a Bill for that purpose which was passed—Local Board Elections (Emergency Provisions) Act, 1940 (Act VI),—postponing the Local Board elections not beyond 31st March, 1942. Hon. Members are aware that the Ministry resigned in December, 1941; so, before the resignation they could do very little as the Census figures did not reach them as early as was expected. So, there was some loss of time in that way. But when, during the period of 93 Administration, the whole administration was in the hands of His Excellency, the Government was not sitting idle at that time and actually they tried to proceed with the matter. But the district officers at that time were feeling that it would be rather too short a time to prepare all materials for a new election on the basis of increased population and even on the existing basis; so the Assam local Board Elections (Emergency Provisions) Act 1942 was enacted by His Excellency postponing the elections for a further period. Now, since this Ministry took up charge, they are trying their best to proceed with the matter. We have got the census figures before us and we know what is the population; but other difficulties have come in. These are—to what areas and to what constituencies and localities, the increase should go. Besides that, the actual areas held by the different communities, the local rates paid and the taxes paid by them and also by the tea industry and others are to be ascertained. These figures are not available to the Government and we are having correspondence with the district officers. The hon. Members know that the district officers are very much over-worked due to War work and we have not as yet received necessary figures for the purpose. We hope

that within a period of one year we shall get complete figures, so that we can re-distribute the constituencies on the basis of increased population, the local rates paid and areas held by different communities. Hon. Members will find that the maximum period we require is one year and we have not stated that it would not be possible for us to finish the work earlier. I think, within that period we shall be able to finish our work and as soon as the figures will be ready we shall proceed in the matter and have the election.

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

"That the Assam Local Board Elections (Emergency Provisions) Bill, 1944, be taken into consideration."

Mr. BAIDYANATH MOOKERJEE: Mr. Speaker, Sir, I rise to oppose this Motion. Sir, I thought that something convincing will come out from the Hon'ble Minister in-charge of this Bill for postponing the election of Local Boards. Sir, the election which was due before the 1st April 1941, is still waiting for some information from the district officers. The Government got the Census figures for 1941 in the middle of that year. Of course, there was no constitutional Government for sometime in 1942 and I can understand that nobody in this House should be blamed for the postponement for that year. Sir, the Hon'ble Minister has referred to the Gazette notification published in the *Assam Gazette*, dated the 11th March, 1942 in the Statement of Objects and reasons of the Bill I have gone through it and find that the explanation given there was that His Excellency was even willing to hold the election on the basis of the previous electoral roll, but the district officers said that even in that case it was not possible for them to hold the election before 31st March, 1942. Moreover, it was said at the end of the statement that the Governor of Assam after full consideration of the situation that had arisen had decided that it would be improper for him to attempt any revision and that therefore the only resort was to legislate for further postponement of the Local Board election and he had, therefore, taken power in this behalf and at the same time, expressed that the future Ministry when formed might hold the election even before the expiry of the period namely 31st of March 1943. So power was given for ordering curtailment of any period for postponement. In the exercise of the powers conferred under the Act, Sir, from these sentences it is quite evident that His Excellency thought at that time that if there was any Ministry, it would be possible to hold the election even before 31st March, 1943.

Now, Sir, this Government is functioning for about more than a year and a half; still we hear that they are waiting for some information. What are these information, Sir, that has not been explained. Only it has been said, as it was said on the previous occasions, that we shall have to increase the number of seats because the number of people has increased in the Province. May I ask the Hon'ble Minister, whether he has got the census figures with him here in Shillong, the capital town of the province? If the right direction goes from him to the district officers, I am sure, the district officers will not sleep on these papers but the Hon'ble Minister will get the information he requires by a definite date. Sir, he has said that some other contingencies have arisen in the meanwhile. Sir, many contingencies will arise in the future also if Government go on in this way. It is a question of election and allotment of seats.

