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ADJUSTMENT

The...
 April...

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

The Assembly met in the Assembly Chamber, Shillong at 10 A.M. on Tuesday, the 5th April, 1960

PRESENT

Shri MAHENDRA MOHAN CHOUDHURY, B.L., Speaker in the Chair, Seven Ministers, our Deputy Ministers and fifty-seven Members.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(Starred Question No. 107 standing in the name of Shri MOHIDHAR PEGOO was not put and answered as the Questioner was absent).

Flood-affected people of village Balilecha in Nalbari Circle

Shri PRABHAT NARAYAN CHOUDHURY (Nalbari-East) asked:

*108. Will the Minister-in-charge of Revenue be pleased to state :—

- (a) The extent of the distress caused to the people by June 1959 floods in the water pocket between Pagladiya river and its tributaries of Nona Ghoga and Baralia and that of the vas area affected by Ghogajan opening of Pagladiya and of the densely populated area by the continuous breach of Pagladiya embankment at Balilecha ?
- (b) What are the grievances of the people that were brought to the notice of Ministers with a view to remove the same ?
- (c) What are those grievances that have already been remedied and what others are yet to be remedied ?
- (d) What measure have been taken to avert the recurrence of flood havoc during the next rainy season ?
- (e) Whether the Minister of Revenue felt the necessity of executing some local improvement works as bunds, road, water supply on Test Relief basis and called for report from the Deputy Commissioner, Kamrup ?
- (f) What are the proposals of Test Relief works recommended by Deputy Commissioner, Kamrup, in the above area ?
- (g) Whether Government are aware that distress condition of peasants still continue in the area mentioned above ?
- (h) Whether Government will be pleased to sanction the projects called for by the Minister to be done in Test Relief basis ?

- (i) What steps have been taken to settle the eroded and up-rooted families of Balilecha area on June 1959 floods?
- (j) Whether alternative lands will be provided to the families eroded and to those whose dwelling houses were washed away in Balilecha on 1959 floods?

Shri HARESWAR DAS (Minister, Revenue) replied :—

108 (a)—As a result of 1959 flood, house and standing crops worth of Rs. 30,26,100 were lost in these areas. Houses and standing crops worth of Rs. 57,650 were lost at Balilecha village alone.

(b)—A copy of the petition, dated 3rd August 1959, submitted by some people of Balilecha village through the questioner is placed on the Library Table which will show the grievances of the people.

(c)—A sum of Rs. 1,900 was distributed in cash at Rs. 100 each to 11 up-rooted families of Balilecha, 2 up-rooted families of Piola and 6 families of Rangia Circle at the time of high flood. Further a sum of Rs. 5,150 was distributed among 103 families of Balilecha and its neighbouring villages at Rs. 50 per family as gratuitous relief. Further, free fooding, fodder, etc, were supplied at the time of distress to the extent of Rs. 55,251 approximately in Nalbari Circle. Moreover, the following amounts were given in the entire Nalbari Circle—

	Rs.
(i) Seed loan	1,41,000
(ii) Short term agricultural loan	16,000
(iii) Rehabilitation loan	18,000
(iv) Subsistence short term loan	2,00,000
(v) Cattle loan	15,000
	3,90,000

The last portion of the question is not clear. The questioner perhaps wants to know what other grievances are yet to be remedied. If so, some applications for rehabilitation loans have received by the Deputy Commissioner, Kamrup and these have been sent to Sub-Deputy Collector concerned for enquiry. On receipt of the report and proposal from the Deputy Commissioner, Kamrup, the rehabilitation loan, if required, will be sanctioned after providing them with land. Arrangements are being made to provide land to 11 up-rooted families of Balilecha

(d)—To avert the recurrence of flood, the damages to the marginal embankment of Pagladiya, Nona, Ghogra and Baralia are being restored by raising and strengtrending them to conform with the required specifications for such tributary dykes. The entire length of these dykes which have lost the required freeboard, width or slopes are being brought to the required specifications by additional earth work in addition to closure of breaches or construction of new retirements at such places.

(e)—Rupees 10,000 has already been sanctioned for repairs of some bunds, roads, bridges, etc., on Test Relief basis.

(f)—Eleven proposals of Test Relief works in Nalbari Circle were submitted to Government by Deputy Commissioner, Kamrup, for consideration. These are as follows—

Khata Mauza

- (1) The earth works to be done on Nalbari Balilecha Road—Rs. 10,000.
- (2) Construction of embankment of both banks of Ghogajan to save the paddy field from inundation—Rs. 10,000.
- (3) Earth work for a bund for carrying seeds, manures, etc., to paddy field—Rs. 6,000.

Batahgila Mauza

- (4) Repair of Khudra Mahina Road affected by flood—Rs. 10,000.

Upper Barbhaq Mauza

- (5) Removal of water hyacinths from cultivation land—Rs. 5,000.
- (6) Improvement of Mathurasal Road—Rs. 20,000.
- (7) Reconstruction of the Bausiudaypur Sankara Road damaged by flood—Rs. 10,000.
- (8) Construction of a Channel from Bhanukuchi Beel to Barmurikona low-lying track—Rs. 6,000.
- (9) Provision of dykes on both banks of Barjar from the left embankment of Baralia—Rs. 10,000.
- (10) Re-exavation of the tank and the drains from Baralia beel to power pump Centre of Bora Paddy cultivation in Damodardham—Rs. 10,000.
- (11) Provision of a bund on Parbatiajan—Rs. 8,000

(g)—No, there is no distress in the areas concerned after harvest of bumper sali crop.

(h)—As there is no distress now after harvest of Sali crop this year, it is not considered necessary to sanction the amounts.

(i) & (j)—Arrangements are being made to rehabilitate the families at Makaldoba Village Grazing Reserve in Bahjani Mauza under Nalbari circle.

*Shri PRABHAT NARAYAN CHOUDHURY (Nalbari-East) Does the Minister know that in the entire Balilecha area the fields were silted by sand and there was absolutely no Sali cultivation ?

*Shri HARESWAR DAS (Minister, Revenue) Government have got no notice of that.

*Shri PRABHAT NARAYAN CHOUDHURY : Will the Minister enquire that in the vast tract of land in that area there was neither Aus or Sali Cultivation ?

*Shri HARESWAR DAS : There was considerable damage done in that area but there was no report that Aus or Sali cultivation could not be done.

*Shri PRABHAT NARAYAN CHOUDHURY : In view of the fact that in the Balilecha area, there was no Sali cultivation, will the Minister consider certain test relief works in that area to give some relief to the people ?

*Shri HARESWAR DAS : There is no such proposal from the local officers.

*Shri PRABHAT NARAYAN CHOUDHURY : In reply to "f" the Minister said that certain proposal were submitted by the Deputy Commissioner for consideration of Government. Will the Minister look to those proposals and see that where there was no crop and the people are still in distress, some test relief works should be started in that area ?

*Shri HARESWAR DAS : Sir, that stage has passed to consider the proposals because the distress has already disappeared.

*Shri GAURISANKAR BHATTACHERYIA (Gauhati) : In answer to "c", it was said to the up-rooted families only a sum of Rs.100/- in cash was given and arrangements are being made to provide them with land. Whether in addition to the sum of Rs.100/- given to each up-rooted families, Government propose to give some other reliefs in the form of loans, etc, so that these families may get themselves rehabilitated in the land which the Government propose to provide them ?

*Shri HARESWAR DAS : That is so Sir. The present arrangement is for giving immediate reliefs to the up-rooted families.

*Shri PRABHAT NARAYAN CHOUDHURY : Sir, the Minister has said that from the report of the Deputy Commissioner, it appears to him that there is no distress. May I know from the Minister why this report was called for if there was no distress ?

*Shri HARESWAR DAS (Minister, Revenue) : This was a reply of an enquiry.

*Shri GAURISANKAR BHATTACHERYIA : (Gaubati) Sir, it has been said that ten thousand rupees has already been sanctioned for bunds, roads. May I know what are these bunds, roads, bridges and the term etc ?

*Shri HARESWAR DAS (Minister Revenue) : This amount was sanctioned for giving immediate Test relief.

Mr. SPEAKER : Hon. member wants to know what does the word 'etc' means ?

*Shri HARESWAR DAS : Sir, this may mean cutting nala for passing water and all these things. Sir, this question should be referred to the P.W.D (E & D) Division. This work is not done by the Renue Department.

*Shri GAURISANKAR BHATTACHERYIA : What are the names of these roads, bunds and bridges ?

*Shri HARESWAR DAS : These are not with me Sir

*Shri PROBAHAT NARAYAN CHOUDHURY (Nalbari East) : Sir, is it a fact that the distress condition was over before the sanction of the projects ?

*Shri HARESWAR DAS : Much money was spend to devolop these areas. So the distress disappeared.

