

Assam Legislative Assembly Debates

OFFICIAL REPORT

SIXTH SESSION OF THE ASSAM LEGISLATIVE
ASSEMBLY ASSEMBLED AFTER THE FIRST
GENERAL ELECTION UNDER THE
SOVEREIGN DEMOCRATIC REPUBLICAN
CONSTITUTION OF
INDIA

OCTOBER-NOVEMBER SESSION

VOLUME II

No.37

The 4th November, 1954



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DEBATES OF THE ASSAM LEGISLATIVE ASSEMBLY, 1954

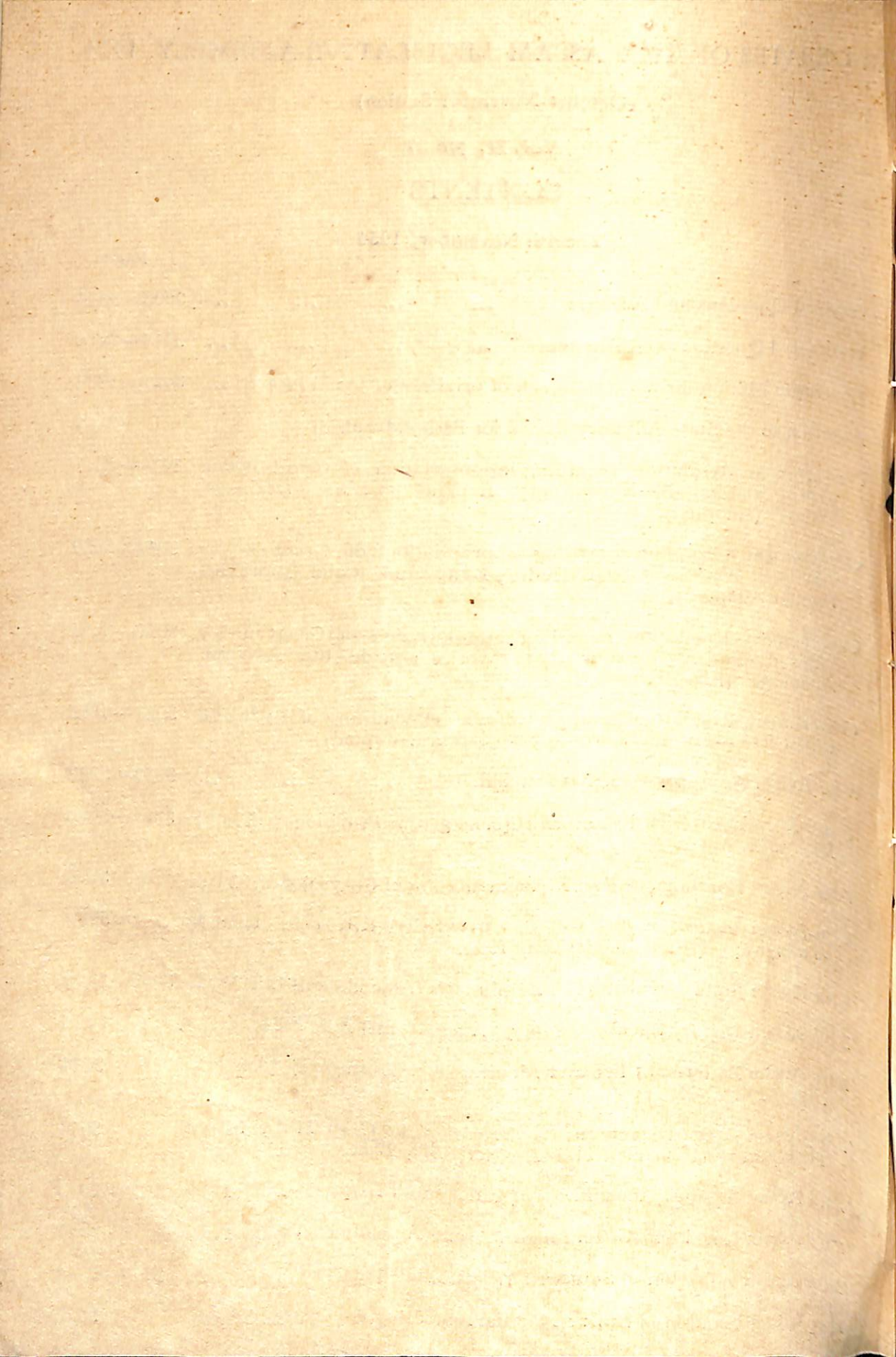
(October-November Session)

Vol. II, No.37

CONTENTS

The 4th November, 1954

	Pages
Starred Questions and Answers	3009—3014
Unstarred Questions and Answers	3014—3020
Privileges Motion for alleged breach of privilege of the House ...	3021—3031
Election to the State Advisory Board for Basic Education ...	3031
Government Resolution regarding appropriation of Grant under "18-B, and 68-B—Navigation, Embankment and Drainage Works" (Adopted).	3032—3041
Government Resolution regarding appropriation of Grant under "50-Civil Works—State (Excluding Establishment and Tools and Plant) (Adopted).	3041—3050
Government Resolution regarding appropriation of Grant under "81.—Capital Accounts of Civil Works outside the Revenue Accounts" (Adopted).	3050—3051
Government Resolution for approval of an expenditure of Rs.28,700 under "10.—Forests" by re-appropriation (Adopted)	3052—3053
The Assam Appropriation (No IV) Bill, 1954	3053—3062
The Assam Local Board Elections (Emergency Provisions) (No.2) Bill, 1954.	3062—3068
The Assam Contingency Fund (Augmentation of Corpus) Bill, 1954	3068
The Assam Taxation (on Goods carried by Roads or Inland Water-ways) (Amendment) Bill, 1954.	3069
The Assam State Acquisition of Zamindaris (Amendment) Bill, 1954	3069—3073
The Assam Deputy Speaker's Salary (Amendment) Bill, 1954 ...	3074
The Assam Betterment Fee and Mooring Tax (Dibrugarh) (Amendment) Bill, 1954.	3074
The Assam Excise (Amendment) 'Extension to Garo Hills, Mikir Hills and North Cachar Hills Districts) Bill, 1954.	3074
The Assam Opium (Amendment) (Autonomous Districts) Bill, 1954	3074—3075
The Assam Local Self-Government (Second Amendment) Bill, 1954	3075—3076
The Assam Adoption of Standard Weights Bill, 1954	3076—3080
Regarding Fixation of Business for the remaining days of the Session	3080



**Proceedings of the Sixth Session of the Assam Legislative
Assembly assembled after the first General
Election under the Sovereign Democratic
Republican Constitution of India**

The Assembly met in the Assembly Chamber, Shillong, at
10 a.m. on Thursday, the 4th November, 1954.

P R E S E N T

Shri Kuladhar Chaliha, B.L., Speaker, in the Chair, nine
Ministers, the two Deputy Ministers, two Parliamentary Secre-
taries and eighty-six Members.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(To which oral answers were given)

Delegates to All-India Academic Conferences

Shri HARESWAR GOSWAMI asked :

* 13. (a) Will the Education Minister be pleased to state the
principle of selection and sending of delegates to various All-
India Academic Conferences held annually at different parts of
India ?

(b) Whether there is any specific amount allotted for
grants to such delegates to meet their expenses for attending
such Conferences ?

Shri OMEO KUMAR DAS (Minister) replied :

13. (a)—Selection is made from such of the officers who
have original research work to their credit.

(b)—No. The expenditure is met from the Education
Budget when necessary.

Recipients of Agricultural loan

Raja AJIT NARAYAN DEB of Sidli asked :

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

(a) If it is a fact that the recipients of agricultural
loan are compelled against their wishes by
Government to purchase manure supplied by
Government ?

- (b) If it is a fact that such purchase is made a condition for the issue of this loan, and
 (c) If it is a fact that the price is deducted from the amount of loan at the time it is issued ?

Shri HARESWAR DAS (Deputy Minister) replied :

14. (a)—No.

(b)—No.

(c)—Does not arise.

Raja AJIT NARAYAN DEB of Sidli : 14(c) Has the Minister-in-charge made any enquiry about the matter ?

Shri HARESWAR DAS (Deputy Minister) : It is not necessary, Sir. Moreover, there was no such occasion.

Raja AJIT NARAYAN DEB of Sidli : Will the Minister be pleased to enquire whether agricultural loan is being issued in Sidli on such conditions ?

Shri HARESWAR DAS (Deputy Minister) : Sir, my Friend is mistaken in putting this question in this place, because the schemes are being made by the Agriculture Department for the purpose of issuing manure to the poor cultivators. The Revenue Department has got nothing to do with this scheme of the Agriculture Department.

Maulavi MUHAMMAD UMARUDDIN : Will the Minister be pleased to make an enquiry about the allegations made in this connection ?

Shri HARESWAR DAS (Deputy Minister) : No, Sir, there is no need of enquiring into such allegations.

Bovine Contagious Pleuro-Pneumonia disease of Cattle

Shri RADHIKA RAM DAS asked :

*15. (a) Will the Minister-in-charge of Veterinary be pleased to state as to since when the Bovine Contagious Pleuro-Pneumonia (B. C. P. P.) disease of cattle is prevalent in Assam ?

(b) What action the Government has taken for preventing this disease ?

(c) How far the vaccine prepared in Assam for this disease is effective ?

(d) Is it a fact that the vaccine prepared in Assam produces severe reaction on the cattle which in most cases terminates fatally or that poor cattle when inoculated is deprived of its tail ?

(e) Is it a fact that there are lots of such cattle without their tails in some of the affected areas ?

(f) Is it a fact that the disease is still in full swing in North Lakhimpur and Majuli area ?

(g) Has the potency and the efficiency of the vaccine prepared in Assam ever been tested by any expert in the line ?

(h) If so, by whom ?

Maulavi ABDUL MATLIB MAZUMDAR (Minister) replied :

15. (a)—Bovine Contagious Pleuro-Pneumonia disease was first confirmed as present in Assam in 1939.

(b)—The Government have established a separate Section under the Animal Husbandry and Veterinary Department for special study and preparation of prophylactic vaccine for prevention of this disease.

(c)—Completely effective.

(d)—No. The mortality amongst the vaccinated cattle is as low as 2-3 per cent. and about 5 per cent. lose their tails.

(e)—No.

(f)—The disease is under control both in Majuli and North Lakhimpur.

(g)—Yes.

(h)—The Bovine Contagious Pleuro-Pneumonia vaccine and the various activities of the laboratory were examined by experts like Major Datta, Director, Indian Veterinary Research Institute, Shri Nanda, Animal Husbandry Commissioner, New Delhi, Shri Dhanda, Mr. Eyre, Officer-in-charge, Pathology and Bacteriology Section, Indian Veterinary Research Institute, Shri Shradda, Principal, Mathura Veterinary College, Mr. Baument, F. A. O., Expert to the Government of India and others.

Shri RADHIKA RAM DAS : 15(a) Has Government certified that the prophylactic vaccine for the treatment of Bovine Contagious disease of cattle is found to be an effective one ?

Maulavi ABDUL MATLIB MAZUMDAR (Minister) : Yes Sir.