Sir, in the Statement of Objects and Reasons it has been said that Government will also know the public opinion. May I ask him—is he serious on this point? Does he not know the public opinion on this point? If he does not, he will never know it. Sir, not to speak of the Local Board elections even the country is crying for fresh election for the Assembly and the Council and the Hon'ble Minister says that he does not know the public mind as yet. Sir, there is no justification for postponement of this Local Board elections any more and I hope the hon. Members will think very seriously whether this sort of thing should be allowed to continue any further. With these words, Sir, I oppose the Motion.

Babu KAMINI KUMAR SEN: Sir, in supporting what has just been said by my hon. Friend Mr. Mookerjee I would like to make a few observations.

It seems from the Statement of Objects and Reasons that the only thing the Ministry proposes to do with regard to election of Local Boards is that they want to

make some adjustment with regard to representation of various communities and redistribution of constituencies. These are the only two things contemplated by the Ministry and that is the purpose for which they are seeking an extension. One extension was taken by them when they were in power in 1940, another extension was taken by His Excellency the Governor under the '93—Administration', the present Ministry also took another extension from March 1943 to March 1944, that is to say, even after assumption of office in August 1942 they have already taken 1½ years, only to consider the Census figures for the purpose of redistribution of constituencies. They propose to do nothing more. Had they any intention of making other amendments in the Local Self-Government Act, there might be some justification for this delay. But to redistribute the existing constituencies according to the last census figures is a very simple problem. These figures have been received by the Ministry in June 1941, and as such they have already taken about three years, time for making adjustment only for representation of various communities and readjustment of constituencies under the existing Local Self-Government Act.

I think, the Statement of Objects and Reasons is, therefore, a bit misleading on this account because it has not been mentioned that His Excellency the Governor of Assam extended it till March 1943 and another extension was taken by this Ministry in March last year.

Secondly, Sir, when I had the honour of being in charge of this Department, I prepared a draft for the amendment of Local Self-Government Act. It contained many other things. But we do not know what has happened to those but it seems from what the Hon'ble Minister in-charge has said that they propose to take up no other things except the redistribution of constituencies according to census figures. If they take up further time at all, I think, it would be proper to take up other necessary amendments for which public has been crying, e.g., abolition of nomination and such other things. The present Act requires many important changes without further loss of time and the Ministry should not remain content only with some increase in the number of members in the different Boards. For these reasons, I have no other alternative than to oppose this Motion.

Khan Bahadur Maulavi KERAMAT ALI: Mr. Speaker, Sir, I hope the hon. Members will agree with me when I say that there is much room for improvement in the present Local Self Government Act and my hon. Friend Mr. Sen is quite right in asking that amendments should have been made long long ago (*hear, hear, from Opposition benches.*) Mr. Sen while he was in-charge of Local Self-Government as Minister, as he says now, had drafted certain amendments. I hope the Hon'ble Minister now in-charge of Local Self-Government will please take into consideration the amendments that were drafted by Mr. Sen while placing his own amendments before the House. If this is done I hope the hon. Members will not oppose giving another year to over-haul the Local Self-Government Act. Better late than never.

Srijut ROHINI KUMAR CHAUDHURI: Will the hon Member who has just spoken undertake that he will not make the same speech next year? (*Laughter.*)

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY: Sir, I find Mr. Mookerjee while opposing the consideration of this Bill was rather supporting Government by saying that had the Ministry been functioning, it would have been possible for them to hold the election. I do not dispute that but it is a fact known to all that the Ministry was not functioning. So, I think, this argument is not benefiting anyone.

Mr. BAIDYANATH MOOKERJEE: Is it functioning at present, Sir?

Khan Bahadur Maulavi KERAMAT ALI: Yes, it is. We see with our own eyes.

Mr. BAIDYANATH MOOKERJEE: But how am I going to disbelieve my ears?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY: Sir, I think, Mr. Mookerjee feels it in his heart of hearts whether the Ministry is functioning or not.

Mr. Mookerjee did not hear what I said. He complained that I did not give any reason as to what other materials were necessary. I stated, Sir, that Government are in correspondence with district officers to know the population of different areas of the districts with a view to know to what part or to what area these increased seats should go. Besides that, we wanted the area held by different communities in different districts, and also the amount of tax paid by different communities.