*Shri GAURISANKAR BHATTACHERYIA : Sir, may I know whether any provision has so far been made to construct bund right from the South Bank of the river Baralia ?

*Shri HARESWAR DAS : That is for the deparment to look for. Revenue department does not undertake this work.

*Shri GAURISANKAR BHATTACHERYIA : So far as (f) is concerned a sum of Rs 5,000 has been spent for Upper Barbhag Mauza for remove of water hyacinths from cultivable land. Where is actually the location of these cultivable land where from the water hyacinths has been removed ?

*Shri HARESWAR DAS : These are only proposals submitted by the Deputy Comissioner.

†Shri PROBHAT NARAYAN CHAUDHURY (Nalbari East) : May I know whether the Minister knows that there was actually distress and for this distress some appeal was submitted to the Minister for relief and the Minister got it enquired by the Deputy Commissioner?

†Shri HARESWAR DAS (Minister, Revenue) : This is a routine matter. When we receive an appeal normally we sent it to the department concerned for report.

†Shri GAURISANKAR BHATTACHERYYA (Gauhati) : It is also a routine matter to neglect the distressed people for several months till the suffering was disappeared?

†Shri HARESWAR DAS : The Government have sanctioned immediate Test relief to these people.

Estimates of damaged roads and buildings by last August flood of Sibsagar and Golaghat

Shri DANDESWAR HAZARIKA (Morongi) asked :

*109. Will the Minister-in-charge of Public Works Department (Roads and Buildings) be pleased to state—

- (a) Whether Government have lately received estimates of damages caused to roads and buildings of Sibsagar and Golaghat by the 1st August flood?
- (b) If so, why the Government has not sanctioned expenditure for repair of the damaged roads and buildings?
- (c) Whether Government are aware that many roads of the above two subdivisions are lying unattended to causing great hardship to the public?
- (d) If so, whether Government will be pleased to take early steps to repair them?

Shri GIRINDRA NATH GOGOI [Deputy Minister, Public Works Department (Roads and Buildings)] replied :

109. (a)—Yes, for roads only, there being no damage to buildings.

(b)—Estimates so far as State roads are concerned have been sanctioned and works take up. Out of two estimates for temporary restoration on National Highway, one has been sanctioned by Government of India and sanction to the other is awaited. One estimate for permanent restoration so far received by the Government will be sent to the Government of India shortly.

(e)—This is not a fact.

(d)—Necessary steps have already been taken as will be seen from (b) above.

Shri DANDESWAR HAZARIKA (Morongi) Sir, whether Government are aware that many village roads which are under local bodies have been damaged by the last flood and if so, whether any estimate for repair has been sent?

†Shri GIRINDRA NATH GOGOI (Deputy Minister, P.W.D. (R. & B)) Government so far have taken up these roads -1. In Golaghat Subdivision, permanent restoration of the Golaghat-Dimapur Road for which Rs. 18,000 has been sanctioned. 2 Raising of Sepon Suffrai Road in Sonari in the Sibsagar subdivision for which Rs. 72,000 has been sanctioned, and 3. Raising of the Sepon Sunpura Road from Mangalmara to Patsaku H.E. School for which Rs. 3,64,400 has been sanctioned.

†Shri DANDESWAR HAZARIKA : Are Government aware that many dispensary and school buildings also have been badly damaged by the flood?

†SHRI GIRINDRA NATH GOGOI It has already been replied Sir, that so far roads are concerned these are damaged by the flood but so far school buildings and other buildings, no damage.

†Shri KARKA CHANDRA DOLEY [North Lakhimpur (Reserved for Scheduled Tribes)]

শিবসাগৰত কোন কেইটা বান্ধা damage হৈছে ?

†Shri GIRINDRA NATH GOGOI:— শিবসাগৰত ২টা বান্ধা damage হৈছে।

1. Sepon Suffra Road in Sonari subdivision and Sepon Sunpura road—estimated at Rs. 72,000 and Rs. 3,64,400 respectively.

Abolition of Intermediaries under the Acquisition Act in Goalpara district

Shri BHUBAN CHANDRA PRADHANI (Golaganj) asked :

*110. Will the Minister-in-charge of Revenue be pleased to state—

- (a) Whether it is proposed by Government to abolish all intermediaries under the Acquisition Act in the district of Goalpara irrespective of size?

- (b) If so, whether it is a fact that some intermediaries have been abolished partially, acquiring some of their holdings?
- (c) Whether Government are aware that tenants under the intermediaries are not paying rent for the lands which have not been acquired by Government yet?
- (d) Whether it is a fact that Government have issued notices to the intermediaries for payment of entire rent inspite of the fact that they are not getting anything from the tenants?
- (e) Whether Government are aware that many intermediaries lately approached the Deputy Commissioner, Goalpara from immediate acquisition of the land held by them to get rid of unnecessary encumbrances?
- (f) Whether Government will abolish all intermediaries and bring all tenants under the same category?
- (g) Whether it is a fact that final compensation are not being paid at present for paucity of funds?

Shri HARESWAR DAS (Minister Revenue) replied :

110. (a)—Yes.

(b)—Acquisition is made on the basis of tenures and not on the basis of the tenure-holder. The rights of all proprietors in Goalpara district have been acquired. It is possible that some persons may hold a number of tenures, some only of which have been acquired up-to-date. This does not mean that other tenures will not be acquired.

(c)—Government have not received any such information of wholesale refusal of tenants to pay rent to the intermediaries.

(d)—Distress Warrants have been issued for realization of arrear rent from those intermediaries whose tenures have not been acquired.

(e)—Some intermediaries made verbal representations to this effect to the then Deputy Commissioner.

(f)—Yes.

(g)—No.

†Shri BHUBAN CHANDRA PRODHANI (Golakganj):—
মন্ত্রী মহোদয়ে কৈছে যে খবৰ দিয়া হৈছে, তেখেতে তদন্ত কৰিবনে ডেপুটি কমিচনাৰকথে কেইখনমান দৰখাস্ত দিয়া হৈছে ?

Shri HARESWAR DAS (Minister, Revenue):— তদন্ত কৰি একো লাভ নাই, Tenant এ rent নিদিলে চৰকাৰে একো কৰিব নোৱাৰে।

*Shri GOURISANKAR BHATTACHARYYA: (Gauhati) Are Government aware that in view of the fact that Government not taking up the matter of abolition of these erstwhile intermediaries, these intermediaries as well as non intermediaries have been put to unnecessary hardship?

*Shri HARESWAR DAS: That may be so. But it is not unnecessary hardship, it is necessary hardships?

*Shri GOURISANKAR BHATTACHARYYA: Do Government encourage the tenants not to pay to these erstwhile intermediaries?

*Shri HARESWAR DAS: No Sir, Government do not encourage that.

*Shri GOURISANKAR BHATTACHARYYA: The answer to (a) is Yes: whether Government propose to abolish all intermediaries or intermediary tenures?

*Shri HARESWAR DAS: Intermediary tenures.

*Shri GOURISANKAR BHATTACHARYYA: The answer to (f) is Yes: whether Government is aware that in some zamindaries, for example, in Bijni, certain leases which the zamindars had given to some private parties for tea garden and such other purposes, these have been used by these lease holders as zamindaries?

*Shri HARESWAR DAS: No Sir, there is no such information.

*Shri GOURISANKAR BHATTACHARYYA: Whether Government is aware that the tea estate in Bijni Estate which took lease under the exzamindar has given some land to under-tenants?

*Shri HARESWAR DAS: In that case it will be covered by the Ceiling Act and not by the Land Acquisition Act.

*Shri GOURISANKAR BHATTACHARYYA: My question is 'whether Government is aware of any such situation'?

*Shri HARASWAR DAS: Yes, in some cases they have done that kind of thing but then in that case the Ceiling Act will apply.

Regarding suspension of Shri Hiteswar Gogoi,
Sub-Inspector of Police.

Shri KHOGENDRA NATH BARBARUAH (Amguri) asked :

*111. Will the Chief Minister be pleased to state—

- (a) Whether any fixed period has been laid down for placing a Government employee under suspension ?
- (b) If so, what is the period ?
- (c) If not, why not ?
- (d) Whether it is a fact that one Shri Hiteswar Gogoi, Sub-Inspector of Police is under suspension ?
- (e) If so, when he was suspension ?
- (f) How long he will be kept under suspended ?
- (g) Whether any proceedings have been drawn up against him and if so, when ?
- (h) Whether the proceedings have been disposed of and if not, at what stage it is now pending and how long it will take for the final disposal of the proceedings ?
- (i) What amount of subsistence allowance is given to him per month ?
- (j) Whether Government is aware that the amount is not adequate for maintaining himself and his family ?
- (k) Whether Government follows the principle to punish a Government employee by placing him under suspension for an indefinite period and by giving him a meagre allowance for maintenance ?
- (l) Whether it is a fact that the above Government employee under suspension cannot leave the District Headquarters for seeking employment elsewhere or for earning his livelihood by engaging himself in other pursuits ?