Technical qualification of the then Director-cum-Principal of the Veterinary Department

Shri RADHIKA RAM DAS asked :

*16 (a) Will the Minister-in-charge be pleased to state the technical qualification of Mr. Mehra, the Director-cum-Principal of the Veterinary Department ?

(b) Has he got any University degree ?

(c) If so, what is that degree and of which University ?

(d) Is it a fact that he is merely a Diploma-Holder and he holds M. R. C. V. S., Diploma only ?

(e) Is it a fact that M. R. C. V. S., is the lowest Diploma in the Veterinary Science in U. K. as stated in Circular No.F.11-1/53.B.3. from the Government of India, Ministry of Education to the Government of Assam ?

Maulavi ABDUL MATLIB MAZUMDAR (Minister) replied :

16. (a)—M. R. C. V. S., from the Royal Veterinary College, London, D. T. V. M., from the University of Edinburgh, Post-graduate from I. V. R. I., Izatnagar.

(b)—No.

(c)—Does not arise.

(d)—No. In addition to M. R. C. V. S., he holds the D. T. V. M., Diploma which is superior to B. V. Sc., degree of any University.

(e)—Yes.

Shri RADHIKA RAM DAS : 16(a) Whether it is a fact that Mr. Mehra, the Director-cum-Principal of the Veterinary Department has been brought here on a contract basis ?

Maulavi ABDUL MATLIB MAJUMDAR (Minister) : Mr. Mehra was first appointed as Principal of the Veterinary College by the Government on a contract basis. Later on, when the post of Director of Veterinary had fallen vacant, the same was advertised by the Assam Public Service Commission, and Mr. Mehra was appointed to the post as nominated by Assam Public Service Commission.

Shri DHARANIDHAR BASUMATARI : Whether is it a fact that Mr. Mehra is not at all popular among his staff ?

Shri GAURISANKAR BHATTACHARYYA : That is a matter of opinion.

Shri RADHIKA RAM DAS : Has he got any University Degree ?

Mr. SPEAKER : Yes, he has got University Degree. He says that D.T.V.M., Diploma is superior to B.V.Sc., degree of any University.

Shri RADHIKA RAM DAS : Whether Government is prepared to bring another man having higher qualification ?

Maulavi ABDUL MATLIB MAZUMDAR (Minister): So long as the present incumbent continues to hold the post, that question does not arise.

Veterinary Department of Barpeta Subdivision

Maulavi TAJUDDIN AHMED asked :

*17. Will the Minister of Veterinary be pleased to state—

(a) Whether he is aware that the Veterinary Department of Barpeta Subdivision practically took no step when the cattle in the vast flood-affected areas died with some diseases in spite of the information given by the local people ?

(b) If so, what steps Government proposes to take for the negligence of the said Department of Barpeta Subdivision ?

Maulavi ABDUL MATLIB MAZUMDAR (Minister) replied :

17. (a)—It is not a fact that the Veterinary Department did not take any step.

(b)—Does not arise.

Shri RADHIKA RAM DAS: Whether it is a fact that complaints have been made by various people from different districts that the Veterinary Department is not doing anything ?

Maulavi ABDUL MATLIB MAZUMDAR (Minister): No, Sir.

Maulavi MUHAMMAD UMARUDDIN: Whether it is a fact that there were many cases of cattle epidemics in the Barpeta Subdivision ?

Maulavi ABDUL MATLIB MAJUMDAR (Minister): No report has been received by the Department concerned in this connection.

Secondary Education Board

Shri HARESWAR GOSWAMI asked :

*18. Will the Minister-in-charge of Education be pleased to state—

(a) What steps, if any, have been taken by Government to implement the recommendations of the Secondary Education Commission ?

(b) Whether there is any proposal to constitute a Secondary Education Board as recommended by the Commission ?

(c) If not, what are the reasons for not doing so ?

Shri OMEO KUMAR DAS (Minister) replied :

18. (a)—A Special Officer has been appointed to prepare a scheme for reorganisation of Secondary Education in Assam in the light of the recommendations of the Secondary Education Commission. The scheme is expected to be ready in about a month.

(b)—This question will be considered when the scheme prepared by the Special Officer is considered for implementation.

(c)—Does not arise.

Maulavi MUHAMMAD UMARUDDIN : Will Government be pleased to state whether any special machinery will be set up for the purpose of examining the report of the Secondary Education Commission as to how action is to be taken on that report ?

Shri OMEO KUMAR DAS (Minister) : I have already replied.

Maulavi MUHAMMAD UMARUDDIN : My question is whether any special machinery will be set up to examine the report

Shri OMEO KUMAR DAS (Minister) : That question is under consideration.

UNSTARRED QUESTIONS

(To which answers were laid on the table)

Grants and Loans for Development of Handloom and Cottage Industries.

Shri SARVESWAR BARUWA asked :

13. Will the Minister-in-charge of Cottage Industries be pleased to state—

(a) If his attention has been drawn to a news item published in the *Assam Tribune* of the 22nd August, 1954 under caption "More grants to Handloom Industry" enumerating States which received further grants and loans for development of handloom and cottage Industries from the Government of India.

(b) If so, whether any further grant or loan in this regard has been given to Assam ?

Shri MAHENDRA MOHAN CHAUDHURY (Minister) replied :

13. (a)—Yes.

(b)—Yes, after 22nd August, 1954 Rs.10,000 as loan and Rs.23,437-8-0 as grants have been received from the Government of India which brings the total loans and grants so far received during the year to Rs.3,03,750 and Rs.2,02,661-8-0 respectively.

Designation of Excise Employees

Sriman PRAFULLA GOSWAMI asked :

14. Will the Excise Minister be pleased to state—

(a) Whether Government propose to change the designation of “Excise Peon” to “Excise Constable” to make it more dignified ?

(b) Whether Government propose to change the designation of “Assistant Inspector of Excise” to “Sub-Inspector of Excise” ?

Rev. J. J. M. NICHOLS-ROY (Minister) replied :

14. (a) & (b)—Government will examine the proposal.

Fishery Loan

Shri HARESWAR GOSWAMI asked :

15. Will the Minister-in-charge of Cottage Industries and Fishery be pleased to state—

(a) The names of persons who have been granted Fishery loans during 1952-53 and 1953-54 and the amounts given to each one of them ?

(b) Whether the Fisheries for which the Loans were taken actually started ?

(c) Whether Government checked up the work done by these parties ?

Shri MAHENDRA MOHAN CHAUDHURY (Minister) replied :

15. (a)—No loans have been granted in 1952-53. In 1953-54 the following parties were granted Fishery loans as stated below:—

	Rs.
(1) Shri Hridayananda Agarwala, Tezpur ...	15,000
(2) „ Jadunath Bhuyan, M. L. A., Tinsukia	5,000
(3) „ Gopesh Chandra Aditya, Silchar ..	3,500
(4) „ Kamala Kanta Das, Nagerbera	5,000
(Kamrup).	

		Rs.
(5)	Shri Jitendra Malla Bujar Borua, Chandkuchi.	10,000
(6)	„ Ratneswar Hazarika, Sibsagar ...	6,500
(7)	„ Sahajananda Bharali, Sibsagar ...	20,000
(8)	„ Surjya Kanta Kalita (Issued by Cottage Industries Department), Kukurmara, Kamrup.	15,000

(b)—Yes.

(As regards 1-7; (As regards 8) No. Deputy Commissioner, Kamrup, has been asked by Cottage Industries Department to recover the whole amount as arrears of land revenue as the loanee has failed to fulfil the terms and conditions under which the loan was granted.

(c)—Yes.

(As regards 1-7) (As regards 8) Does not arise in view of (b) above.

Shri GAURISANKAR BHATTACHARYYA : 15(a) Will the Minister be pleased to state whether any special consideration is given to the Scheduled Caste people, viz., Kaivartas and Namasudras in granting fishery loans?

Shri MAHENDRA MOHAN CHAUDHURY (Minister) : I want notice of that, Sir.

Maulavi MUHAMMAD UMARUDDIN : What is the basis for the grant of this loan, and whether the special need or claim of the Scheduled Caste community is a factor for consideration in the grant of this loan?

Shri MAHENDRA MOHAN CHAUDHURY (Minister) : Generally it is done on the merit of each individual case, and surely when any application from a Scheduled Caste candidate is received, it receives our special attention.

Construction of Bridges and Culverts for the Mangaldai-Patharighat and Khairabari Roads

Shri HARESWAR GOSWAMI asked :

16.(a) Will the Minister of Public Works Department be pleased to state whether tenders were invited for the construction of timber bridges and culverts for the Mangaldai-Patharighat, Khairabari Road and in what form the applicants were asked to submit their tenders?

(b) Is it a fact that one Suresh Chandra Das who applied in form K-2 was given a contract for Rs.20,000?

(c) Is it a fact that when he could not finish the work, the left over work was given to another contractor who did not formally submit his tender?

(d) If so, what are the reasons for favouring a particular set of contractors to the exclusion of others?

Shri SIDDHINATH SARMA (Minister) replied:

16.(a)—Yes, tenders were invited in Form F-2.

(b)—Yes, Shri Suresh Chandra Das was given works worth about Rs.75,000 but as he did not finish the works at the rates previously agreed upon, the works done by him were paid by obtaining a K-2 form tender.

(c)—Yes, Shri Suresh Chandra Das did not finish the work at the rates previously agreed upon. The left over work worth Rs.55,000 were given to another contractor, who after negotiation, offered to do the works at the rates previously settled with Shri S. C. Das.

(d)—As Shri S. C. Das refused to do the works at the rates previously agreed upon, the Executive Engineer had to allot the remaining works by negotiation to another contractor, Kaliram Baisya, who agreed to do the works at the same rates and was considered competent. Fresh tender was not called for to avoid delay in completion of the work.

Shri HARESWAR GOSWAMI : With regard to (d), is it a fact that Shri S. C. Das has been given fresh work in Mangaldoi again?

Shri MOHI KANTA DAS (Parliamentary Secretary) : He refused to work at the rates previously agreed upon, so the work was given to another man. Whether he has been given any new contract—that is not within my knowledge.

Shri HARESWAR GOSWAMI : Is he not to be considered as a defaulter for not completing the work?

Shri MOHI KANTA DAS (Parliamentary Secretary) : He was paid a sum of Rs. 20,000 for the portion of the work done by him in Form K—2 as is done in case of other contractors.

Maulavi MUHAMMAD UMARUDDIN : What action was taken against him for non-completion of the work?

Shri RAMNATH DAS (Minister) : That is a new question.

Mr. SPEAKER : Was he penalised—is it not your question ?

Maulavi MUHAMMAD UMARUDDIN : Yes, Sir.

Shri MOHI KANTA DAS (Parliamentary Secretary) : I have no information.

Shri HARESWAR GOSWAMI : Is he not to be considered as a defaulter ?

Shri MOTIRAM BORA (Minister) : That is a question of opinion.

Re: Construction of Permanent Bridges on Burai and Dikrong rivers

Shri SARVESWAR BORUWA asked :

17. Will the Minister-in-charge of Public Works Department be pleased to state—

(a) If he is aware that the Revenue and Finance Minister of Assam who was due to visit North Lakhimpur to perform an important function on the 30th September, 1954, failed to come as he could not cross the Burai River which was in spate then ?