Babu KAMINI KUMAR SEN: On a point of information, Sir. Is it a fact that Government have already issued a circular to the Local Boards asking for suggestions on the basis that there will be only two constituencies, such as, Muhammadan and Non-Muhammadan?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY: Government issued some instructions to the local officers through the Commissioner and the Commissioner might issue a certain circular letter to the Local Boards. It was not the intention of the Government that the Local Boards should be approached at this stage. The Deputy Commissioners might have asked certain Local Boards for certain things. Mr. Sen raised the question of amending the Local Self-Government Act. In that connection he raised the question whether the nomination system should be abolished or not. I think this is a very disputable point. Mr. Sen of opinion is in favour of nomination. So, before Government take any step in that further consideration is necessary. These are all very controversial points.

As regards delay in getting figures, Sir, I have already said that the local officers are very much over-worked with the war work and Government is quite alive to that and a little bit of delay in their sending out the accurate figures cannot be taken too much seriously. But I hope within that period of one year we shall be able to receive all these figures to take up the matter. This is all I have got to say, Sir.

Srijut SURENDRA NATH BURAGOHAIN: May I know whether the Government are contemplating to bring any amending Bill of the Local Self-Government Act, or they are going to allocate seats to different communities by merely giving statutory orders under the Act, Sir?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY: I think under the present Act Government will be able to do that.

The Hon'ble the SPEAKER: The question is:

"That the Assam Local Board Elections (Emergency) Provisions Bill, 1944 be taken into consideration."

The question was adopted.

The Assam Dadans Bill 1944

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I beg, Sir, to introduce the Assam Dadans Bill, 1944 and to move that the Bill be taken into consideration.

I have tried in the Explanatory Note or rather in the Statement of Objects and Reasons to mention what has necessitated this Bill. Hon. Members are all aware that in our country the system of advancing money by traders to the cultivators on the hypothecation of their crop is prevalent for a long time. This system of trade, it has been found, has been ruinous to the cultivators. They take money at the time of their need stipulating to part with their crop at a much lower price than that available in the normal market. The product of the extreme labour of the cultivators are, therefore, enjoyed more by those who had advanced money by this system. When last year, there was in certain places, shortage of rice and paddy and Government wanted the traders and mahajans to bring their stock into the markets for consumption of the people they found great advantage in this Dadan system, for although they were the legal owners of a large stock

but by the prevalence of the Dadan advances, they were able to show to the Government authorities that their godowns were empty though their stock lay with the raiyot. Government, therefore, in order to follow the stock of such unscrupulous dealers did issue certain orders under the Defence of India Rules whereby information was collected or wanted from both the traders as well as the raiyats who had advanced and taken Dadans respectively. But in the operation of those orders certain defects were found that the cultivators sometimes disputed either the amount taken as advance or some times over the terms as to the quantity that they would have to give. The result was that both sides were put to greater difficulties and they had to take recourse to litigation. In order to minimise those troubles, advantage has been taken in this Bill to insert a clause of arbitration for settlement of their claim when such dispute arises and when Government requisition such stock. This is a matter which could not be covered under the Defence of India Rules. Therefore, Sir, I have introduced this Bill and I hope every one who has got the prosperity and peace of our cultivating class in heart will support me in this endeavour. It is not unjust to the traders as well. All we want is to note what sum had been advanced against the crop. This information should be given to the Government so that there may not be any dispute subsequently as regards the amount. And secondly, Government will be in a position to know what quantity of stock these traders have although it may not be in their own godowns but in the granaries of the cultivators. The cultivators will be protected sometimes from unjust demands by unscrupulous traders, because in the beginning of the seasons, they will register under this Bill, if it is converted into an Act the amount that they have taken and the quantity of produce that they will have to give. This is a safeguard both to the cultivators and to the traders.