Shri BIMALA PRASAD CHALIHA (Chief Minister) replied :

11!(a)—No.

(b)—Does not arise.

(c)—The period cannot be fixed as time for disposal of criminal proceedings or departmental enquiries depends on how quickly witnesses for prosecution and defence become available for examination, etc.

(d)—Yes.

(e)—He was suspended with effect from 21st October, 1954.

(f)—It will depend upon the final disposal of the case.

(g)—Yes. Departmental proceedings have been drawn up against him on 8th December 1959.

(h)—The proceedings have not yet been disposed of. These are still pending as deposition of one witness has not yet been recorded. The date of hearing was fixed on 21st March 1960. It is reported that the witness was absent on that day. The proceedings are, however, likely to be disposed of by the end of April 1960.

(i)—He was given 1/4th of his pay including Dearness Allowance as subsistence allowance as admissible under the rules. The amount thus comes to Rs. 45.50 nP. per month.

(j)—The amount may be inadequate, but Government cannot go beyond this rules.

(k)—It is not the intention of Government.

(l)—Under the Rules, the officer shall not by reason of his being suspended from office cease to be on duty. During the term of such suspension, the powers, functions and privileges vested in him as a Police officer shall remain in abeyance.

In the circumstances, the Police officer under suspension cannot leave the Headquarters and seek employment elsewhere.

***Shri DEVENDRA NATH HAZARIKA (Saikhowa)**
Sir, whether the Chief Minister is aware of the fact that there are instructions from the Government that proceedings against a man under suspension should be disposed of within three months?

***Shri BIMALA PRASAD CHALIHA (Chief Minister)**
Yes Sir, there are such instructions but why three month? Proceedings are being disposed of as early as possible but it also depends upon the circumstances of the case concerned.

UNSTARRED QUESTIONS

(To which answers were laid on the table)

Creation of four Sub-Deputy Collector's Circle in Mangaldai Subdivision

Shri DANDI RAM DUTTA (Mangaldai) asked :

268. Will the Minister-in-charge of Revenue be pleased to state—

(a) Whether there is any proposal submitted by the Subdivisional Officer, Mangaldai to create new Additional Sub-Deputy Collector's Circles in the Mangaldai Subdivision. One of the Sipajhar and the other at Rowta Charali ?

(b) If so, when this will be given effect to ?

Shri HARESWAR DAS (Minister, Revenue) replied :

268. (a)—There is proposal from the Deputy Commissioner, Darrang to create four Sub-Deputy Collector's circles in Mangaldai Subdivision by splitting up the existing Mangaldai and Kalagaon Circles

(b)—Deputy Commissioner has been requested to re-examine the proposal in keeping with the boundaries of the N.E.S. Blocks in the Subdivision and other administrative consideration. But it will not be possible to effect any change in the existing circle boundaries till the closure of the ensuing Census Operation in 1961.

Shri HIRALAL PATWARY (Panery) : It is a fact that the Subdivisional Officer, Mangaldai, some time in 1958 sent a proposal for establishment of one S.D.O.'s circle at Rowta and one at Patharighat and when subsequently a deputation from Tangla and Dalgaon met the Minister he assured them. And a assurance was given in this august house also for Establishment the circle atleast one at Tangla.

Shri HARESWAR DAS (Minister Revenue) : Yes, this was so. The S.D.C.'s proposal was sent to the Deputy Commissioner, who is the head of the district. The Deputy Commissioner sent a proposal for creation of four circles. Tangla did not appear there. So, my friend and some others sent a representation that there should be a circle at Tangla. This was again sent to the Deputy Commissioner and this time also he sent a proposal for four circle offices located at different places. But the Government of India's instructions are that till the sensus operations are over no disturbance should be made to the existing circles. Therefore, till the sensus operations are over nothing is going to be done.

Taking over of the roads from Ranghar to Joysagar

Shri KHAGENDRA NATH BARBARUAH (Amguri) asked :

269. Will the Minister, Public Works Department (Road and Buildings), be pleased to state—

- (a) Whether Government consider the road from Assam Trunk Road near Rangghar to Joysagar *via.*, Talatalghar as an important one?
- (a) If so, whether Government will be pleased to take over the road and improve it at the earliest?

Shri GIRINDRA NATH GOGOI [Deputy Minister, Public Works Department (Roads and Buildings)] replied :

269. (a)—Yes.

(b)—The road from Trunk road to Talatalghar is already under Public Works Department. Another road (4,400 ft.) from this road to Joysagar is under Local Board and there is at present no proposal to take over and improve this road.

*Shri KHOGENDRA NATH BARBARUAH (Amguri):— In view of the fact that the need for improvement of this 4,400 ft. of road is urgently felt by the people, will the Government consider taking over of this road at an early date?

*Shri GIRINDRA NATH GOGOI:— This is a local road at present. As I have already stated in the reply the road from Trunk road to Talatalghar is already under the P.W.D. But this portion is under the Local Board and unless they press for it Government cannot consider.

Implementation of Subhankhata Nikasi Irrigation Project in Kamrup District by the Third Plan Period

Shri SURENDRA NATH DAS (Patacharkuchi) asked :

270. Will the Minister, Agriculture be pleased to state—

- (a) Whether it is a fact that there are more than 200 (two hundred) families settled in the Bhogpara Nikasi land reclamation are in Kamrup District?
- (b) How many bighas of land have been allotted to each family there?
- (c) Whether it is a fact that due to high sandy land the settlers could not produce crops in the land?

- (d) Whether it is a fact that there is no facilities of irrigation in the land reclamations area and for that people of the area have suffered much ?
- (e) Whether it is a fact that there was approval of a Major Irrigation Project namely Subankhata Nikasi which was to have been executed during First Five Year Plan Period ?
- (f) If So, when the work of the project will be executed ?
- (g) Whether it will be executed during the Second Plan Period ?

Shri LARSINGH KHYRIEM (Deputy Minister, Agriculture) replied :

270. (a)—Yes

(b)—20 bighas

(c) & (d)—Yes

(e)—Yes. There was a proposal for such a scheme to taken up by the Public Works Department (Embankment and Drainage) Department for which investigation was carried out.

(f)—The project may be implemented during the Third Plan Period ?

(g)—No.

*Shri BIRENDRA KUMAR DAS [Patacharkuchi (Reserved for Scheduled Castes)] : Is it a fact that there is cultivable land in the reclamation area which is not yet settled ?

*Shri LARSINGH KHYRIEM :— All the land has been settled.

Damage done to paddy fields by the Hajo river in Sadiya Transferred area

Shri DEVENDRA NATH HAZARIKA (Saikhowa) asked :

271. Will the Minister-in-charge of Agriculture be pleased to state—

- (a) Whether it is a fact that the Hajo river in Sadiya transferred area has been changing course very often and Spoiling a large area of paddy fields almost every year since last few years ?

- (b) What is the extent of damage done by this river in Sadiya mouza ?
- (c) What action Government propose to take to train this small rivulet ?

Shri LARSINGH KHYRIEM (Deputy Minister, Agriculture) replied :

271. (a)—Yes.

(b)—The damage is about 600 bighas of cultivated land in 7 villages effecting 56 families.

(c)—We have no such scheme at present. In case we take up such scheme, we will have to do that in conjunction with N. E. F. A., because the origin of this rivulet is in N.E.F.A.

***Shri DEVENDRA NATH HAZARIKA (Saikhowa) :—** As this rivulet changes course every year spoiling paddy fields and villages in the Sadiya transferred area, will Government take up the matter with the N.E.F.A. authorities to arrange to train this small river.

***Shri LARSINGH KHYRIEM :—** That we will see.

Number of theft cases and burglaries committed in the Gauhati Town during the period from 22nd December 1959 to 15th January 1960

Shri HIRALAL PATWARI (Panery) asked :

272. Will the Chief Minister be pleased to state—

- (a) How many theft cases and burglaries were committed in the Gauhati town and reported in the local police station during the period from the 22nd December, 1959 to the 15 January 1960 ?
- (b) The value of property involved in these cases ; as reported to the police ?
- (c) How many persons were badly injured or attacked by the burglars ?
- (d) What action has been taken by the police to investigate the above cases and how many thieves and burglars were caught by the police so far ?
- (e) Whether it is a fact that the entire police staff of Gauhati was engaged in arranging Prime Minister's reception and his security during the above period and that the police had no time left to attend to the maintenance of public peace and security ?