(b) If he is aware that the Dikrong also was in fearful spate on the 30th September, and the 1st October and it could in no circumstances be crossed by the Finance Minister of our State - even on single boat on that day ?

(c) What steps, if any, are being taken by Government to urge the centre to expedite the construction of permanent bridges on these rivers in order to improve matters on the North Bank at an early date ?

Shri SIDDHINATH SARMA (Minister) : replied :

17. (a) & (b)—Yes, these rivers are often in spate during the monsoons whenever there is heavy rains in their catchments.

(c)—Technical sanction of Government of India for construction of Dikrong Bridge has been received and work will be started this cold weather after the tender is finalised and the question of financing the approach roads is settled.

Estimate and Design for Burai Bridge has been received back from Government of India with direction to recast and resubmit it with modifications as suggested by India for their approval. This is being done now.

Sanction to estimates for bridges take considerable time on account of the necessity of elaborate preliminary investigation before plans and estimates can be prepared.

Shri SARVESWAR BORUWA : May I know what is the trouble about the financing of the approach road ?

Shri MOHI KANTA DAS (Parliamentary Secretary) : As regards the approach road there are certain questions of finance which have not been settled yet.

Shri SARVESWAR BORUWA : Who is to finance the construction of the approach road?

Shri MOHI KANTA DAS (Parliamentary Secretary) : That question is not yet finalised.

Shri SARVESWAR BORUWA : Has the question of financing the approach road to be settled by the Centre or by the State?

Shri RAMNATH DAS (Minister) : The reply is there—not yet settled.

Shri MOHI KANTA DAS (Parliamentary Secretary) : It is under consideration.

Appointment of the Principal, Veterinary College

Shri GAURISANKAR BHATTACHARYYA asked :

18. Will the Minister-in-charge of Veterinary be pleased to state whether the appointment of the Principal of the Veterinary College was made with the approval of the University and the Assam Public Service Commission ?

Maulavi ABDUL MATLIB MAJUMDAR (Minister) : replied :

18.—No. Pending selection of a permanent incumbent through the Assam Public Service Commission, the present Vice-Principal has been temporarily appointed to work as Principal under 4 (d) of the Assam Public Service Commission Regulation.

Drawal of rations by Government Servants

Shri DEBESWAR RAJKHOWA asked :

19. (a) Will the Minister-in-charge of Supply be pleased to state if a Government servant can draw rations for other members of his family when they do not live with him and live at a place which is more than one hundred miles away ?

(b) If not, do Government propose to take this drawal of rations as a corrupt practice ?

Shri BAIDYANATH MOOKERJEE (Minister) replied :

19. (a)—No, rules do not permit this.

(b)—*Prima facie* this would be a corrupt practice. If the hon. Member gives specific instances, necessary enquiries can be made.

Deputy Director of Supply

Shri HARESWAR GOSWAMI (Minister) asked :

20. Will the Minister of Supply be pleased to state—

(a) What should be the requisite qualifications of the person for holding the post of the Deputy Director of Supply (Accounts) ?

(b) Is it a fact that the present Deputy Director of Supply (Accounts) is not even a graduate ?

(c) Was the post advertised while filling up the vacancy by the present incumbent ?

(d) Has there been a representation against the present Deputy Director of Supply (Accounts) by the staff in his Office for bad dealings and on various other grounds ?

(e) Is it a fact that the said Officer has spent about Rs.11,000 for furniture and crockery to decorate his room ?

Shri BAIDYANATH MOOKERJEE (Minister) replied :

20. (a)—The main qualifications would be a thorough knowledge of Government accounting procedure and general experience.

(b)—Yes.

(c)—No.

(d)—Yes, some representations were received by the Head of the Department, *viz.*, the Director of Supply. He gave full consideration to the complaints of bad dealings but found that they were baseless. Some other matters are of a confidential nature and are being enquired into.

(e)—No. A sum of Rs.404 was sanctioned for the purchase of furniture for use in his Office room and for proper safeguard of records as some of the existing furniture had become too dilapidated to be used. Out of this amount Rs.361-13-6 has been spent for the said purpose.

Privileges motion for alleged breach of privilege of the House.

Mr. SPEAKER : I have received a complaint from Shri Mohi Kanta Das under Rule 134 of the Assembly Rules—Breach of Privilege.

Shri MOHI KANTA DAS (Parliamentary Secretary) : Mr. Speaker, Sir, I beg to complain under Rule 134 of the Legislative Assembly Rules against Shri Hareswar Goswami, Leader of the Opposition, on the following grounds :—1. That he made statements questioning the impartiality of the Speaker on 2nd November in the floor of the House before he and his party staged a walk-out after a ruling from the Chair.

2. That he after staging a walk-out, made statements to the press outside the House alleging partiality and weakness etc. of the Speaker which have been published in the *Assam Tribune* on 3rd November, 1954 (copy enclosed) (Shri Mohendra Mohan Choudhury: *Statesman* also.)

3. That the said statements were published by the said paper—*Assam Tribune*—on 3rd November, which is also highly improper.

4. That it is submitted that the above statements and publications involve breach of the privileges of the House and so it is prayed—

That such action as may be found fit and proper under relevant rules relating to the questions of privilege of the House may kindly be taken so that the dignity of the House may be maintained.

Sir, on 2nd November the Assam Freedom of Movement in Tea Plantations Bill, 1954, was under discussion in this House. While the Mover Leader, of the Opposition, sought to move for leave of the House the Deputy Minister, Shri Hareswar Das, raised a point of order stating that his motion for leave was out of order and he spoke in support of his point and other Members also took part in that. After this the Leader of the Opposition made statements refuting the arguments of Shri Das who raised the objection and thereafter the Speaker asked Shri Das to sum up by way of a reply, which right he had under the rule.

Rule 59 of the Assembly Rules says: "If a motion for leave to introduce a Bill is opposed, the Speaker after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from the member who opposes the motion, may, without further debate, put the question thereon."

At that time the Bill was opposed by Shri Das and there was a statement from the Mover, the Leader of the Opposition,

which was not brief but a long statement. After that the Speaker asked Shri Das to sum up the contention by way of a reply and the Leader of the Opposition raised a point of order that he had no right of reply. But the Chair was pleased to declare that he had a right of reply. Sir, the ruling was definite as the rulings of the High Court Judges or the rulings of the Magistrates and the Leader of the Opposition had no legal right whatsoever to question the ruling of the Chair.

Mr. SPEAKER : What about the ruling itself ?

Shri MOHI KANTA DAS (Parliamentary Secretary) : The Speaker was pleased to allow Shri Das.....

Mr. SPEAKER : Have you got the Assembly Rules with you ?

Shri MOHI KANTA DAS : (Parliamentary Secretary) : Yes, Sir.

Mr. SPEAKER : Please read the rule again.

Shri MOHI KANTA DAS : (Parliamentary Secretary) : Rule 59 reads thus—“If a motion for leave to introduce a Bill is opposed, the Speaker after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from the member who opposes the motion, may, without further debate, put the question thereon.” After a reply was given by Shri Hareswar Das there was no debate. Therefore, there was no point for being dissatisfied with the ruling of the Chair. However, for reasons best known to them, the opposition party staged a walk-out. My point, Sir, is that Speaker’s impartiality has been questioned although the Speaker was perfectly impartial. If such things are allowed to go on, Sir, then the dignity of this august House can never be maintained. Not only this. My hon’ble Friend was not satisfied by making those statements in the floor of this House. Even he made certain statements—very serious statements—Sir, against the Speaker, outside the House. In the *Assam Tribune* of November 3, 1954 under the caption “Opposition stages walk-out”—“Speaker’s partiality alleged”, it is stated “Immediately after staging a walk-out enbloc, first of its kind during the current session of the Assembly, Shri Hareswar Goswami, Opposition leader, in course of a Press Statement justified the action of his party and disapproved the attitude of the Speaker.” The Opposition leader said, “The main question before the House was about the admissibility of the Assam Freedom of Movement in Tea Plantations Bill, 1954. When I moved for leave, the Deputy Minister, Shri Hareswar Das, raised his objection on technical and legal grounds. There was discussion rightly on these objections. Discussions should have

been confined to the points raised ; but the Speaker allowed the Labour Minister, Shri Omeo Kumar Das, to give a historical back-ground about want of necessity of the present Bill. While I wanted to reply to the points raised by the Labour Minister, the Speaker refused permission to deal with those points. This was unfair and not at all impartial. We have on other occasions also seen the Speaker giving more latitude to the Treasury Benches". The Opposition leader added, "under Rule 59 of the Assembly Rules, after I replied to the points raised, the Speaker should not have given the Deputy Minister another chance to reply. After all, it was not a debate and the Speaker should have given his own opinion after hearing both the sides. This the Speaker did not do and, as a proof of his weakness, allowed the Party in power to do something which was not in the rules. Impartiality of the Speaker's office was not maintained as I have stated within the House." Sir, I am reproducing these things from *Assam Tribune* but it has also been published in the *Natun Assamiya* under the caption of "অধ্যক্ষৰ পক্ষপাতিতাৰ অভিযোগ তুলি বিৰোধী দলৰ সদন ভাণ্ড" and some other papers.

These things have been published with a motive just to lower the dignity of the House, dignity of the Speaker and his statements are also not based on facts. We have seen the Speaker whether in Budget discussion or in any discussion always trying to accommodate the Opposition Members as far as possible so that they may not be in any way disappointed. I have not seen the Speaker trying to suppress the Opposition in any way even sometimes the Members of this side have to be disappointed while going to accommodate the Members of the Opposition in the House so it would appear that the Speaker and the Members of this side also always try to accommodate the Members in the Opposition. Under the circumstances, I do not understand how injustice has been done to the Members of the Opposition and how and when the Speaker gives more latitude to the Treasury Benches. Such statement is not only repugnant to the prestige of this House, but is also not borne by facts and is incorrect. Another thing I beg to speak, Sir, that these things also cannot be published in the paper. Press has got certain responsibility while publishing report relating to proceedings of the House. The paper cannot publish any and every proceedings of this House. In present case, certain statements which affect the dignity of the Chair and also of this House have been put to publication.

Under the rules, Sir, this cannot be done. Therefore, the particular Press concerned also comes under the purview of the Assembly rule 134. Under the circumstances, Sir, I pray that action under rule 134 and other relevant rules of the Assembly may

kindly be taken so that such violation of the privileges of this august House may not be repeated and recurrence of such an act may be a thing of the past. Therefore, I would pray that the whole matter may kindly be referred to the Committee of Privileges for such decisions as it may deem fit and proper and report within such time as may be prescribed so that the dignity, prestige and sanctity of the House may be maintained for all times and ages to come. With these few words, Sir, I prefer this complaint of mine for consideration of the House.

Maulavi MUHAMMAD UMARUDDIN : Sir, the question is not known to us. I will explain.