The Hon'ble the SPEAKER: The motion moved is:

“That the Assam Dadans Bill, 1944, be taken into consideration.”

Mr. BAIDYANATH MOOKERJEE: Mr. Speaker, Sir, I rise to oppose this Motion. Sir, if what has just now been said by the Hon'ble Premier had actually been the object of this Bill, I would have been the first person to support him. But after going through the clauses of this Bill, I find that there are many more things which require a great deal of careful consideration. Sir, just now the Hon'ble Premier has said that this Bill is meant for securing the information, namely, the amount of money which will be advanced either to the cultivators or to the receivers of rents in kind, either by the traders or by the money lenders. But, Sir, on this point, I think, there is no necessity for this Government for coming before this House with this Bill. Sir, another object has been stated that to settle the claim and dispute arising out of giving and taking advance or dadan quickly, this Bill has been brought. Now so far as these two objects are concerned, from the body of the Bill it will be found that the purposes of the clauses are otherwise. The Hon'ble Premier has just now said that to save the poor cultivators from the hungry mouths of the traders and money lenders he has thought it proper to come before this House with this Bill. Sir, if you care to look about the duration of this Bill, as stated in the body of the Bill and also in the Statement of Objects and Reasons, it will be found that it is a temporary measure. Sir, why this temporary measure is going to be taken will be quite evident if anybody cares to see clause 8 of this Bill. Sir, the Hon'ble Premier has admitted that even the present Ordinance for securing the very same information is not sufficient to cope with the situation. Sir, the whole of India is groaning under the pressure of the Ordinances and Defence of India Rules, and these are not sufficient for our Government to save the poor cultivators for securing information. Sir, it has been said in clause 8 that when Government will requisition or purchase some food grains either from the cultivators or from the receivers of rents in kind the Government will advance one half of the price to the cultivators or the receivers of rents in kind at once and the balance will be distributed among the claimants, *i.e.*, those who would advance money to these cultivators at the time of their need. If that money is not sufficient to cover his or their claims then it will be distributed among the claimants proportionately. Is this fair, Sir?

Khan Bahadur Maulavi KERAMAT ALI: On a point of information, Sir. To whom will it be unfair?

Mr. BAIDYANATH MOOKERJEE: It will be unfair to those who would advance to the cultivators or the receivers of rents in kind at the time of their need. I think, I am clear to my hon. Friend, the Khan Bahadur. Sir, you will find that the civil courts will have no jurisdiction over the dispute arising out of dadan between the traders and cultivators. I cannot understand why this Government is afraid of the civil courts. We are already feeling the pinch of the Debt Conciliation Boards' scandalous activities. If any of the Hon'ble Ministers will care to ask any of the Munsifs in any district he will get the real picture what the Debt Conciliation Boards are doing and how shamelessly standing in the way of imparting justice to the people. Sir, from these two clauses it is quite evident that the intention of Government is otherwise. Let them collect the figure and I also want that Government should know who are advancing money for purchasing rice and also who are receiving money for selling rice over a quantity of at least 100 maunds. But the two clauses, namely, 8 and 14 make the situation quite different, and from these two clauses it is quite clear that the intention of Government is otherwise.

In clause 11, Sir, which provides punishment for failure to furnish statement, it has been stated "Whoever, being liable to furnish a statement under section 4 or section 5, has wilfully failed within the time therein laid down to furnish such statement, shall be punished with fine which may extend to two hundred rupees." But nothing has been said about clause 6. I don't know whether the mistake is wilful or due to some other reason. If the lender does not file the statement, he will be punished, but if the receiver *i.e.*, the cultivator does not, he will not be touched. I don't know what is the intention of Government. But in the Statement of Objects and Reasons it has been said that this Bill is for the safety of both. Sir, it is for the safety of none, but it is for the benefit of Government agents. If the Government's intention is, as has been said by the Hon'ble Premier at the time of introducing the Bill, I am at one with him; but if the Bill stands as it is, I am sorry that though the Hon'ble Premier expects that every body will support him in this move, unfortunately I am not one of those who can support him in this matter. With these words, I oppose the consideration of the Bill.