- (f) Whether it is a fact that an aggrieved person, whose property worth about Rs. 6,000 was taken away by burglars in the night of 2nd January, 1960, had requested also the Inspector-General of Police to take proper action to investigate but the Inspector-General of Police has so far not even acknowledged the receipt of his telegram?
- (g) Whether it is a fact that the police officers do not even possess the minimum necessary training and qualification and equipments to investigate such cases and that the police can start investigations only when the aggrieved parties tell them the names of the suspected thieves and burglars?
- (h) Whether it is a fact the the present manner and method of police investigations into such cases, instead of helping the aggrieved parties, bring more danger and insecurity to them?
- (i) Whether there is any special police staff with requisite training and equipments to meet the situation of increasing number of theft and burglary cases in the Gauhati town as well as other towns?
- (j) If not, what steps are being taken by the Government to provide for such staff immediately?
- (k) Whether Government is aware or received any report to the effect that some police officers and other employees of the Department are connected with a band of thieves burglars and pick-pockets on profit sharing basis?
- (l) Whether Government have receipt reports to the effect that police officer and officers, i.e., of Thanas, habitually harass the ordinary citizens, specially those who are illiterate and poor, by making sudden searches of their houses and also by suddenly calling them to police station just with the purpose of extracting money?
- (m) Whether on the 31st January last at about 6 p.m. some police officers of the Gauhati Town Thana called two Harijan workers engaged in their arrangements for Saraswati Puja celebrations at the Shivanayan Mandir at Dighalipukhuripar and detained them for more than three hours in the Police Station without showing any reason whatsoever?
- (n) Whether Government propose to strictly forbid such practices on the part of the police?

Shri BIMALA PRASAD CHALIMA (Chief Minister) replied

272. (a)—Twenty-four cases of theft and 7 cases of burglary in Gauhati town were reported to the local police during the period from 22nd December 1959 to 15th January 1960.

(b)—Property worth about Rs.7,587.50 nP. is reported to have been involved in the cases.

(c)—None was reported to have been attacked or injured by the burglars.

(d)—All the above cases were investigated by the local police and 14 persons were arrested in connection with the above cases.

(e)—No, it is not fact. The staff of Gauhati Town and Gauhati Sadar Police Station were engaged in their normal work of investigation of cases and maintainance of law and order while other available staff of Kamrup District Executive Force and staff deputed from outside Kamrup were engaged on duties in connection with Prime Minister's visit.

(f)—As the name and address of the aggrieved person has not been given, it is not possible to give correct answer. A telegram dated 7th January, 1960 was however received by Inspector-General of Police, Assam from one Professor Ajit Sarma of Gauhati which reads thus: "theft involving five thousand my residence on Second January, 1960 reported Gauhati thana immediate serious investigation requested." This refers to Gauhati Police Station Case No. 8(1) 60 under Sections 457/380, I.G.P. in which the culprits entered the house of the Professor and stole away ornaments and cloths worth about Rs.3,332. During investigation of this case, 4 person were arrested, their houses were searched but nothing incriminating was found. After due investigation, the case was returned in final report as true but evidence insufficient. On receipt of the telegram Inspector-General of Police called for report from Gauhati Police which is as above. As the Inspector-General of Police had taken action on the telegram received it was not considered necessary to acknowledge receipt of the telegram.

(g)—Many Police officers employed for investigation possess the requisite training, qualifications and equipment to investigate such cases without the necessity of first knowing the names of the suspects from the aggrieved persons.

(h)—No, it is not a fact

(i)—Yes, the C.I.D. officers. In addition, to cope with diverse problems relating to law and order an additional force of 1 Deputy Superintendent of Police, 2 Sub-Inspectors, 4 Assitant Sub-Inspectors, 9 Head Constables and 109 Constables are being sanctioned for Gauhati town.

(j)—To improve the standard of training in investigation Government are considering to establish a Detective Training School in the State with trained instructors and also to have dog investigating squad.

(k)—Secret information was received by the I.G.P. regarding the complicity of some Police officers with certain types of criminals. Enquiries were made by responsible officers. No witnesses could be found to openly come forward to prove the allegations. However, departmental actions were taken on the basis of indirect evidence. Appropriate adverse remarks were recorded in the Confidential Character Rolls of the officers and they have been shifted to such posts where they will have no scope for indulging in these activities.

(l)—No specific instances have come to notice yet.

(m)—It is not a fact that the two persons were 'detained' in the Police Station. The fact is that two persons, *viz*, (1) Nipeeh Muchi and (2) Sambhu Banik, both of Gauhati, were wanted by the Deputy Commissioner, Gauhati in connection with a case of land dispute between them over which there was likelihood of breach of the peace. The Police Officer investigating this case called these two persons on the 31st January 1960 for production before the Deputy Commissioner. Unfortunately immediatiately after their arrival at the Police Station the investigating officer had to leave the Police Station for attending to a fire accident at Sukleswar Ghat and after attending it, he returned to the Police Station and took the 2 persons to the Deputy Commissioner.

(n)—Does not arise.

Establishment of an Ayurvedic Dispensary at Dhula

Md. MATLEBUDDIN (Dalgaon) asked :

273. Will the Medical Minister be pleased to state—

- (a) Whether Government have any proposal to establish an Ayurvedic Dispensary at Dhula during 1959-60 ?
- (b) If so, when the construction work of the said Dispensary will be started ?
- (c) Whether there is any *Ad-hoc* Committee for the said Dispensary ?
- (d) If the answer is in the affirmative, who are the members of the said *Ad-hoc* Committee ?
- (e) Whether the said *Ad-hoc* Committee has met for the purpose by the time ?
- (f) Who is the converner of the said *Ad-hoc* Committee meeting ?

Shri RUPNATH BRAHMA (Medical Minister) replied:

273.(a)—Yes.

- | | | |
|---------|--------------------------|--------------------|
| (b)—(1) | Shri Nasi-uddin Ahmed | President. |
| (2) | Shri Sarat Ch. Sarma ... | Vice-President. |
| (3) | Shri Lakshan Ch. Pathik | } Joint Secretary. |
| (4) | Shri Sadek Ali ... | |
| (5) | Shri Jabaruddin ... | ... Member. |

- (6) Shri Omar Ali Sordar ... Member.
- (7) Shri Khangiram Nath ... Member.
- (8) Shri Soukat Ali ... Member.
- (9) Shri Surya Kanta Saha ... Member.
- (10) Shri Paresh Uddin Ahmed Sarkar. ... Member.
- (11) Shri Mahadev Sarma ... Member.
- (12) Shri Menoranjan Bhattacharya Member.
- (13) Shri Hazi Hakimuddin ... Member.

(e)—No.

(f)—Subdivisional Officer, Mangaldai.

Assault on Moulavi Abdul Kashem, a Pandit of the Bahabari L. P. School

Md. MATLIBUDDIN (Dalgoan) asked :

274, Will the Education Minister be pleased to state—

- (a) Whether Government are aware or received information to the effect than one Maulavi Abdul Kashem, an L.P. Pandit of the Bahabari L.P. School was lately dishonoured and misbehaved by one of the members of the Mangaldai School Board ?
- (b) If so, when and what action has so far been taken in this regard ?
- (c) Whether the said Pandit has filed any complaint to the authority concerned for necessary action ?

Shri RADHIKA RAM DAS (Deputy Minister for Education) replied :

274. (a) —Government have up till now no information.

(b)—Does not arise.

(c)—No.

*Shri HIRALAL PATWARY (Panery):— It has been stated in reply to (a) that Government have no information up till now. This is a very funny thing because this unfortunate man came to Shillong several times and submitted his case to the Department...

Mr. Speaker :— What is your question ?

*Shri HIRALAL PATWARY :— Will the Minister make an enquiry whether it is a fact ?

*Shri RADHIKA RAM DAS (Deputy Minister, Education):— I have already enquired from office and learnt that no such complaint has been received by Government.

*Shri HIRALAL PATWARY :— May I request the Minister to make an enquiring again ?

*Shri RADHIKA RAM DAS:— I don't find any necessity of inquiring again.

Confirmation of Shri Hablbuddin Ahmed of Assam Engineering Service

Shri GAURISANKAR BHATTACHARYYA (Gauhati) asked :

275. Will the Minister-in-charge of Public Works Department (R. & B) be pleased to state—

- (a) Whether it is a fact that according to the Classified List of the Public Works Department corrected upto 1st April, 1953, Sarbasri Habibuddin Ahmed, Kunjalal Mazumdar, Syamapada Choudhury, Godwin Momin and Biraj, Mohon Chakravarty held 6th, 7th, 8th 9th and 10th positions respectively in Class I of the Assam Engineering Service ?
- (b) Whether it is a fact that by Government Notification No. E 14A/285/50/528, dated 6th November, 1951 all the aforesaid officers were simultaneously promoted to Class I, Assam Engineering Service with effect from 1st September, 1951 ?
- (c) What was the reason of Sri Habibuddin Ahmed's being confirmed later than the four others ?

Shri GIRINDRA NATH GOGOI (Deputy Minister, Public Works Department (R. & B.)) replied :

275. (a)—Yes.

(b)—Yes.

(c)—Due to unsatisfactory record of service during the period of probation.