Mr. Speaker, Sir, rule 135 of the Assam Legislative Assembly Rules reads as follows:—"A member wishing to make a complaint of a breach of privilege shall give notice in writing to the Secretary before the commencement of the sitting on the day on which it is proposed to be made. If the complaint is found upon a document the original or a copy thereof shall accompany the notice."

But Sir, this has not been done here, and whether this has been done, and also whether the question shall not be governed by the following conditions should be examined carefully.

1. Not more than one question shall be raised at the same sitting, and (2) the question shall be restricted to a specific matter of recent occurrence.

Now, Sir, my Friend has raised the question here that Mr. Goswami made some remarks inside the House which involve breach of the privilege of the House, that is one thing, and to such statements made inside the House can be considered as whether or not it involves a breach of the privilege of the House but my Friend has raised another question in that Mr. Goswami also made a statement outside the House and these were published in certain newspapers and that these newspapers, it alleged, have published in conspicuous head lines that Mr. Goswami had accused the Speaker of partiality and that the Speaker was giving more latitude to the Treasury Benches and had not treated the Opposition impartially. Therefore, Sir, I say that my Friend cannot raise two questions at the same time, and that the question of the breach of Privileges the House which he has raised is absolutely out of order.

Shri RAJENDRANATH BARUA (Deputy Speaker) : Sir, may I refer to sub-section (ii) of rule 136—"The question shall be restricted to a specific matter of recent occurrence" Under the above rule, Sir, therefore, the whole matter may be taken as one.

Maulavi MUHAMMAD UMARUDDIN : Sir, my Friend has raised two questions and, therefore, under rule 136 this is out of order. Secondly, Sir, he has also made certain statements that certain newspapers and certain press reports have published certain allegations by Shri Goswami against the right of the Speaker. Sir, we do not know, and in fact we have not seen such reports and what those reports contained ; if there is any specific mention of this particular statement made by my Friend, Mr. Goswami. If this could have been brought to our notice, we could have examined the same for ourselves, rather, Sir, we have been taken by surprise.. ..

Mr. SPEAKER : What is your method of doing it ? He has given a notice. Under what rule you are now speaking that you are taken by surprise?

Maulavi MUHAMMAD UMARUDDIN : No, Sir, there is no specific rule. But my main point is that he cannot raise two questions, therefore, Sir, he cannot bring that question now.

Shri NARNARAYAN GOSWAMI : Mr. Speaker, Sir, I support the Mover of the Motion. Sir, under Rule No. 134 of the Assembly Rules, I beg to bring to your kind notice about the breach of the privilege of this House by the Leader of the Opposition Party. It seems to me that Mr. Goswami has used the privilege of this House as a license to misuse it. Sir, I submit that he cannot pass such aspersion against the Speaker either inside or outside the House. Sir, the first point is that if in the heat of the moment any thing is done or spoken, that is a different thing and that is excusable, but if it is done with a plan after calculation, my submission is that such an act cannot be pardoned.

Sir, even to commute an offence from Section 302 to Section 304, I.P.C., there should not be any intention but here it is clear that Mr. Goswami has done with deliberation and with the clear intention.

M. MOINUL HAQUE CHOUDHURY : Sir, I think my Friend is wrong, Section 304 concerns other matters.....

Shri NARNARAYAN GOSWAMI : Sir, my submission is that Mr. Goswami had the mischievous motive behind it in making such an aspersion against the Speaker. Sir, my learned Friend, the Leader of the Opposition, was not satisfied in making his speech only within the House but he wants publications and he wants that the dignity, the prestige and sanctity of this House are lowered at the estimate of the public in order that the whole of India may pass aspersion against the Speaker, but

Sir, this cannot be allowed ; and the Speaker conducted the proceedings according to the letter and spirit of Rule 59 which reads as—"If a motion for leave to introduce a Bill is opposed, the Speaker after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from the member who opposes the motion, may, without further debate, put the question thereon". Sir, my learned Friends in the Opposition knowing it fully well what would be the fate of this Bill from the legal side, they staged a walk-out on that date and have done all these things to lower down the prestige of this august House. Sir, this House cannot allow any person to do mischievous things against this august House. This august House will be the last House in the whole of India to allow the Communist Party or any other party to come here and to get an Act passed in order to commit some offence under the garb of such Act.

(Interruptions)

Shri GAURISANKAR BHATTACHARYYA : What is wrong, Sir, what is this nonsense ?

Mr. SPEAKER : Will you withdraw the word "nonsense"?

Shri GAURISANKAR BHATTACHARYYA : I withdraw, Sir, but what he is speaking is not relevant to the question at issue.

Shri NARNARAYAN GOSWAMI : Sir, I am not using the word "nonsense", I am the last man to do it within the House like the Member of the Communist Party though I would have used stronger words against him outside the House. So, knowing fully well what would have been the fate of the Bill, they have played the mischievous game inside and outside the House.

Mr. SPEAKER : Mr. Goswami, আপুনি অলপ চুটি কৰক ।

Shri GAURISANKAR BHATTACHARYYA : Sir, the word 'mischievous' is highly objectionable.

Shri NARNARAYAN GOSWAMI : They have staged a walk-out, they have made a plan, and the Leader of the Opposition has made statements inside and outside the House making imputations against the Speaker though there is nothing against the Speaker who conducted the proceedings of the House according to the Assembly rules impartially.

Mr. SPEAKER : Have you finished, Mr. Goswami ? You are to speak on the point of order raised by Maulavi Umaruddin Sahib,

Shri NARNARAYAN GOSWAMI: In my opinion, Sir, the Motion is quite in order (*Laughter*).

Mr. SPEAKER: Mr. Hareswar Das, please.

Shri HARESWAR DAS (Deputy Minister): Sir, this is with regard to Rule 59. In my opinion, it has been wrongly interpreted here. Rule 59 runs thus: "If a motion for leave to introduce a Bill is opposed, the Speaker after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from the member who opposes the motion, may, without further debate, put the question thereon". In this case, the Motion moved by my Friend, Mr. Goswami, was for leave to introduce the Bill. That motion was not opposed but only a point of order was raised and discussion was based on this point of order. If this point of order was ruled out, opposition to Motion would have come in the second stage. The Member who raised the point of order spoke. Sri Goswami made a statement and the Member who raised the point of order had a right of reply. I raised the point of order and I had a right of reply. You also decided so and rightly. If there is no clear provision, then Rule 170 comes in which runs: "If any doubt arises as to the interpretation of any of the provisions of these rules, the decision of the Speaker shall be final". So in that case the point of order was raised by me. My Friend replied and said what he had to say. I had a right to reply and that was the decision of the Speaker. It has been wrongly interpreted that the Motion to introduce the Bill was opposed. A Motion for leave to introduce the Bill may be opposed without raising a point of order.

Mr. SPEAKER: What about Maulavi Umaruddin's point of order?

Shri HARESWAR DAS (Deputy Minister): As far as Mr. Umaruddin's point of order is concerned, I should say that one transaction may contain a series of Acts, each Act is not to be taken separately when they arose out of the same transaction. The point raised by my Friend, Mr. Umaruddin, is not correct because there may be a series of Acts connected with the same matter and here in the main Motion the question is only one.

Shri MOTIRAM BORA (Minister): It is one question only, whether the dignity of the Chair and the House is impaired.

Shri MOHI KANTA DAS (Parliamentary Secretary) : Sir, as regards the point of order raised by Mr. Umaruddin, I beg to state that, it is not correct because it is one transaction as my Friend, Mr. Hareswar Das, has said. The question is whether the dignity of the House was dishonoured. It is one and the same transaction. It cannot be said that there are two questions. The only question is whether by this statement made in the floor of the House published in the papers, the dignity of the House is affected. The matter does not involve two questions. Therefore, only one question is involved, *viz.*, whether the dignity of the House has been affected.

Mr. SPEAKER : You have got your prayer, Mr. Das.

Shri MOHI KANTA DAS (Parliamentary Secretary) : Yes Sir, that such action as is warranted and enjoined by Assembly Rules under such circumstances is humbly prayed for. I now refer to rule 138 of the Assembly Rules. It runs thus : "If the Speaker holds the matter proposed to be discussed in order, he shall refer it to the Committee of Privileges for report within a period to be specified.....". I beg, therefore, to submit, Sir, that this matter may kindly be referred to the Committee of Privileges.

Mr. SPEAKER : That matter may be disposed of by the House with reference to the Committee also.

Shri BIMALA KANTA BORA : I am not sure whether I can refer to the newspaper reports. But we have just received a newspaper where it is stated that the Speaker of the Assembly has informed to-day that Shri Hareswar Goswami, Leader of the Opposition, has withdrawn his allegations made against the Speaker and expressed regret. May I know whether it is a fact ?

Shri BAIDYANATH MOOKERJEE (Minister) : Sir, what I want to submit is that we are discussing something on the basis of some publication in some of our newspapers. The hon. Member who is alleged to have made that statement outside the House is present here. Sir, before we take further part in this debate it would be better, I think, to know the fact from the hon. Member. If he denies the fact or says that it has not been correctly reported, then will it not be better to change the trend of the debate ? My submission is that it would be better to hear Shri Goswami first. If he says that the statement is correct then we shall discuss the matter further and the prayer of my Friend, Mr. Das, will be given due consideration by you, Sir.

Regarding the point of order raised by my Friend, Shri Umaruddin, my submission is that the question is the same whether my Friend, Shri Goswami, made certain allegation from his seat where he is sitting now. If he makes the same statement from another place outside the House then that does not make any difference while the subject matter is the same. Here it arises that if any step was necessary, you would have taken the same or still you may have been contemplating to take it. But so far as the statement as reported in the newspaper is concerned, in all fairness, the hon. Member should be given a chance to say his say and then we shall take part in the discussion and decide whether he has done something wrong which he should not have done. With due respect to the newspapers, I should say that they are the mouth-piece of the mass people and one of the most essential organs of a country but after all the reporters of the newspapers are human beings and, therefore, there may be some misunderstanding or there may be some wrong printing in this connection which is very common. We also commit such mistakes as 'to err is human'. So, Sir, I think it will be better to know the fact from the hon. Member himself before we proceed further in the matter.

This is my submission.

Mr. SPEAKER: I have heard Mr. Umaruddin and Mr. Das. I think the matter relates to whether the dignity of the Chair is impaired or not. Therefore, I allow this Motion to be in order.

Shri NILMONI PHOOKAN: Sir, in support of the Motion moved by my Friend, Mr. Das, I want to make the following observation.....

Maulavi MUHAMMAD UMARUDDIN: Sir, this question does not arise.

Mr. SPEAKER: The rule is like this:

"If the Speaker holds the matter proposed to be discussed in order, he shall refer it to the Committee of Privileges for report within a period to be specified, unless he is of opinion that the matter is such as may be disposed of by the House without reference to the Committee....."