Mr. A. WHITTAKER: Mr. Speaker, Sir, I must confess a certain surprise on hearing the opposition coming from the quarter which, as far as I remember, has consistently for the last three years upbraided the Government for their failure to secure better statistics about price, about crops and about the cultivator's welfare generally.

Mr. BAIDYANATH MOOKERJEE: I am not opposing.

Mr. A. WHITTAKER: But it does seem to me that Mr. Mookerjee, in stating that this Bill is unfair to the *Mahajan* or to the Merchant, has overlooked two facts. The parties are never equally matched. I think it is notorious that the *Mahajan* in order to secure control over crops is always prepared to over-lend, and the result of over-lending, provided the cultivator takes what is offered to him by way of loan, is quite often that when the cultivator has grown the crop, he gets a price for it well below the market value. I think the cupidity of the cultivator, where the *Mahajan* is concerned, is admitted. I therefore welcome the Bill for two grounds. First of all, it will discourage the *Mahajan* from lending excessive amounts to the cultivator, and secondly, it will enable the cultivator to get a fairer price for his produce. After all, the cultivator under this Bill is always quite certain of getting half the price, whatever he has taken from whatever number of *Mahajans*. The cultivator can get a price which, I hope, will be the control price or quite near it from the Government agent, or in some cases, I presume, from the Government direct. My case is that you cannot be unfair to the *Mahajans* on grounds of abstract justice which Mr. Mookerjee.....

Mr. BAIDYANATH MOOKERJEE: It is Mr. Mookerjee's monopoly.

The Hon'ble the SPEAKER: The hon. Member should go on without minding these interruptions.

Mr. A. WHITTAKER: My submission is that the two parties are unequal, and I don't think you can apply tests of fairness when they are so unequally matched. In my opinion, it is the cultivator that requires protection, and as this Bill will give him protection, I for one welcome it.

Khan Bahadur Maulavi KERAMAT ALI: My hon. Friend Mr. Mookerjee has opposed the Motion, because he thinks that Clauses 8 and 14 of this Bill are unfair to the Mahajan. I support the Bill because there are Clauses in this Bill which may be unfair to the Mahajan. A Bill which is unfair to the Mahajan must naturally be fair to the cultivator. So, if we are here to advance the cause of the cultivator, it is our bounden duty to support the Bill. Even if a bit of unfairness is shown to the Mahajan, let us support the Bill to help the cultivator. It is for this reason, Sir, I appeal to my Friends to support the Bill.

Babu KAMINI KUMAR SEN: Sir, inspite of what has been said by the Hon'ble Premier, I must confess that I have not been able to understand the real object and utility of the Bill. If its purpose is to condemn the Dadan system, I do not think, that purpose is served at all by this Bill. The Bill does not intend to penalise the Dadan system. Secondly, Sir, it is said that one of the objects is to collect statistics of Dadans advanced to the cultivators and receivers of rent. But it has already been done by an order under the Defence of India Rules. If anybody submits a false return, he can easily be punished under that order and as such a fresh legislation for that purpose is quite unnecessary. I think the only purpose that the Bill can serve is in cases of disputed claims against the produce which is purchased by Government. It is, for cases like this, that a Board of Arbitrators has been provided in the Bill. But I don't think in those cases too the question of fairness or unfairness to the Mahajan or to the cultivator will at all arise. If in their procurement policy Government do not require any produce against which advances have been made, there is no provision whereby a person, who, extorts unreasonably high percentage of crops in repayment of his advances, can be punished. Moreover except by way of requisition under the Defence of India Rules, Government have also no power to compel a cultivator or a money-lender to sell his produce to the Government or its agents. Besides that even in cases where the cultivators or receivers of rent are agreeable to sell their produce, the Dadandar is entitled to get his full advance if the maximum price fixed by Government covers his claim. In cases where the Dadandar cannot realise his full dues, he will naturally refuse to sell and the cultivator also for fear of losing the advantage of getting advances in future will follow the same course. Of course in case of requisition they can be compelled to sell, but it is very difficult now-a-days to avoid such requisition. If the Mahajan is quite cunning or if both the parties collude, they can easily avoid the Government agents or even the requisitioning authorities. So, Sir, I do not see why the Government should go into so much botheration of setting up Arbitration Boards for settling claims of different persons who have made advances to the cultivators. Even in spite of this Bill the whole object is likely to be frustrated. Therefore, Sir, it is not clear what is the real object of this Bill. The return has been made compulsory by the Defence of India Rules. As Dadans have not been penalised and I do not think it is necessary for Government to go into all these botherations to bring into an Arbitration Board only to purchase those produce over which there are so much disputes. I do not know whether in procuring food grains, Government cannot do without purchasing such disputed crops. It has not been made clear by the Hon'ble Premier whether the food grains that are required to be purchased can be purchased from persons who have not received any advance. I think it would be better for the Hon'ble Premier to clear the position. I do not see any utility of this Bill. If you like to make Dadan illegal, do it by legislation, penalising all Dadans. And that cannot be done by this Bill.