Shri GAURISANKAR BHATTACHARYYA (Gauhati):—With regard to answer (c), may I know whether proceedings were drawn against, or explanations called for from, the officer concerned for his alleged unsatisfactory record of service during the period of probation?

Shri GIRINDRA NATH GOGOI [Deputy Minister, P.W.D. (R & B)]:—Proceedings or explanation is not necessary. According to Rule 15 of the A.E.S Rules, an officer placed on probation can be confirmed only when the Governor is satisfied by his record of service during the probationary period that he is fit for confirmation.

Shri GAURISANKAR BHATTACHARYYA :— Whether proceedings, were drawn against or explanations called for from the officer concerned for his alleged unsatisfactory record of service?

Shri GIRINDRA NATH GOGOI :—It is not necessary.

Shri GAURISANKAR BHATTACHARYYA :—Is there any bars according to rules, in informing the officer about the progress of his works i. e., satisfactory or unsatisfactory nature of his work?

Shri GIRINDRA NATH GOGOI :—He was on probation and during his period of probation when a higher officer recommends to the Governor that he is fit, only then he is confirmed.

Shri GAURISANKAR BHATTACHARYYA:—That is not my question. I want to know whether this particular officer ever had any knowledge that his record was considered unsatisfactory at any time?

Shri GIRINDRA NATH GOGOI :—Unless an officer's work is satisfactory during the period of probation he is not confirmed.

Mr. SPEAKER :—From what record his work was judged as unsatisfactory?

Shri GIRINDRA NATH GOGOI :—From the report of the higher officer, viz., the Chief Engineer.

Shri GAURISANKAR BHATTACHARYYA :—Whether the Chief Engineer had at any time informed the officer that his record was not considered satisfactory so as to give him an opportunity to improve?

Shri GIRINDRA NATH GOGOI :—As I said before, he was on probation. During the period of probation an officer's work is judged by his higher officer, who sends his recommendation to the Governor.

Mr. SPEAKER :—That means he was not given to know that his record was bad.

Shri GIRINDRA NATH GOGOI :—I think that is the position.

Maintenance of Jakhalabandha Bi-weekly market

Shri KHOGENDRA NATH BARBARUAH (Amguri)
asked :

276. Will the Minister, Rural Development be pleased to state—

- (a) The amount of revenue realised in Jakhalabandha Bi-weekly market, Nowgong District?
- (b) What amount is spent yearly for improvement of the market or bazar?
- (c) What steps Government have taken to save this market from erosion of Kalang?

Shri MAHENDRA NATH HAZARIKA (Minister-in-charge of Rural Development) replied :

276. (a)—Rs. 200 per month during the year 1959-1960.

(b)—Average annual cost of maintenance for the last 3 years was Rs. 700.

(c)—No complaint of such erosion was received by the Department concerned.

Motor accident of a Student by the Car of Assistant Settlement Officer, Gauhati Circle

Shri DANDI RAM DUTT (Mangaldai) asked :

277. Will the Chief Minister be pleased to state—

- (a) Whether it is a fact that the Assistant Settlement Officer, Gauhati Circle knocked down a man on the road at Gauhati Town by his car about a month ago?
- (b) Whether it is a fact that he left the injured person on the spot without giving any relief to him.
- (c) Whether it is a fact that Police of Gauhati Police Station arrested the Assistant Settlement Officer on account of this offence?
- (d) Whether it is a fact that the accident took place when the said officer was drunk?
- (e) Whether any Medical Officer has examined him for his drunkenness?

- (f) Whether it is a fact that the Gauhati is a prohibited area and drinking there by a public servant is a serious crime?
- (b) What steps Government propose to take against the officer?

Shri BIMALA PRASAD CHALIHA (Chief Minister)
replied :

277. (a) & (b)—A complaint was lodged at the Gauhati Police Station on 1st February, 1960 and a case under section 279/337, I.P.C. was registered vide Gauhati Police Station case No 4 of 1960 alleging that the Assistant Settlement Officer, Gauhati dashed a college student by the rear portion of his car while passing through a crowd of students. The student sustained 3 bruises. The case is under police investigation.

(c)—Yes. The Assistant Settlement Officer was arrested and released on bail.

(d) & (e)—The contents of the stomach of the Assistant Settlement Officer was sent for medical examination, the result of which has not been known yet.

(f)—Yes, for all defaulters of the Prohibition Law. A public servant is also liable to be proceeded against under the Government Servant Conduct Rules.

(g)—The case is under police investigation.

**Accommodation of Sub-Inspector of Police of Kharupetia Outpost
in a public institution**

Md. MATLEBUDDIN (Dalgaon) asked :

278. Will the Chief Minister be pleased to state—

- (a) Whether it is a fact that Sub-Inspector of Police of the Kharupetia Outpost has been living at the Kharupetia Agriculture Co-operative Marketing Society, Ltd., which is a public institution?
- (b) Who has given him shelter in such a public institution and why?
- (c) Whether under the Rule a Government servant can reside in such a public institution?
- (d) Whether Government have hired a particular quarter for them at Kharupetia?
- (e) If the answer is in the affirmative, what is the rent that the Government is paying for the purpose?

Shri BIMALA PRASAD CHALIHA (Chief Minister)
replied :

(a)—No. One Assistant Sub-Inspector in-charge of the Kharupetia patrol post is living in one small room belonging to the Kharupetia Agriculture Co-operative Marketing Society, Ltd.

(b)—The Subdivisional Police officer, Mangaldoi has arranged the room from the Kharupetia Agricultural Co-operative Marketing Society on rent as no other suitable accommodation is available.

(c)—There can be no objection when the above Society agreed to let out a room on payment of requisite rent.

(d)—A house at Kharupetia belonging to the above Society and surplus to their needs, is given by the Society on hire for temporary accommodation of the petrol post started on temporary basis.

(e)—The rent is under fixation.

Shri HIRALAL PATWARY (Panery):—It has been stated by the Chief Minister in reply to (a) that one small room belonging to the Kharupetia Agricultural Co-operative Marketing Society has been allotted to the Assistant Sub-Inspector. May I know whether it is possible for the officer to live in such a small room.

Mr. SPEAKER :—But he is living there.

Regarding strength of officers and personnel of the Murkongselek-Sadiya M.P.C.D. Block

Shri DEVENDRA NATH HAZARIKA (Saikhowa)
asked :

279. Will the Minister, Community Projects be pleased to state—

(a) The authorised strength officers and personnel of Murkhongselek-Sadiya M.P.C.D. Block.

(b) The number of these officers and personnel posted there upto the end of 1958 ?

(c) The present strength of officers and personnel of the above M.P.C.D. Block ?

(d) Since when there is no Medical Officer in the said M.P.C.D. Block ?

(e) Whether any Engineer was posted to this Block and if so, who was he and when he was posted ?

(f) Whether two overseers were posted to this M.P.C.D. Block and they joined there and still in service ?

Shri A. THANGLURA (Chief Parliamentary Secretary)
replied :

279. (a)—Total number of posts sanctioned during 1958-59—47.

Gazetted	...	..	...	...	6
Non-Gazetted	...	...	..	...	29
Fourth Grade	...	...	...	...	12

(b)—Total number of personael posted during 1958—36.

Gazetted	...	...	...	...	4
Non-Gazetted	...	..	...	...	46
Fourth Grade	...	...	...	...	9

(c) (I)—If the honourable Member means total sanctioned strength then reply is 86.

Gazetted	...	...	...	...	6
Non-Gazetted	...	...	...	...	23
Fourth Grade	...	...	...	...	34

and (II) if he means present strength in position then reply is 46

Gazetted	...	...	...	...	4
Non-Gazetted	...	...	...	...	29
Fourth Grade	...	..	...	...	13

(d)—There is no Medical Officer since the inception exclusively for the block. But, the Director of Health Services recently directed the Assistant Surgeon II of Jonai Dispensary to look after the Block till a full time Medical Officer is posted.

(e)—No.

(f) Yes. But one Overseer was released on 30th April, 1959

*Shri DEVENDRA NATH HAZARIKA (Saikbowa):— The answer to (e) is in the negative. Whether the Minister-in-charge is aware of the difficulties of preparing plans and estimates and execution of works in the absence of any Engineer?

Shri FAKHRUDDIN ALI AHMED (Minister Community Development):— Yes, Sir, we know the difficulties. But unfortunately though we are making every effort it has not been possible to get an Engineer due to dearth of technical personnel.

*Shri DEVENDRA NATH HAZARIKA (Saikbowa):— In reply to (d) it is stated that there is no medical officer. Whether the Minister-in-charge is aware of the fact that the Multipurpose Community Development Block is suffering for want of Medical Officer?

*Shri FAKHRUDDIN ALI AHMED (Minister, Community Development):— Yes we are making every effort and I hope it will be possible for the Medical Department to place an officer at our disposal.