This is a very urgent matter and I think the Leader of the Opposition is involved in it. Incidentally I may say that this is also a grave matter. So, I should like to refer it to the Privilege Committee which I formed the other day. There is one difficulty that the hon. Member against whom the complaint is made is also a Member of the Privilege Committee. Of course there are certain *dictums* or *forum* which will be observed by the Members in the Privilege Committee before it finally decides whether the hon. Member concerned can take part in voting therein. It is a practice not only in India but elsewhere and in British Parliament also that no charge of partiality shall be made by any Member on the floor of the House or outside and the publication by newspaper of such statement will not be allowed. I shall go into details. Unfortunately the other day I did not hear the remarks made by Mr. Goswami, the Leader of the Opposition, in the course of the discussion, but I have heard it only from elsewhere. In the official record also this remark does not appear. I then called for Mr. Goswami yesterday and he has written this in the official record with his own hand. Afterwards I have noticed that Mr. Goswami has withdrawn the statement and was sorry for it. But the fact is that he made the statement inside the House is correct. I have seen an instance that a certain Member wanted to have a certain statement published in a paper and it was held that unless it is in the official record he cannot have it published and also the papers have no privilege either to publish it. I think Committee of Privileges should go into this matter, look into all the precedents and decide (1) whether the hon. Member was within his rights to charge partiality to the Speaker, (2) whether he has any right to affect the dignity of the Speaker outside by issuing the Press statement and (3) whether the newspapers under his instigation or somehow have published this statement and, if so, whether they were justified.

The general rule is that the newspapers cannot add anything further than what is recorded in the official record. In this case, the newspapers have gone out of their way by publishing the statement and thereby impairing the dignity of the House. It is, therefore, necessary that the whole question should be gone into by a Committee of Privileges, who should report by the next Session.

Shri MOHI KANTA DAS (Parliamentary Secretary):
Sir, I beg to move that the question of breach of privilege committed by the Leader of the Opposition, Shri Hareswar Goswami,

be referred to a Committee of Privileges for consideration and report, after suggesting action to be taken, within a period to be fixed by the Speaker.

Mr. SPEAKER : I fix it by the end of February 1955. Mr. Goswami will get an opportunity to explain his position.

The question is that the breach of privilege committed by the Leader of the Opposition, Shri Hareswar Goswami, be referred to a Committee of Privileges for consideration and report after suggesting such action as proper, by the end of February 1955.

(The Motion was adopted.)

Election to the State Advisory Board for Basic Education

Shri OMEO KUMAR DAS (Minister:) Mr. Speaker, Sir, I beg to move that this Assembly do elect five representatives from amongst its Members to the State Advisory Board for Basic Education under section 4 (c) of the Assam Basic Education Act, 1954.

Mr. SPEAKER : Motion moved is that this Assembly do elect five representatives from amongst its Members to the State Advisory Board for Basic Education under Section 4(c) of the Assam Basic Education Act, 1954.

(The Motion was put by the Chair as a question before the House and adopted.)

Mr. SPEAKER : I have great pleasure to inform the hon. Members that both the Government and the Opposition Parties have arrived at mutual agreement regarding election to the State Advisory Board for Basic Education by limiting the number of candidates according to the number of Members to be elected.

The following hon. Members are, therefore, declared elected to the State Advisory Board for Basic Education unopposed:—

Shri Sarveswar Borua.

Shri Bijoy Chandra Bhagavati.

Sriman Prafulla Goswami.

Shri Gauri Shankar Roy.

Shri Radha Charan Chaudhury.

**Government Resolution regarding appropriation of
Grant under "18-B. and 68-B—Navigation,
Embankment and Drainage Works"**

Shri RAMNATH DAS (Minister): Mr. Speaker, Sir, I beg to move that this Assembly do approve of an expenditure of Rs. 2,32,000 under the head "18-B. and 68-B.—Navigation, Embankment and Drainage Works" for the items below. The amount involved will be met from the sanctioned grant.

"18-B. and 68-B.—Navigation, Embankment and Drainage Works"

	General	Sixth Schedule (Part A) Areas	Total
	Rs	Rs	Rs.
I.—Grant originally voted by the Assembly.	1,19,32,000	1,50,000	1,20,82,000
II.—Sub-head under which the appropriation will be accounted for—			
18-B.—Navigation, Embankment and Drainage Works—A.—Works.	32,000	.....	32,000
68-B.—Navigation, Embankment and Drainage Works financed from Capital Revenues—			
(i) G.-M. F. Schemes—Major Irrigation Schemes—Development Schemes (Five-Year Plan)—General—Voted.	2,00,000	.....	2,00,000
Total ...	2,32,000	.....	2,32,000

EXPLANATORY NOTES

(ii) Savings is due to the reasons enumerated below:—

Due to better progress in respect of certain works in the last part of the last financial year which could not be anticipated, the provision made in the Budget becomes in excess of the requirement during the current financial year. Hence the saving.

Mr. SPEAKER : Motion moved is that this Assembly do approve of an expenditure of Rs. 2,32,000 under the head "18-B. and 68-B.—Navigation, Embankment and Drainage Works" for the item below. The amount will be met from the sanctioned grant.

"18-B. and 68-B.—Navigation, Embankment and Drainage Works".

	General	Sixth Schedule (Part A) Areas	Total
	Rs.	Rs.	Rs.
I.—Grant originally voted by the Assembly.	1,19,32,000	1,50,000	1,20,82,000
II.—Sub-head under which the appropriation will be accounted for—			
18-B.—Navigation, Embankment and Drainage Works—A.—Works.	32,000	.....	32,000
68-B.—Navigation, Embankment and Drainage Works financed from Capital Revenues—			
(i) G.-M. F. Schemes—Major Irrigation Schemes—Development Schemes (Five-Year Plan)—General—Voted.	2,00,000	.....	2,00,000
Total	2,32,000	.....	2,32,000

Maulavi MUHAMMAD UMARUDDIN : Mr. Speaker, Sir, hardly have we finished discussing the supplementary demands involving a total expenditure of more than 4 crores of rupees, Government have come forward with another resolution asking for sanction of the House to incur certain expenditure. I am, however, not going to say that by adoption of this Motion we shall incur any extra expenditure, but some money which was really meant for certain other projects is going to be diverted from them to other projects. The reasons given are "Due to better progress in respect of certain works in the last part of the last financial year which could not be anticipated, the provision made in the Budget becomes in excess of the requiremen-

during the current financial year. Hence the saving." Sir, if there was better progress of work in the last financial year, which was not anticipated and for which the provision made in the Budget became in excess of the requirement, it is not clear how saving took place. If there was better progress of work, it means more money should have been spent. How can there be saving in a certain project or certain items of expenditure when there is more progress? When saving takes place, it means that the work could not progress according to plan and anticipation within the financial year. Now, if for some unavoidable and unforeseen reasons the work could not make satisfactory progress and the money allotted for it could not be spent, the Government would have every justification for diverting the money to some other project where more money is necessary due to better progress of work.

Mr. SPEAKER: Have you noticed that the amount involved will be met from the sanctioned grant?

Maulavi MUHAMMAD UMARUDDIN: I quite see that. This money is going to be diverted from one sanctioned head to another sanctioned head and no extra expenditure is involved. But my question is that the explanation is misleading and confusing that due to better progress of work even the provision made in the Budget becomes in excess of the requirement (Shri Motiram Bora: In the current year).

I take it then that the estimate was higher; otherwise, how can there be any saving?

Anyway this is not very clear. Savings may have taken place for a number of reasons. Supposing there is a sum of Rs. 2 lakhs for some project and for some reason that project could not be taken up or the whole amount could not be spent and there is a saving of say Rs. 50,000 or so, but this amount could not be diverted for some new project, without justifiable ground. In the past such reappropriation used to be made by Government without reference to the House but this practice was objected to by the Auditor General and under his present direction—such reappropriation is being placed before the House in the shape of resolutions.

Now, we want to know how the money is diverted?

Mr. SPEAKER: Is it diverted?

Shri MOTIRAM BORA (Minister): Diversion is allowed.

Maulavi MUHAMMAD UMARUDDIN: It is allowed but it involves a fundamental policy. If diversion is allowed, first of all, we should know from what particular project or projects this is diverted and how this saving could accrue. This we must know because this is a sanctioned grant in the regular Budget from which this money has been diverted and we voted it for a particular purpose. If it is a new item for which the diversion is made, the details would have been given in the Appendix that such and such amounts are for recurring and non-recurring expenditure and will be spent in 5 or 6 years. Whatsoever may be the case it must be stated that for certain reasons, certain project or projects could not be taken up and therefore the money has been diverted. If it is necessary for Government to divert some money, they should have given details of the diverted money so as to enable the House to satisfy itself such diversion is justified. This is a long standing practice to make a show that certain amounts are sanctioned to be distributed for different projects, such as roads, embankments, etc., to please different Members of this House, which is in fact a whitewashing, because it is found later on that some of those projects have not been taken up and then Government come forward with some ostensible pleas and say that for such and such reasons these works could not be taken and those reasons generally are, *e.g.*, shortage of materials, want of personnel, etc., and then they divert the money to old or new projects of their own choice. It is stated that this Rs.2,32,000 is saving to be utilized for the construction of the residential building of the E. E. L. A. at Gauhati and also for a sluice gate. If this saving would have been from some less important building or irrigation project and had been diverted to some other building and irrigation projects, that would have been a different thing, but here it is not stated whether this money is from the saving of some building project or something like that. If the reasons are not stated clearly, it may be misleading to us and thus the commitment of the Government for certain specified projects will not be fulfilled. The best course for the Government would have been to state clearly and specifically that for such and such reasons they had to take recourse to reappropriation and the House would then be in a position to judge whether the reasons are sound and the money can be rightly diverted.

Now, regarding this sum of Rs.32,000, we do not know where from this money has been saved. Then regarding Rs.2 lakhs, it is stated in the Appendix as follows:— "In order to achieve full benefit of the Scheme, early execution of Phase II

of the Scheme for constructing a sluice culvert across Kalbhog Nadi and a flood embankment for Palasbari to Chiminagaon to prevent abnormal flood spill from the Brahmaputra is greatly needed'. This may be so, but wherefrom this Rs.2 lakhs is coming—whether it is from the savings in respect of some similar projects or not, it has not been stated. I may agree that this sluice culvert is necessary, but I should know wherefrom this money has been diverted, so that I may know what is more important and what is less important. We must know the facts that from such and such project or projects this sum of Rs.2 lakhs has been diverted and whether by doing so we may examine any injury has been caused to more deserving projects. Unless we know this how can we judge? Otherwise, merely giving misleading or sketchy explanation and expecting that we shall ditto them is wrong and the Budget in that case will lose its whole meaning.

With these words, I oppose this Resolution as full details are not furnished.

Shri GAURISANKAR BHATTACHARYYA: Mr. Chairman, Sir, after what my Friend, Maulavi Umaruddin, has said, there remains rather little to be said. I want to add only a few words here. It has been said in the Explanatory Note thus:

“Due to better progress in respect of certain works in the last part of the last financial year which could not be anticipated, the provision made in the Budget becomes in excess of the requirement during the current financial year.....”

Now, Sir, we want to know what those works are? Although it is shown here as Explanatory Notes, as a matter of fact, it does not explain anything to us. Therefore, we are left in the dark. We are to be convinced before we agree to the Resolution, that the saving has been justified and proper. Sir, here the whole House after due consideration had earmarked certain expenditure. If that was not side-tracked, if the saving was due to more economic and careful execution of work, we would have, of course, supported this Resolution with all thanks to the Government. But, if on the contrary, it so happens that due to the inefficiency of the Public Works Department some very urgent works, for which this House had granted this amount, were neglected and therefore the savings accrued, we shall not be in a position to agree to this Resolution. This is one point.