*Srijut ROHINI KUMAR CHAUDHURI: Mr. Speaker, Sir, I feel constrained also to oppose this Motion. I think my hon. Friend on the right, Mr. Mookerjee,

*Speech not corrected by Hon. Member.

put the thing in a nut-shell when he said that this Bill can come to use to none but to Government only at a time when it is purchasing food grains. I am sure, after this situation about supply of food is passed over, Government will not think for a moment about the condition either of the cultivator or of the Mahajan who made advances to the cultivators. Sir, as far as I can see, after the speech which has been delivered by Mr. Sen, the only effect and outcome of this legislation will be that Government will be able to attain the position of the sole monopoly purchaser of food grains. The cultivators get advances from the Mahajans when they are in need of money to get the necessaries of life. They do not get anything from Government in times of difficulties. Now, after this system is introduced, the Mahajans, we know some Mahajans are not proficient in education or in keeping accounts, will find it a botheration in keeping accounts and also a botheration which may lead to prosecution; so he will rather be shy in making advances to the cultivators and the cultivators also will hesitate to take advances from Mahajans when they will remember that they are to make statements and they will be liable for prosecution if they make inaccurate statements. This being the position, the only effect will be to discourage the system of making advances. Now, it is for us to decide whether this system should be abolished altogether or it should be continued. If this Government consider that this can be done away with and it has no utility, Government can come with a proposal making all sorts of advances illegal; then one can understand. But instead of that Government have taken this round-about course in order to ensure their supply. That argument is further supported by the fact that although large sums of money are advanced from time to time for jute and although it is well known that those people who produce jute are more or less of pecunious condition always, no steps have been taken by the Government for preventing against those who advance money to jute growers. What is it for? If the object of this Bill was practically in the interest of the cultivators then the jute also would have been included as one of the things for which advance or Dadan should be regulated. So, Sir, the plea that has been put forward by my hon. Friend Mr. Keramat Ali as well as Mr. Whittaker that this would ensure fair dealings between the cultivators and the Mahajans, does not hold water for a minute because if there be a real sympathy it should have been extended also to the jute growers and not merely confined to producers of food grains and particularly those commodities for which Government have appointed agencies under certain conditions. They should not be confined only to those whose object is to help Government agents rather than to help themselves in getting more supply. For that I do not think, Sir, that this round about procedure is at all necessary. If this Bill would have come for legislation 20 or 25 years ago, we could have understood that there was some principle underlying it. Now, there is no question of cultivators in getting a fair price. They will get a fair price because you fix a controlled price and it is well known that nobody would part with the produce for less than the controlled price. Where is the reason for a hope that this Bill will enable the cultivators to get fair price. I think the cultivators would be put to great disadvantage if they do not get Dadan in time. As a matter of fact their budgets are always framed on that basis. They will pay something to the Mahajan as incidental expenses and when they want money for their necessities for cattle, marriage, etc., they will get advances from the Mahajan. But the Mahajan, after the introduction of this Bill, when he will come to know that he will be liable for criminal prosecution for keeping inaccurate accounts, will be much more cautious in giving advances. On this ground I oppose this Bill.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, from the speeches of the three hon. Members who have opposed at the consideration stage of the Bill, I can gather that Mr. Mookerjee as usual opposed it on principle, whereas Mr. Sen opposed it on ground of expediency and Mr. Chaudhuri has lent his support on the grounds that this Bill is against the poor people. I am really surprised at the grounds the opposition had taken. No wonder that the opposition was started by Mr. Mookerjee who in his speech said that he is groaning under the pinch of the Debt Conciliation Board. One who is groaning under (Mr. Baidyanath