*Shri DEVENDRA NATH HAZARIKA : Sir, In reply to "c" it appears that there is shortage of 40 personnel because out of 86 personnel 46 have been posted and almost half of the personnel is yet to be posted. The Block has been in operation for about 2½ years and the period for completion of the Block is five years. In view of this, whether the Minister is aware of the fact that due to non-posting of the required number of personnel in that Block, the progress of that M.P.C.D. Block has been most unsatisfactory?

*Shri FAKHRUDDIN ALI AHMED : That is so Sir, but we cannot help it. Some persons had to be trained. At present there is acute dearth of trained personnel.

Visit of Murkhongselek-Sadiya M.P.C.D. Block by the Development Commissioner or the Deputy Commissioner or the Deputy Development Commissioner

Shri DEVENDRA NATH HAZARIKA (Saikhowa) asked :

280. Will the Minister-in-charge of Community Development be pleased to state—

(a) Whether the Development Commissioner or the Deputy Development Commissioner has ever visited the Murkhongselek-Sadiya M.P.C.D. Block?

(b) If so, when he/they visited?

(c) If not, why none of them has yet been able to visit the area once?

Shri A. THANGLURA (Chief Parliamentary Secretary) replied :

280. (a)—No.

(b)—Does not arise.

(c)—Due to other pressing demands. It is expected that an Officer from the headquarters will be visiting this block shortly.

*Shri DEVENDRA NATH HAZARIKA (Saikhowa)—: Sir, In reply to "A" I find that the answer is in the negative. This is the only M.P.C.D. Block in the plains district and the Development Commissioner or the Deputy Development Commissioner did not visit that Block during the last 2½ years. Will the Minister-in-charge instruct the Development Commissioner or the Deputy Development Commissioner to visit that particular Block so that either the Development Commissioner or the Deputy Development Commissioner may be able to see and appreciate the genuine difficulties of that Block and to take necessary action for the speedy execution of the developmental works in that Block?

*Shri FAKHRUDDIN ALI AHMED (Minister Finance, etc.)—I will ask the Development Commissioner himself to go to that Block as early as possible.

Regarding existence of liquor Distilleries on the Bhutan border and Kamrup District

Shri PRABHAT NARAYAN CHOWDHURY (Nalbari-East) asked :

281. Will the Minister-in-charge of Excise be pleased to state—

- (a) Whether Government are aware that due to existence of liquor Distilleries on the Bhutan border and Kamrup District sale of illicit Bhutan imported liquor is going on a large scale?
- (b) Whether Government are aware that due to the above fact Prohibition of liquor in North Kamrup area has become unsuccessful and to Prohibition should be extended to other districts so long the loop-holes are not removed?
- (c) Whether Government are aware that due to existence of distilleries on Bhutan border there is unnecessary loss of Revenue to the State as liquor at cheaper rate is available from Bhutan?

Shri HARESWAR DAS (Minister-in-charge of Excise) replied :

281. (a)—There are few outstill shops in Bhutan near the border of Kamrup District. But it is not a fact that illicit sale of smuggled Bhutan liquor is going on a large scale.

(b)—Does not arise.

(c)—Does not arise.

Speaker's Statement re : Questions Position

Mr. SPEAKER : Now, this is about the question position. Altogether we have received 583 unstarred questions and 272 starred questions. We have received replies of 321 unstarred questions and 124 replies of starred question. We have not received 148 and 262 replies of starred and unstarred questions respectively. I therefore, request the Chief Minister to see that the replies of the outstanding questions are received in the mean while before the House is prorogued.

*Shri BIMALA PROSAD CHALIHA (Chief Minister) : Mr. Speaker Sir, in the course of the discussion on starred question No. 78 on Second April I promised to place before this House some information with regard to the fertilizer investigation case. Sir, now I place it on the table.

(Chief Minister handed over the letter containing the information to the Secretary, Assam Legislative Assembly for placing on the Library Table).

Adjournment Motion re : deaths, damage and devastation caused by fire in the State on 2nd and 3rd April, 1960

Mr. SPEAKER : I have received notice of adjournment motion from Shri Hareswar Goswami. Before I give my ruling about the admissibility of the Motion I like to here from the Chief Minister from this point.

*Shri BIMALA PROSAD CHALIHA Sir, I donot know how this question can be raised in the form of an adjournment motion. We are trying to bring the situation under control and therefore I submit that this question should not be raised in the form of an adjournment motion. I shall place before this House all the particulars and information after receipt.

Mr. SPEAKER : It is better if the Chief Minister makes a statement about the situation.

Shri BIMALA BRASAD CHALIHA :

Sir, on the 2nd April, a fire occurred in Bhurakuchi Village under Tihu Circle at about mid day. The fire completely destroyed the entire village rendering thirty five families homeless. One girl aged about four year was burnt to death, and another ailing old man though removed from the burning house died out of shock. The total number of people affected will be about 250 out of these thirty five families affected. It is learnt that large stock of paddy and paddy seeds were also destroyed. The Deputy Commissioner, Kamrup has personally enquired into this devastation on the morning of 3rd April. He has estimated the loss at three lakhs of rupees. In this state of misery for these people, it is gratifying that the people in the locality and in the neighbourhood promptly rendered assistance both in kind and cash. This enabled the Deputy Commissioner to make arrangement for feeding the destitute people for ten days. The Deputy Commissioner has also arranged supply two pieces of blankets to each family and also some quantity of powder milk for the children and the ailing people out of the

Red Cross stock. Arrangements are being made to supply clothing, garments and food stuff to the affected people. The State Medical staff are also working in the area, rendering assistance to all injury cases. It is learnt that within a short time a total number of 175 houses were burnt. The village had no measures for fighting or preventing the fire havoc and the prevailing scarcity of water also hampered their work in dealing with this crisis. It is reported that the Tihu Barama Anchalik Panchayat are now taking steps to sink three bute wells in the Bhurkuchi village.

The cause of the fire is under the police investigation. The people now want immediate supply of Ahu paddy seeds. The Deputy Commissioner has estimated an immediate expenditure of Rs. 1000/- for Gratuitous Relief and another amount of Rs. 24000/- as loan for the people of Bhurkuchi village. For providing temporary shelter, the Deputy Commissioner has already obtained a stock of 500 pieces of old C.I. sheets from the P. W. D. Stock and has been taking steps to release the same on loan to the affected people for construction of temporary shelter.

Sir with regard to the incident at Jiakur village under Chaigaon Circle, it is learnt that in the evening of 2nd April at about 6 P.M. 18 residential houses seven families of Jiakur were completely gutted along with their belonging and stocks of paddy and paddy seeds. Seven other families pulled down their houses with a view to prevent the spread of fire. Shri I.K. Das, A.D.M, Gauhati visited the village on the 3rd April. The loss has been estimated at Rs. 40000/- The local and the neighbouring people have rendered relief as far as they are able to do so.

The Deputy Commissioner has also taken steps to send food stuff and clothing to assists the affected families. The State Fire Brigade had to go from Gauhati to attend to the disaster at Jiakur village and they were of assistance in controlling the fire. The Government will take immediate steps to sanction money for Gratuitous Relief and also for rehabilitation purpose as soon as the proposal from the Deputy Commissioner is received.

Sir, another devastating fire took place at about 2 A.M. on the night following the 2nd April at Chandmari in some of the buildings belonging to the Assam Civil Engineering Institute at Chandmari, Gauhati. Altogether 30 thatched houses were reported to have been gutted. Some of the Ayurvedic College buildings which were recently taken over by the Civil Engineering Institute were also destroyed. A large quantity of furniture of this Institute and also of the Hostel were stores in some of these buildings. This stock has also been destroyed. The Institute Dispensary building along with its furniture has also been gutted. The estimate loss is about 2000,000. As a result of this disaster 49 Government servants are rendered homeless and they are now accommodated in tents. The cause of the fire is under investigation. Necessary financial assistance to the effected people will be granted by Government on receipt of the proposal from the Deputy Commissioner. In this incident, the State Fire Brigade could not render any assistance as they were away in fighting the fire at Jiakur village. It is, however, gratifying to know the place of occurrence and rendered whatever services they could do, and they were later joined by the State Fire Brigade who had returned from Jiakur. Acute scarcity of water in this extremely dry days hampered the fire fighting operation to some extent,

Sir, we have received another report of fire which occurred in the market area of Ujan Bazar of Gauhati at mid-night of the night following the 3rd April. In this incident 31 houses have been gutted, affecting 109 persons. Some of these buildings were of thatched roof and some of them were of C.I. roof. The State and the Railways Fire Brigades fought the fire. They also experienced considerable hindrances on account of scarcity of water. The Deputy Commissioner has arranged relief in the shape of food stuff relief in full cooperation of the people of the locality, and the neighbourhood. He has estimated that an amount of Rs. 20,000/- will be necessary for immediate disbursement for rehabilitation purposes.