Secondly, we find in Appendix "A", as to where the money is going to be diverted now. This gives us some idea no doubt, but even then, as has been said just now by my Friend, Md. Umaruddin, that with regard to this sum of Rs.32,000, we shall have to see whether the items from which the saving is made is less important or not.

Thirdly, and it is rather a hackneyed subject which irritate the hon. Members of the Treasury Benches, this sort of Resolution are brought in every Session of the Assembly, *viz.*, diversion of grant in addition to the Supplementary Budget, shows a very bad state of affairs in our Budgeting Department. Therefore, I again take this opportunity of urging it upon the Finance Minister and also the Public Works Department Minister, and say that when schemes are made they are not made at random and that some amount of thought and consideration is given before things are brought to the floor of this House. Too many Resolutions of such diversion of budgeted amount or too many Supplementary Budgets running to crores of rupees speak very badly on the Budgetary Department and on Government also. With these words, I seek clarification from the Minister-in-charge with regard to the detailed sources from where the saving has been made and also the comparative necessity and sources to be diverted.

Shri RANENDRA MOHAN DAS: Mr. Chairman, Sir, I want to speak a few words. As far as I remember, I raised a complaint in this House some time back that in the Budget Session we passed the Budget, allotted funds to different projects in different districts and subdivisions. We find that in some neglected areas of the State where some funds for some particular works have been allotted, but Government do not take any interest that works may be completed within the 31st March, with the intention of saving some towards the end of the year which can be utilised according to their choice in some selected places of the State. That was the complaint raised by me in the floor of this House more than once and to justify my statement I can now say that Government is now diverting money in the form of this Resolution. Sir, if the intention of the Government is fair, there cannot be any reason why giving all these details in Appendix 'A' that these Rs.2,32,000 are proposed to be spent in the new schemes, Government failed to give a detailed account of the money which was saved from particular items in the last year's budget for the information of the hon. Members of this House. So, we are in the dark as to wherefrom, or from what areas this sum has been saved. Therefore, Sir, I am sure

that the intention of the Government is not fair. They want to suppress facts from us.

Secondly, Sir, when we passed the Budget as legislators in this House, it is the salient duty on the part of the Minister-in-charge, I mean the Government, to utilise the funds allotted according to the wish of the House. If they failed to fulfil the intention of the Members who have placed funds in the hands of the Ministers, they must convince the Members that such and such works could not be done in such and such areas for such and such difficulties, and if the Members from both the sides are convinced that the difficulties as stated by Government are reasonable, there cannot be any dispute for diversion of the funds to another item within the financial year. But here this was not done. Sir, my suspicion is proved by this attitude of the Government who have brought this Resolution without stating full facts, further we find that there are two or three resolutions more to be moved. Government ought to have given a detail of those funds and schemes not undertaken last year that it was passed in the House.

Then again, it has been pointed out by my Friend, Md. Umaruddin, in the Explanatory Notes, where it states:

“Due to better progress in respect of certain works in the part of the last financial year which could not be anticipated, the provision made in the Budget becomes in excess of the requirement during the current financial year”.

I have also failed to understand the meaning of the word “better”. It cannot be better. I do not know whether it is a printing mistake. If there is better work, Government ought to have required more money. To my mind, it should be “slow progress” or “bad estimate”. On the other hand, if we say that as the management of the work was good and economical, it could have made some saving. In that case, there ought to have been some clarifications from the statement of Explanatory Notes.

Here, it is an incorrect statement. We cannot reconcile the head and tail of this statement.

So, what I like to impress upon the House that Government in the fitness of things, should give a detail account of the works for which this sum had been allotted by the Members of this House, as to why Government could not complete these works, what are those difficulties, from which areas, from

which projects these money come as saving or what are the new works proposed to be taken. Sir, with these words, I want to seek clarification on these points. I am afraid, this is a very bad precedent which is being followed by Government. We, in the Opposition are in a minority. Government party consists more than 85 Members, then why they should be afraid of us? If they place anything they can pass it. It is evident that the Government has no confidence on its own Members. They want to suppress facts from their own Members also. It should be clarified, and all Members has a right to know how these works are completed, from which areas and from which works money have been saved. For, if I am allowed to give a statistic of such savings during last 5 years, it will be seen that big amounts have been saved from Cachar District alone to be spent in some other works of Assam Valley.

Shri RAM NATH DAS (Minister): Mr. Chairman, Sir, I have heard the points raised by the hon. Members from that side who want to know some implications. The main point on which or the main point which they want to know is this, that whether any injustice has been done to the schemes for which money was originally budgeted and from which the money is going to be diverted to certain schemes as described in the Explanatory Note of this Resolution. Sir, the hon. Members are, in a sense, right that they should try to know about the e schemes because in this Resolution we have not given any indication that, out of which schemes the money is saved. Sir, if I just give them assurance that Government has not done any injustice to any scheme out of which the money is going to be diverted, in that case I think the Members would be satisfied.

Shri GAURISANKAR BHATTACHARYYA: We want to know from which sources has it come.

Shri RAM NATH DAS (Minister): In the Explanatory Note, no sanction has been made of any of the schemes out of which money is saved. Some amounts that were budgeted for the current year for some schemes have become unnecessary for the reason that the works done in the last year have exceeded the anticipated progress and also the amounts budgeted for the execution of those works and the amount additionally required was made by the Government in the last year with the sanction of this House, either by re-appropriation or by Supplementary Demand. Due to this fact some amounts have become excessive with regard to same

schemes and only out of these schemes the saved amounts are going to be diverted. Therefore, Sir, my hon. Friend who raised this point will be satisfied to know that Government is going to do, by diverting some of the amounts from certain schemes, no injustice to those schemes. Sir, I am going to give one or two instances out of which the money has been diverted. One of these schemes is the construction of the Executive Engineer's office for Embankment and Drainage Division in Nowgong. The budget provided for this was Rs. 25,000 and it has become now excessive and unnecessary. The whole amount has become surplus.

Shri RANENDRA MOHAN DAS: কিন্তু আমাদের কাছাড় District থেকে কত এসেছে ?

Shri RAMNATH DAS (Minister): And that has not done any injury to the Executive Engineer's office at Nowgong, because the money, meant for it, has become unnecessary for this office now. I want to cite another instance where from the money is going to be diverted. That for the current year we have budgeted about 20 lakhs of rupees for construction of revetment at Dibrugarh for the permanent protection of the town from erosion of the Brahmaputra. All the hon. Members know what harm has been done by erosion to the bank of the Brahmaputra and what has happened to the revetment that was done. The revetment that was done costed about 10 lakhs of rupees but the amount that was provided for the purpose was about 20 lakhs of rupees. For the next step that is to be adopted for the protection of the Dibrugarh town, amounts of money that is required has been provided under a separate scheme.

Shri GAURISANKAR BHATTACHARYYA: We are discussing about Resolution No. 1.

Shri RAMNATH DAS (Minister): Yes, we are discussing about Resolution No. 1. We are speaking about the money that has been diverted and this is one of the schemes from which money has been diverted to the schemes mentioned in Appendix A. Sir, I am going to reply to another point. Sir, Mr. Gaurisankar Bhattacharyya wanted to know from me the name of the scheme and of which Rs. 32,000 has been diverted to the new scheme is going to be executed with the amount. Sir, I do not say that this sum of 32,000 rupees has become excess out of a certain particular scheme.

What I have said is that out of the savings accrued from some schemes, we are going to provide for new schemes, the amounts. Therefore, I don't think that Mr. Bhattacharyya is right in asking me to explain to him out of what particular schemes I am going to divert the saving of Rs. 32,000 for the new scheme. So Sir, I don't like to say anything more, and with these few words I would like to request the hon. Members of the House to accept my Resolution.

Mr. CHAIRMAN: The question is that this Assembly do approve of an expenditure of Rs. 2,32,000 under the head "18-B and 68-B-Navigation, Embankment and Drainage Works" for the items below. The amount involved will be met from the sanctioned grant.

(The Motion was adopted.)

Resolution regarding appropriation of grant under "50--- Civil Works—State Excluding (Establishment and Tools and Plant.)"

Shri RAMNATH DAS (Minister): Mr. Chairman, Sir, I beg to move that this Assembly do approve of an expenditure of Rs. 6,35,588 under the head "50—Civil Works State (Excluding Establishment and Tools and Plant)" for the items below. The amount involved will be met from the sanctioned grant.

"50—Civil Works—State (Excluding Establishment and Tools and Plant)."

	General	Sixth Schedule (Part A) Areas	Total
	Rs.	Rs.	Rs.
I.—Grant originally voted by the Assembly.	2,59,57,200	1,50,21,300	4,09,78,500
II — Supplementary grant voted by the Assembly in the July Session of the Assembly.	5,45,714	47,500	5,93,214
III.—Sub-head under which the appropriation will be accounted for :—			

(a) Buildings—

Land Revenue ...	12,188	12,188
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				General	Sixth Schedule (Part A) Areas	Total
				Rs.	Rs.	Rs.
General Administration—						
Voted	...	...	...	16,700	...	16,700
Police other than Assam Rifles.				8,000	...	8,000
Civil Works	...	...		52,700	60,000	1,12,700
Miscellaneous	Department			50,000	...	50,000
Total (a) Buildings ...				1,39,588	60,000	1,99,588
Development Schemes (Art. 275) A—1—O.W.—(b)—Communications — Ordinary Roads—Plains Tribal Areas.				4,36,000	...	4,36,000
Grand Total ...				5,75,588	60,000	6,35,588

EXPLANATORY NOTES

(i) The amounts are required for the works as per details at Appendix 'A' and the Explanatory Notes thereto.

(ii) The saving is due to the reasons enumerated below:

There has been considerable delay in selection of sites and consequent delay in preparation of plans and estimates for certain works for which direct provisions have been made in the current year's budget. This resulted in savings out of those provisions. The recent unprecedented flood which caused extensive damages to the existing roads and buildings all throughout the State have also played an important part for accumulation of anticipated savings as all resource in men and materials have been diverted to restore the damages done by the flood.

The CHAIRMAN: The Motion moved is that this Assembly do approve of an expenditure of Rs. 6,35,588 under the head "50—Civil Works—State (Excluding Establishment and Tools and Plant)" for the items below. The amount involved will be met from the sanctioned grant.

"50—Civil Works—State (Excluding Establishment and Tools and Plant)."