Mookerjee—Not ‘I, Sir but ‘we’). Well, we have known Mr. Mookerjee under various roles. Primarily he is a protector of the poor but specially he is a legislator *cum* capitalist *cum* big businessman (*laughter*). No wonder, Sir, he finds the provision of this Bill very irksome. The grounds of his opposition is that this is only for a period of two years. He is one of those who have been provided by fortune with a big loaf (*laughter*) but we the poor people will be content with the adage that ‘half a loaf is better than no loaf’ (*laughter*). If the principles of this Bill are really beneficial to the cultivators, it will be up to this House to tell the Government—whoever may be administering the Constitution at that time, *i.e.* after two years, to extend it further, but because it is for two years to meet an emergent situation, therefore, Mr. Mookerjee will have none of it. The next ground he has advanced is that it is unfair—he put it not in a negative form, but in the form of a query—‘is it fair?’ and when he was challenged by Khan Bahadur Maulavi Keramat Ali that ‘unfair to whom?’ he kept silent... (Mr. Baidyanath Mookerjee—I have made an answer, Sir... (*voices*. Yes, yes) ‘‘It is unfair to the Mahajans’’; but I claim, Sir, that the whole basis of my Bill is fairness to all parties concerned especially the Mahajans. My hon. Friend has as usual found fault in the provisions of the different Clauses. His complaint was that it is unfair against the *Mahajan* because in Clause II they are made punishable for failure to furnish statement and not the raiyats. Clause 4 and Clause 5 have been mentioned but not Clause 6. Clause 4 provides the owners of foodgrains, licensees and money-lenders to furnish statement for Dadan or advances given to the cultivators. Clause 5 requires any persons other than foodgrain licensees or money-lenders who have given Dadan to the cultivator or receiver of rent in kind to furnish statement. But under Clause 6 the cultivator is required to furnish a statement. Now if these people who have made advance do not make statements then the cultivator will be in a position to deny that he received any advance at all. Therefore the making of these statements is for the benefit of all those who made the advance and therefore it is the suppression of these statements that has been penalised under the Bill. But it has been left open to the cultivator also to furnish statements of the Dadan that he has received. If, for example, an advance of Rs.100 is made by the Mahajan but he failed to make a statement, the cultivator may say that he received only 10 or 12 rupees. I hope Mr. Mookerjee will now understand the intentional or wilful omission of Clause 6 from Clause 11 of the Bill. (Mr. Baidyanath Mookerjee—then there is no necessity for your doing it in that case.....). I say that it is in the interest of the advancers to see that their advances are recorded in Government records.

Srijut ROHINI KUMAR CHAUDHURI: If the cultivator is not punished for not making a statement how can Government compare the two statements?

The Hon’ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: We are following the statement from the *Mahajans*. We want to know whether the stock is there. In this way alone Government will be in a position to get the information they want.