Sir, with regard to Champura, we could not get any information from the Deputy Commissioner, Gauhati. It is learnt from him however, that the village of Sarpara in Palasbari Circle suffered from fire havoc on the 19th March, 1960. Thirty families were affected and the loss suffered by them is estimated at Rs. 58,000. This incident was attended by the State Fire Brigade.

There have been several instances of major disaster recently in other areas also. The details being not available with me. The information has been called for and Government will do the needful to render such assistance as may be considered necessary.

There was also a fire havoc at Mangaldai on 2nd April 1960. There was also considerable loss of property.

(A voice—nothing from Dhubri)

Sir, these are the informations I have received in this connection.

***Shri HARESWAR GOSWAMI (Rampur)**

The point raised by the Chief Minister about the adjournment motion, the Rule 56 of the " Rules or Procedure and Conduct of Business of the Assembly for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the Speaker." Therefore, if the matter is a definite one of public importance that can be a subject matter of adjournment motion. Secondly, Sir, under Rule 57 the matter which would be discussed has been given and it does not state a matter over which the Government have no control which is just a natural catastrophe that cannot be discussed. It is not mentioned here. My submission is Sir, if it a natural catastrophe, why the adjournment motion cannot be taken ?

So far as the matter is concerned we are grateful to the Chief Minister as he has given some idea about the fire havoc, but we have no idea regarding relief that has been sent to these fire affected people. The most important thing to give to these people is house to live immediately. For that timber, C.I. Sheet and loan are also essential. I hope the Chief Minister, will see that these people get these things immediately.

Mr. SPEAKER : I think the purpose of the adjournment motion tabled by Shri Goswami has already been served. Shri Goswami has also given suggestion as to what to Government should do in the circumstances. I can appreciate the observation made by Shri Goswami, but I like to hold that the subject matter of adjournment motion is regarding fire & vis major, and Government practically speaking have not control over it. I hold therefore that this cannot be a subject matter of the adjournment motion. As I have already stated the purpose of the adjournment motion has been served by the Statement of the Chief Minister and also the suggestion offered by Shri Goswami to the Government. The matter should end here.

Calling Attention to matter of urgent public importance under Assembly Rule 54 re : clash amongst the indigeneous people who are living and occupying land in Non-Cadestral villages in the Eastern part of Saikhowa Mouza in Dibrugarh Subdivision.

Mr. SPEAKER :— Now, "calling attention of House under the Assembly Rule 54 regarding clash amongst indigenous people who are living and occupying land in Non-Cadestral villages in the Eastern part of Saikhowa Mauza in Dibrugarh Sub Division" moved by Shri Devendra Nath Hazarika.

Mr. Hazarika

Shri DEVENDRA NATH HAZARIKA (Saikhowa) :

Mr. Speaker Sir, Sir. I am thankful to you for allowing me to call the attention of the House in accordance with Rule 54 of the Rules and Procedure of the Assembly Business to a matter of urgent public importance.

Sir, in the Eastern Part of Saikhowa Mauza i.e., Kakapathar and Dirak Maithong area near N.E.F.A. boundary in Dibrugarh Sub Division, indigenous people i.e., people belonging to Moran Community have been living and occupying land in Non-Cadestral villages. They have been occupying these lands since the British regime. Perhaps due to non-interference policy of the then British Government in that area, people, specially belonging to Moran tribe were allowed to occupy land there, in that way. After attainment of independence, as the Morans were not included in the Scheduled of Tribes, no belt or block could be formed to protect the interest of these people although they were very much akin to the tribals. If I am correct, they are more under-developed than some of the Tribals of my District.

Most of them, it was reported to me, did not have annual patta even for their land specially in non-cadestral villages. Taking advantage of this certain people have been selling these land, it was reported to persons mostly coming from outside that area and from outside the district. Public opinion there is that the local mandals have secret collusion with these 'benami' traders of lands because the Mandals are aware of legal position of these lands in noncadestral and other villages, as they are in possession of records.

Due to comparative improvement of communication in recent times, there is a heavy rush of people to get land there, i.e., in the Eastern part of Saikhowa Mauza from neighbouring districts where availability of land is acute. These people of neighbouring districts it was reported were trying to purchase or procure lands by selling their small plots - their paternal land, comparatively at higher prices. Thus they also become landless.

It was reported to me that there is a large scale unauthorised transaction of land and in most cases other than a occupant of the land posed to be owner and realised money from new comers (i.e. from the migratory people). This become a good business amongst certain people also. These unauthorised transaction of land are leading to breach of public peace in that area.

Sir, I would like to cite a few examples where lives were lost. In the month of November, 1958 one man of Dirakgaon, named Prasad Gohain was murdered for alleged selling of his relative's land. Another man named Kandar Neog of Boraligaon was also murdered in last January 1960 by a group of persons for alleged selling of their land.

Again, recently on or about 1st or 2nd March, 1960 there was a serious riot between two groups of persons in Maithong village over a plot of land. It was reported that both groups claimed to be the owner of the particular plot of land. One group claimed to have purchased the land and the other group claimed to have been occupying since the days of British regime. In that clash two persons of a group viz, Siba Gohain and Madan Gohain and another person belonging to the other group (I could not get the name yet) were seriously wounded with sharp weapons (i.e. with daos). They were removed to Assam Medical College at Dibrugarh in serious conditions.

These incidents have been creating great sensation in the eastern part of Saikhowa Mouza. People alleged that these incidents are happening due to the fault of revenue staff who did not stop the unauthorised transfer of land. Sometimes allegation go so far that some of the Mandal are helping these transfers pointing out the legal position of ownership of the occupants and helps the so-called purchasers in getting possession of the lands.

I remember to have forwarded complaints of these nature to the Sub-Deputy Collector, Tinsukia, Deputy Commissioner, Lakhimpur and the authorities at Shillong during the last few years, i.e., since 1957. Resolutions were also adopted in public meetings drawing attention of the Government and the and the local authorities. I do not know the actions that were taken of those representations.

Sir, in my opinion unless these unauthorised transactions of land are stopped forthwith, I fear, riots and murders in defending possession and in taking possession will increase. Therefore, Sir, may I request the Government not to take this lightly. I request the Minister in-charge to take action in such a way so that the peace and tranquility of that area is not deteriorated further. I hope to see marked improvement of the peace and tranquility there.

I thank you again Sir, for giving me this opportunity of calling the attention.

(Mr. Speaker left the chamber at 10.55 A.M. and

Mr. Deputy Speaker took his chair)

Shri HARESWAR DAS (Minister Revenue): Sir, this is the position. The area in the eastern part of Saikhowa Mouza is a part of Sadiya transferred area. The Sadiya transferred area covered an area of 7087 square miles, originally. About 1000 sq. miles have been eroded and the area of reserved forests at the present moment is about 5200 aeres. After the Earthquake and the flood and erosion, a large number of families were settled in different areas, but the lands have not been properly measured and no patta has been issued. T.B. revenue is assessed and realised for their occupation.

The population of the area, which comprises mostly of Napaies, Ahoms and Miris, is about 20,000. There was a demand in 1959 from these people that the land should be surveyed and properly assessed to land revenue. The D.C. submitted a report suggesting cadestral survey of the area. The matter was referred to D.L.R. for his views. The D.L.R. got the matter inquired into by the A.D.L.R. Both the A.D.L.R. and the D.L.R. are of the views that (1) only 2.13 of the total area is actually under cultivation and it may not be of much useful purpose to get the area cadestrally surveyed. The suggested that the area may be surveyed in block system and the present occupation may be properly assessed to land revenue; (2) Demarcation of areas needed to be added to the existing forest should be made; (3) Survey of the available waste land, including the purposes for which the various areas may be suitably utilised should be made. Accordingly, Government sanctioned a staff consisting of 1 S.D.C., 2 S.Ks., 6 Mandals exclusively for the survey of these areas in January, 1960.

Regarding the murder cases alleged to have happened in the area, it is reported that no case of alleged murder of Prasad Gohain and Kander Neog has been reported in Margherita P.S. In Doomdooma P.S., a case of assault under section 324/325 I.P.C. has been registered in March, 1960. It is alleged that in this case, Shri Madeswar Gohain and Shri Sibnath of Maithong gaon were assaulted by accused Kameswar Barua, Shri Priyanath Baruah and Shri Dambaru Baruah of the same village. This case arose out of a land dispute. Such cases are common everywhere. It is further reported that the police have submitted chargesheet in the case and the matter is now subjudice.

If one man sells another man's land, it is for the purchaser to look into the title of the vendor. The registering officer may also refuse to register such deeds. Revenue Department cannot interfere. Government cannot prevent transfer of periodic patta land; but when annual patta land is transferred the patta is cancelled and the land made sarkari. Land without any patta is sarkari land and cannot be sold. If any such transaction is secretly done, it is invalid. There is no bar to purchase land by a person coming from another district. If it is brought to the notice of Government that any mandal has committed any illegal act, he will be suitably dealt with. Pointing out the legal position of ownership is not an illegal act.