	General	Sixth Schedule (Part A) areas	Total
	Rs.	Rs.	Rs.
I.—Grant originally voted by the Assembly.	2,59,57,200	1,50,21,300	4,09,78,500
II.—Supplementary Grant voted by the Assembly in the July Session of the Assembly.	5,45,714	47,500	5,93,214
III.—Sub-head under which the appropriation will be accounted for :—			
(a) Buildings—			
Land Revenue	12,188	...	12,188
General Administration—			
Voted	16,700	...	16,700
Police other than Assam Rifles.	8,000	...	8,000
Civil Works	52,700	60,000	1,12,700
Miscellaneous Department ...	50,000	...	50,000
Total (a) Buildings ...	1,39,588	60,000	1,99,588
Development Schemes (Art. 275) A.—1—O.W.—(b)—Communications—Ordinary Roads—Plains Tribal Areas.	4,36,000	...	4,36,000
Grand Total ...	5,75,588	60,000	6,35,588

Shri GAURISANKAR BHATTACHARYYA: Sir, another thing is that the total amount so diverted is not a small amount, it comes to Rs. 6,35,588. Sir, one thing surprises me most. It is that so far as the 6th Schedule Districts are concerned, we find that no amount has been earmarked for those districts for nation building purposes, except for a demand of Rs. 60,000 for construction of police quarters. So, Sir, it is seen that except police in these districts, there is nothing else to be provided for. Sir, the spirit of separatism is there. My Friend, Mr. Das, has said that as a result of non-completion of some specific schemes, these savings have accrued. I say, Sir, that due to step-motherly affection or rather lack of

affection, the Department or the Executives at their own sweet-will divert the amounts as they like and so others do not get a chance of representing their demands. For example, here in Appendix 'A' we have seen a provision of Rs. 11,400 has been made for fencing the compound of the Assam Secretariat. It has been felt by the authority that the Secretariat compound should be properly fenced and from the administrative point of view, this requires immediate execution; but it is surprising that this particular item did not at all come to the notice of the Government at the time of preparing the Budget. Why so much urgent attention should be given to this item of fencing the Secretariat compound at a time when Assam is in trouble due to the flood and erosion and when houses and public buildings were damaged and carried away by the flood? Sir, if this matter had been brought before this House, I think the Members of the ruling party itself would have suggested that the amount should be spent elsewhere. At any rate, this amount of Rs. 11,400 should have come before the House at the proper time.

Mr. Chairman, Sir, I have again to raise certain objections with regard to this Resolution. Of course at the very outset I should thank the Government that at least in the Explanatory Note to this Resolution, they have told some truth. They have admitted that they have saved something due to considerable delay in selection of sites and consequent delay in preparation of plans and estimates for certain works, etc., instead of saying that they have saved something due to better progress, etc. They have admitted that there has been delay in selection of sites and consequent delay in preparation of plans and estimates for certain works, etc. Here atleast we have got some inkling of the truth and this is encouraging for which I should thank the Government. Sir, my Friend, hon. Mr. Das, has said that I am not right in questioning him as to wherefrom the particulars have come. I think I have an inherent right.....

Shri RAMNATH DAS (Minister): I did not say he has got no right, but I said he has no right.

Shri GAURISANKAR BHATTACHARYYA: After all that is a question of opinion. I don't want to quarrel on that. Sir, how can it be understood that the recent unprecedented flood which caused extensive damages to the existing buildings all throughout the State has also played an important

part in accumulation of anticipated savings? Whether it is due to flood, or due to the breaking of roads or collapse of houses which caused this accumulation of savings or more expenditure? I leave this to the House for its consideration. Another point, Sir—in which part of the year came the rains? Floods came in July or August or in September. Earth works, constructions of houses, etc., should be generally done in dry season, but these things are not done. So, Sir, this explanation is not quite understandable to me.

After all, Government would be benefitted by the advice and suggestion of the Members of this House.

Then, Sir, another thing—I challenge the explanation given by Government at page 6 regarding the construction of Sub-Inspector quarters at Tarabari, District Kamrup. It has been said that “The Project was originally proposed to be executed departmentally. But it has now been decided that the work is to be taken up by the Public Works Department during the current year as this is of urgent and imperative necessity.”

Sir, my information is that this building was completed already departmentally and the building was damaged and washed away by the flood.

This fact has been suppressed by the Government in this House. Let Government deny this charge if they can. Then, another thing, Sir—we shall see that those backward areas were neglected where education is most necessary. And we shall see that in the next Resolution. With regard to the Sixth Schedule Areas, nothing has been done. Now, an amount of Rs.30,000 has been diverted for the construction of buildings for the Department of Education in the plains districts but not a pie has been spent for the Sixth Schedule Districts. If by this sort of back door and partial manner, this Government creates suspicion among some areas of the State and as a result of that, there grow centrifugal tendencies in the State none but this Government should be made responsible for these things. Therefore, I do not understand why such big amounts of money have been diverted by Government not only with regard to what I have stated but also in connection with Resolution No.1. Again, certain savings are made in certain areas, for example; in Cachar or in Lakhimpur, but the diversion is made to some favoured areas. Let me rather not mention these areas. Secondly, those areas which have all along been neglected by the Government have again been ignored even when Government got a chance to divert some

amount to those areas. As a result of this action of the Government namely, neglecting of some areas and favouring certain others, a great deal of disunity, a great deal of suspicion was created for which the very existence of the State has been at stake. So while opposing this resolution, I am giving this friendly warning to the Government that this sort of partiality and carelessness should be avoided in future.

Maulavi MUHAMMAD UMARUDDIN : Mr. Chairman, Sir, here we find that the savings of Rs.6,35,588 fall under 2 categories, *viz.*, Rs.1,99,588 for buildings including Rs.60,000 for the Sixth Schedule Areas and Rs.4,36,000 for development of communications in the plains tribal areas. Now, Sir, the reasons that have been given here are, "the savings occurred as a result of delay in selection of sites and consequent delay in preparation of plans and estimates for certain works for which provisions have been made in the current year's budget. This resulted in savings out of those provisions. The recent unprecedented flood which caused extensive damages to the existing roads and buildings all throughout the State have also played an important part for accumulation of anticipated savings as all resources in men and materials have been diverted to restore the damages done by the flood". These explanations are unconvincing and have been worded in such a way that the real intention is not known. I understand that due to certain delay in the selection of sites and consequent delay in the preparation of plans and estimates savings could have occurred. The point is this,—the savings occurred because our resources in men and materials have been diverted to flooded areas for restoration of damages and as a result those normal works could not be taken up resulting in savings. This is quite reasonable as far as it goes. Now, Sir, the fact is that savings have occurred for whatever reasons it might be. My point is that how these savings should be utilised, whether they are to be utilised for purposes essential to the life of the people. For instance, if these savings are to be best utilised, it is our duty to divert them to those areas which have been affected by the flood, where the extent of damage to Government and public properties and the distress caused to rural areas are considerably high. I think it is necessary that non-essential normal works should be kept in abeyance and the savings should be diverted to those areas where damages have been the heaviest in certain roads or bridges have been breached or washed away by the floods. That must be the criterion. Some more works have to be taken up for giving relief to the people. We must think in terms of the welfare of the people. When the people are hard hit by any calamity we should come to their

rescue and in this nothing should stand in our way. This is a vital necessity and must receive the prior attention of Government. I think that such savings should be so utilised that the suffering of the people is kept to the minimum. So, Sir, what we find here the money is going to be utilised not at all for the above purposes—for urgent and essential purposes particularly in flood affected rural areas. As for instance, Mr. Gaurisankar Bhattacharyya has referred to the fencing of the Secretariat building on which a part of the savings is being spent. Is it very essential? Is it a fact that the Secretariat building will be exposed to some serious danger if the fencing is not provided now? I do not consider this necessary and therefore the money can be diverted to some test relief works. Then, again, we find that a sum of Rs.12,088 has been provided for the Rangiya Circle office. Is it so very important that it cannot be delayed for some time? So is the case with some construction works at Tarabari. Are all those very important? And also there are several other items including one for which a sum to the tune of Rs.50,000 has been provided. This is for a Library and Town Hall at Shillong. On the other hand we want more urgently a Clinic in Shillong. We want to extend the accommodation for the T.B. patients and I think a provision for the T.B. Hospital at Shillong is a greater necessity than the construction of a Public Library and Town Hall at Shillong. This strikes us as very anomalous and shows how public fund is being badly utilised without proper appreciation of the real and urgent needs of the people of the State. When we are hard pressed for want of space for T.B. patients this sum of Rs.50,000 would have done a lot for them but it is being spent for a less essential purpose. But, Sir, what affects the life of the people is a greater necessity than other non-essential purpose and luxuries on which the Government propose to spend money. One thing is not very clear to me. This amount of Rs.4,36,000 provided for the plains tribal areas. I do not know whether it is a new grant or it is from savings or this is a grant from the Government of India. It is not very clear here. What we find that there are some new projects for which some money is proposed to be spent, but I have not been able to follow whether this money is created out of savings that have accrued from any particular head, that is, the Development of Plains Tribal Areas or whether this money is going to be taken from somewhere else. The clarification is not here. What we find at page 8 of the remark column is: "The Government of India have sanctioned these road projects for the improvement of the Plains Tribal Areas under Article 275 of the Constitution".

I have nothing to say as far as this is concerned. But the point is whether this amount of Rs.4,36,000 was originally meant for development of Plains Tribal Areas at the time of preparing the budget or this money is diverted from some other head. In this connection a reference to pages 8 and 9 of the Statement showing the details of some road projects is called for. If this money is from any savings then we do not know how that savings have occurred. If this is from the grant for the Development of Plains Tribal Areas then the Committee consisting of the representatives of the Plains Tribal Areas should have examined these projects.

These are the points on which I seek a clarification from the Minister-in-charge.

Shri RAMNATH DAS (Minister) : Mr. Chairman, Sir, as in the last Resolution, in this Resolution also certain points have been raised by my Friends, Mr. Bhattacharyya and Mr. Umaruddin. All the schemes have not been described in the Resolution from which the money is going to be diverted to new schemes. Mr. Bhattacharyya is under the impression that by diverting the money from some of the schemes Government is going to do some favour to some District at the expense of other Districts. If he would have cared to know about the new schemes for which Government is going to divert the money from some schemes then he would have not thought like that. Sir, the money is going to be diverted from the following schemes: (1) Gauhati Court, (2) High Court Building and (3) some of the Sales tax Department buildings. If we take the case of the Gauhati Court we find that the money provided for the current year will not be necessary. Again, if we take the case of the High Court we find that the whole amount provided for the current year will also not be necessary. So, the money provided for those schemes will be in excess. Sir, if some new schemes are going to be taken up in the same District then my Friend cannot grudge for that. I can assure him that the schemes which are going to be executed with diverted funds—and which are described in the Schedule A, as known to the Members of the House, are new schemes not meant for a particular District. Some of the institutions are important from all Assam point of view, for instance the Secretariat building, the Government Library, and they are not meant exclusively for a particular District. The Secretariat building is meant for the whole of Assam. Similarly, the Government Library for which Government is going to spend some amount, is meant for the people of Assam. The other items which are described in the

Schedule A are going to be taken up in different areas. Therefore, the objection raised on the ground that some favour is going to be shown to some particular Districts at the expense of other Districts has got no foundation. They could raise this point because the schemes from which the money is going to be diverted have not been described in the Resolution by us.