My Hon’ble Colleague the Revenue Minister who have recently watched the proceedings of the Debt Conciliation Board at Sylhet, Karimganj and Sunamganj found that both the debtor and the creditor quite welcomed these Boards. For obvious reason, these Boards mean the speedy disposal of the cases and the fostering and keeping up of the cordial relationship between the debtor and the creditor. My Hon’ble Colleague has found that instead of this being a burden to the poor every Debt Conciliation Board had been of great advantage to them in getting rid of their debts by amicable settlement with the creditors to whom they can again go in case of necessity and at insignificant cost. I have every reason to believe that if the provisions of this Bill are enacted into law both the cultivators as well as the *Mahajans* will be safeguarded. There will be no difference between them, there will be no exacting demands by the *Mahajans* on the cultivator and the cultivator also will not be able to avoid the terms of agreement which were being entered into. One word more, Sir. Most speakers on behalf of the opposition see here that it is the Government who are devising means of getting as much foodgrain as is possible. Mr. Rohini Kumar Chaudhuri is the loudest in this. He says that it is Government’s intention that jute has not been included into this. We are passing through abnormal times. Jute is not cultivated to the same

extent as rice and paddy are and we are trying to procure as much foodgrains as is possible not for feeding the Ministry or the few Government servants but to feed the total population of the Province. We have got areas in this Province which do not grow sufficient paddy and rice for their maintenance. We have procured it from surplus areas and sent it to deficit areas. It is on ground of procurement and more on ground of equitable distribution that Government want to know what are the stocks of rice.

Sir, I think I have given suitable replies and I have every hope that those who say that the poor cultivators should be safeguarded should welcome this piece of legislation.

The Hon'ble the SPEAKER: The question is:

"That the Assam Dadans Bill, 1944, be taken into consideration"

The Assembly divided.

Ages—27

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| 1. The Hon'ble Maulavi Saiyid Sir Muhammad Saadulla. | 13. Khan Bahadur Maulavi Keramat Ali. |
| 2. The Hon'ble Maulavi Munawwar Ali. | 14. Maulavi Muhammad Maqbul Hussain Chaudhury. |
| 3. The Hon'ble Srijut Hirendra Chandra Chakravarty. | 15. Khan Bahadur Maulavi Mufizur Rahman. |
| 4. The Hon'ble Khan Sahib Maulavi Mudabbir Hussain Chaudhuri. | 16. Mr. D. B. H. Moore. |
| 5. The Hon'ble Maulavi Abdul Matin Chaudhuri. | 17. Mr. C. W. Morley. |
| 6. The Hon'ble Miss Mavis Dunn. | 18. Mr. R. A. Palmer. |
| 7. Srijut Joges Chandra Gohain. | 19. Mr. A. Whittaker |
| 8. Rai Sahib Daulat Chandra Gohain. | 20. Mr. Benjamin Ch. Momin. |
| 9. Srijut Surendra Nath Buragohain. | 21. Srijut Bhairab Chandra Das. |
| 10. Khan Sahib Maulavi Dewan Muhammad Ahbab Chaudhury. | 22. Srijut Bideshi Pan Tanti. |
| 11. Maulavi Badaruddin Ahmed. | 23. Mr. Binode Kumar J. Sarwan. |
| 12. Maulavi Jahanuddin Ahmed. | 24. Srijut Dhirsingh Deuri. |
| | 25. Rev. L. Gatphoh. |
| | 26. Mr C. Goldsmith. |
| | 27. Mr. Jobang D. Marak. |

Noes—6

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| 1. Mr. Baidyanath Mookerjee. | 4. Babu Lalit Mohon Kar. |
| 2. Babu Bipin Behari Das. | 5. Srijut Rohini Kumar Chaudhuri. |
| 3. Babu Kamini Kumar Sen. | 6. Srijut Purandar Sarma. |

The question was adopted.

The Hon'ble the SPEAKER: Time for tabling amendments for these two Bills, *i.e.*, the Assam Local Board Elections (Emergency Provisions) Bill, 1944 and the Assam Dadans Bill, 1944, will be upto 3 p.m. to-morrow. The Bills will be coming up again on the 7th March 1944.

Adjournment

The Assembly was then adjourned till 2 p.m. on Friday, the 3rd March, 1944.

Shillong:

The 22nd March 1944.

A. K. BARUA,

Secretary, Legislative Assembly, Assam.