The Assam Tea Plantations Provident Fund Scheme
(Amendment) Bill, 1960

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Labour) : Sir, I beg to move that the Assam Tea Plantations Provident Fund Scheme (Amendment) Bill, 1960 be taken into consideration.

Mr DEPUTY SPEAKER : Motion moved. There is no amendment. I put the question. The question is that the Assam Tea Plantations Provident Fund Scheme (Amendment) Bill, 1960 be taken into consideration.

(The question was adopted)

(Shri Sarbeswar Bardoloi stood up to speak)

Mr. DEPUTY SPEAKER : The Minister is moving for the passing of the Bill. Let him move his motion and then you can speak.

Shri KAMAKHYA PRASAD TRIPATHI : Sir, I beg to move that the Assam Tea Plantations Provident Fund Scheme (Amendment) Bill, 1960 be passed.

Mr DEPUTY SPEAKER : The motion moved is that the Assam Tea Plantations Provident Fund Scheme (Amendment) Bill, 1960 be passed.

Shri SARBE WAR BORDOLOI (Titabor) : Mr Speaker, Sir, I rise to support the amendment of Assam Tea Plantations Provident Fund Scheme Act moved by the Labour Minister.

Sir, though this is a very small amendment just deleting a word "Adult" yet it has intensive and far reaching results on the future welfare of the plantation labourers in Assam. Sir, the Act passed in 1955 provided contributory Provident Fund benefit to the plantation labourers. The first amendment of 1958 extended this benefit to the clerical staff and Basti labourers and this amendment in 1960 will extend the benefit to the working children.

Sir, so far as my information goes, I think the number of working children is 7% of the total working population of the garden labourers. At present the membership of the Provident Fund Scheme under this Act is 4,97,428 labourers and 7,792 staff. The members of the staff are all adults. So 70% increase of labour number will come to 30,980. So the total membership will increase from 5,08,220 to 5,36,200 with an enhancement of the annual increment of accumulation of fund by Rs. 12,00,000 approximately. I think the intensity of this small amendment can be understood from the above figures.

Sir, after enforcement of this amendment the Provident Fund money at the retirement of the working children of to-day will also be increased considerably.

With these few words, Sir, I support the amendment moved by the Labour Minister and congratulate him for bringing this amendment for the welfare of the Tea Garden labourers.

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Labour): Mr. Speaker, Sir, what is intended and I think by this amendment we are practically covering nearly all the gardens, excepting a few, which were excluded in the last amendment. Of course, we are not covering new gardens. By deleting the word "adult" we are including the children and in this way we are trying to bring our Act in line with the Government of India Act.

Mr. DEPUTY SPEAKER: Now I put the question. The question is that the Assam Tea Plantations Provident Fund Scheme (Amendment) Bill, 1960, be passed.

(The question was adopted)

**The Assam Weights and Measures (Enforcement)
(Amendment) Bill, 1960.**

M. MOINUL HAQUE CHOUDHURY (Minister Agriculture): Sir, I beg to move that the Assam Weights and Measures (Enforcement) (Amendment) Bill, 1960, be taken into consideration.

Mr. DEPUTY SPEAKER: Motion moved I put the question. The question is that the Assam Weights and Measures (Enforcement) (Amendment) Bill, 1960, be taken into consideration.

(The question was adopted)

Mr. MOINUL HAQUE CHOUDHURY: Sir, I beg to move that that Assam Weights and Measures (Enforcement) (Amendment) Bill, 1960, be passed.

Mr. DEPUTY SPEAKER: Motion moved is that the Assam Weights and Measures (Enforcement) (Amendment) Bill, 1960 be passed

†Shri HIRALAL PATWARY (Panery):— মাননীয় উপাধক্ষ মহোদয়, মন্ত্রী মহোদয়ে বিটো amendment আনিছে সেইটো যদি পাচ হৈ যায় তেনে হলে আমাৰ ইয়াত নতুন আৰু পুৰণি ছয়োটা ডগাই চলি থাকিব কিন্তু মই দাঠি কও যে যদি ছয়োটা ডগাই থাকে তেন্তে জোখমাখাৰ ক্ষেত্ৰত নানা দুৰ্নীতি চলিব। অমাৰ যেতিয়া নতুন পয়ছা চলাবলৈ আৰম্ভ কৰে তেতিয়া বহুত সমালোচনা কৰিছিল কিন্তু পিচত মানুহে সহজেই বুজিলে, ঠিক তেনেকৈয়ে গ্ৰাম, কিলোগ্ৰাম থাকিও মানুহৰ পক্ষে সহজেই পৰিব। তাকে নকৰি যদি নতুন আৰু পুৰণি ডগা চলি থাকিবলৈ দিয়া হয় তেন্তে দুৰ্নীতি যে হব তাত সন্দেহ নাই আৰু এই দুৰ্নীতিত গৰীব জনসাধাৰণেই ক্ষতিগ্ৰস্ত হব। গতিকে amendment টোৰ নতুন ডগাৰ লগত আগৰ ডগাই চলি থাকিবলৈ ক্ষমতা বিচাৰে মই ভাবো পুৰণি ডগা যদি চলিবলৈ বিচাৰ তেন্তে পুৰণি ডগাই চলি থাকক আৰু যদি নতুন চলিবলৈ বিচাৰে তেন্তে নতুনকৈ চলাব লগে। মন্ত্রী মহোদয়ে কৈছে গোটেই ভাৰতবৰ্ষতে চলিছে যেতিয়া আমাৰ ইয়াতে চলিব লগে। তাত মোৰ কোনো আপত্তি নাই— কিন্তু নতুন ডগা আৰু পুৰণি ডগা লগে লগে চলাবলৈ দিয়াটোহে মই ভাল পোৱা নাই। এটা Definite কথা জনালেহে আমিও বাইজক জনাব পাৰো। গতিকে চৰকাৰৰ পৰা Definite কথা জানিব খুজিছো।

M. MOINUL HAQUE CHOUDHURY (Minister Agriculture) : Mr. Speaker, Sir, I have noted the criticism made by the Hon'ble Member Shri Patwari. In fact under Section 14 of the Central Act there is a provision enabling continued use of the existing weights and measures for two years from the introduction of the metric system. Sir, Section 12 of our principal Act empowers the State Government to exempt certain weights and measures under certain conditions, but the Act does not give the State Government power to grant exemption from any other provisions. The exemption is partial - only with respect to Section 12 of the Act. Now, Sir, since the passing of the Act, the Government of India and the State Government received certain representations.

For example, Sir, it has been represented that it will be most uneconomical to convert the Salter's Spring Balance used in different Tea Gardens in Assam. After all it is our intention that the conversion should be simple, economical and gradual. We promised in this House that we would see to our utmost to find hardships to the people in changing over to a new system. It should be gradual and accordingly this House also agreed to certain exceptions under section 12 of the Act empowering the State Government to exempt certain weights and measures being stamped under certain conditions. But, Sir, some more exemptions are considered necessary on the same analogy. It is nothing new. What we are asking for is more elucidation and extension of the powers given already to the Government. This has been done in order to avoid hardships and legal complications. I have already given one instance and such instances can be multiplied. Some of the precision machines are not available because of the foreign exchange difficulties. It is very difficult to replace them at the moment. It can not be the intention of the Legislature to pass an Act and then allow it to be frustrated because of certain circumstances. As I have already said India is suffering from foreign exchange difficulties. It is very difficult to have a precision machine from outside the country. India also is not in a position to manufacture some of these machineries at the moment. Naturally we will have to put up with these difficulties till such machineries are available.

Now, in the Act itself, Sir, powers have not been given for exemption for stamping some of the existing weights as my friend has referred to. But it is only with respect to the weights and not with respect to any class of weighing machineries. We are only seeking to extend the exemptions, this is more an elucidation or a clarification. Naturally at the time of changing over to a new system from an old one there will be lot of inconvenience at the initial stage. I can assure the House that we have all the sympathy for the people in this regard. But the inconveniences due to the change over is not merely confined to the people only but also the Government as well. The Government have begun with itself and decided to introduce these new weights and measures in the State Transport Department and the Survey Department. We are trying to extend it gradually to the other spheres.

If we do not change over to this new system of weights and measures at a time when our country is passing through a growing economy, we will land ourselves in difficulties when industrialisation will take place and it will not be possible for us to switch over to a system of uniform weights and measures in the country easily. I hope my Hon'ble Friend will not press his objection and allow this small amendment to be passed unanimously.

Mr. DÉPUTY SPEAKER : The question is that the Assam Weights and Measures (Enforcement) (Amendment) Bill, 1960 be passed.

(The question was adopted)