Secondly, Sir, Maulavi Umaruddin has said that the schemes for which amounts from savings are going to be diverted, are not so urgent and in his opinion instead of spending the said amounts for the schemes described in Schedule A, Government ought to have spent that for other schemes such as roads, buildings, etc., in the flood-affected areas. This goes to show, Sir, as if Government is not going to spend any money for the repair of buildings, roads, etc., damaged by the last floods. Can my Friend show that Government has not sanctioned the required amounts for the repair of the roads, buildings, etc., in the flood-affected areas? My Friend when he cannot say that, his arguments on that score are baseless.

Another point that has been raised by Maulavi Md. Umaruddin is this: it is not stated in Appendix A whether the money that is going to be spent, *viz.*, Rs.4,36,000 has become excess out of any amount budgeted for the tribal areas or not. Sir, the position is this: this money has not become excess out of any amount earmarked for the Tribal Areas Department. This is not a specific saving out of the amount budgeted under Article 275, but a general saving out of the schemes I have described. I think I am clear to Mr. Umaruddin.

Maulavi MUHAMMAD UMARUDDIN: My point is whether this amount of Rs.4,36,000 is a saving from the entire Public Works Department Budget or out of the money earmarked for development works under Article 275?

Shri RAMNATH DAS (Minister): That is what I have been trying to explain to Mr. Umaruddin. This is an over-all saving out of the schemes which I have described before; it is not a saving out of any schemes financed or are going to be financed under Article 275.

Maulavi MUHAMMAD UMARUDDIN: It involves a question of policy. If this saving has been effected out of the entire grant of the Public Works Department for both tribal and general areas, is it the policy of the Government to divert the entire amount to the plains tribal areas? Supposing that there has been a over-all saving of Rs.10 lakhs in the Public Works Department Budget on various heads. Out of this amount of

10 lakhs should we divert more than half for development of roads, bridges, etc., in the tribal areas? If that is your intention, what money are you going to get from the Government of India ?

Shri RAMNATH DAS (Minister) : The whole amount is a grant from the Government of India and Government is going to adjust that amount with savings. This has come to Assam as a grant to be spent for the tribal areas under Article 275. Budget provision was not made as intimation regarding sanction of that amount came very late. This amount is not going to be diverted out of the over-all savings of the Public Works Department grant at the cost of other schemes. Therefore, my Friend cannot raise any objection for diverting this saved amount to make adjustment with the grant of India for execution of schemes in Tribal Areas.

Shri GAURISANKAR BHATTACHARYYA : Which statement of the Minister is correct ? His previous statement or this statement ?

Shri RAMNATH DAS (Minister) : I have said the same thing in my previous statement also. The saving is an over-all saving, not out of the whole Budget but out of the four schemes which I have already mentioned. This money has been provided out of the savings of four schemes only and not at the cost of other schemes. Therefore, Sir, my Friends should not raise any objection to the passing of this Resolution.

Mr. CHAIRMAN : The question is that this Assembly do approve of an expenditure of Rs.6,35,588 under the head "50.—Civil Works—State (Excluding Establishment and Tools and Plant)". The amount involved will be met from the sanctioned grant.

(The Motion was adopted)

Resolution *re*: appropriation of grant under "81.—Capital Accounts of Civil Works outside the Revenue Accounts".

Shri RAMNATH DAS (Minister) : Mr. Chairman, Sir, I beg to move that this Assembly do approve of an expenditure of Rs.30,000 under the head "81.—Capital Accounts of Civil Works outside the Revenue Account" for the items below. The amount involved will be met from the sanctioned grant.

“81.—Capital Accounts of Civil Works outside the Revenue Account”.

	Rs.
I.—Grant originally voted by the Assembly ..	1,27,28,300
II.—Supplementary grant voted by the Assembly in the July Session of the Assembly.	Nil.
III.—Sub-heads under which the appropriation will be accounted for—	

	General	Sixth Schedule (Part A) Areas	Total
	Rs.	Rs.	Rs.
(a) Buildings—			
Education	30,000	...	30,000

EXPLANATORY NOTES

- (i) The amounts are required for the works as per details at Appendix ‘A’ and the explanatory notes thereto.
- (ii) The saving in the Budget grants is due to inadequate supply in Bridge materials for which a considerable amount of saving is anticipated out of the provisions made for expenditure for construction of bridges in the current year.

Mr. CHAIRMAN : Motion moved is that this Assembly do approve of an expenditure of Rs.30,000 under the head “81.—Capital Accounts of Civil Works outside the Revenue Account” for the items below. The amount involved will be met from the sanctioned grant.

“81.—Capital Accounts of Civil Works outside the Revenue Account”.

	Rs.
I.—Grant originally voted by the Assembly ...	1,27,28,300
II.—Supplementary grant voted by the Assembly in the July Session of the Assembly.	Nil.
III.—Sub-heads under which the appropriation will be accounted for—	

	General	Sixth S schedule (Part A) Areas	Total
	Rs.	Rs.	Rs.
(a) Building—			
Education	30,000	...	30,000

(The Motion was put by the Chair as a question before the House and adopted.)

Resolution for approval of an expenditure of Rs.28,700 under "10.—Forests" by re-appropriation.

Shri RAMNATH DAS (Minister): Mr. Chairman, Sir, I beg to move that this Assembly do approve of an expenditure of Rs.28,700 under "10.—Forests" by reappropriation from savings from the sanctioned grant as indicated below.—

The explanatory note explains the need of the appropriation.

10—Forests—

	General	Sixth Schedule (Part A) Areas	Total
	Rs.	Rs.	Rs.
1. Grant originally voted by the Assembly.	35,93,300	11,92,800	47,86,100
2. Sub-head under which the Appropriation will be accounted for—			
B (a)—Conservancy and Works—	...	28,700	28,700
VII—Organisation, Improvement and Extension of Forest—Sixth Schedule (Part A) Areas.			
3. Sub-head from which the amount is to be re-appropriated—			
B (a)—Conservancy and Works—			
VII—Organisation, Improvement and Extension of Forests—General.			

EXPLANATORY NOTE

The amount is required for the following reason. A programme of working plan was originally contemplated in the Kamrup and Goalpara East Division. Necessary funds were therefore provided in the current year's budget under "General" but the loss of revenue from the Unclassed State Forests of the Garo Hills Forest Division and the United Khasi-Jaintia Hills Division owing to the formation of the District Councils in these districts has rendered it necessary to undertake, as early as possible, more intensive exploitation of the Forests Reserves in these districts which can only be done after the permissible annual cut has been ascertained as a result of working plan field work. It has therefore become expedient to take up working plan work in the Forest Reserves of the Garo Hills and United Khasi-Jaintia Hills by abandoning the previously proposed working plan work in the Kamrup and Goalpara East Division.

Mr. CHAIRMAN.—Motion moved is that this Assembly do approve of an expenditure of Rs.28,700 under “10.—Forests” by reappropriation from savings from the sanctioned grant as indicated below.—

10.—Forests—

	General	Sixth Schedule (Part A) Areas	Total
	Rs.	Rs.	Rs.
1. Grant originally voted by the Assembly.	35,93,300	11,92,800	47,86,100
2. Sub-head under which the Appropriation will be accounted for—	...	..	..
B (a)—Conservancy and Works— VII—Organisation, Improvement and Extension of Forests—Sixth Schedule (Part A) Areas.	...	28,700	28,700
3. Sub-head from which the amount is to be re-appropriated—			
B (a)—Conservancy and Works— VII—Organisation, Improvement and Extension of Forests—General.			

Maulavi MUHAMMAD UMARUDDIN: Here we have nothing to criticise as the explanation is good. When explanation is good we do not criticise.

Mr. CHAIRMAN: The question is that this Assembly do approve of an expenditure of Rs.28,700 under “10.—Forests” by reappropriation from savings from the sanctioned grant.

(The Motion was adopted).

The Assam Appropriation (No. IV) Bill, 1954

Mr. CHAIRMAN: I have got a message from the Governor which is dated Shillong, the 1st November, 1954. The message is as follows:—

“Under provisions of Article 207 of the Constitution of India, I, Jairamdas Doulatram, Governor of Assam, recommend the introduction in the Legislative Assembly of Assam Appropriation (No. IV) Bill, 1954 and also consideration of the same Bill by the said Assembly”

Shri MOTIRAM BORA (Minister): Mr. Chairman, Sir, I beg to introduce the Assam Appropriation (No. IV) Bill, 1954.

The CHAIRMAN: The Motion moved is that the Assam Appropriation (No. IV) Bill, 1954, be introduced.

(After a pause)

The question is that the Assam Appropriation (No. IV) Bill, 1954, be introduced.

(The Bill was introduced).

Shri MOTIRAM BORA (Minister): Mr. Chairman, Sir, I beg to move that the Assam Appropriation (No. IV) Bill, 1954, be taken into consideration.

The CHAIRMAN: The Motion moved is that the Assam Appropriation (No. IV) Bill, 1954, be taken into consideration.

(Maulavi Muhammad Umaruddin rising to speak).

Shri BAIDDIYANATH MOOKERJEE (Minister):

বয়েস বাঢ়লে লোকে বেশী কথা বলে।

Maulavi MUHAMMAD UMARUDDIN: Sir, I have taken the lesson from Mr. Mookerjee that with age one speaks more.

Now, Sir, the hon. Finance Minister has come forward with a Bill to sanction an expenditure of Rs.4,72,79,380. This is in addition to the grant which was already sanctioned in the regular budget to the extent of Rs.30,33,15,500 and the grant taken in the shape of Supplementary Demand in July Session for Rs.43,93,583, thus the total amount up-to-date placed at the disposal of the Finance Minister will be Rs.31,91,71,063, i. e., about Rs.32 crores.

Now, when we were discussing the regular budget, Mr. Bora was arguing vigorously that this time the deficit was going to be real when I charged him that it was an artificial budgeting. He repeatedly argued that this year it was going to be real; that is to say, that the deficit between revenue receipt and expenditure to the extent of Rs.2,28,51,000, was going to be real. In the regular budget we saw that the revenue receipt was Rs.14,41,61,000 and expenditure Rs.16,70,12,000. The Finance Minister then with a view to make the deficit appear real came with a number of taxation measures. Then, I pointed out that in

addition to the revenue receipt of Rs.14,41,61,000 and a sum of Rs.7,49,82,000, was capital receipt—both constituting the total consolidated fund of Rs.21,91,43,000 against the consolidated expenditure to the extent of Rs.24,08,82,000.

Sir, in a State where the basic revenue receipt is Rs.14,41,61,000 naturally this heavy expenditure will cause some concern and that every move taken by the Government for additional expenditure will have to be done with great caution. That is to say, that Government will come forward for only such expenditures which will be in the real interest of the State and in the interest of the people. But we find that, that is not the case and Mr. Bora is in a jolly and confident mood and like a juggler he makes us weep or laugh whichever he likes and that he asks for sanction of money whenever he likes.

Now, it is our duty and as a matter of fact, it is the duty of the Finance Minister to present before us the whole financial position of the State before coming for more expenditure in the shape of Supplementary Demands. That is to say that whenever we go to grant any supplementary demand he should explain what will be the minimum effect of such a demand and how far the financial position of the State would be affected, because as a result, these expenditures are going to be far in excess of the basic revenue. We do not know how far the deficit of Rs.2,28,51,000 is going to be affected? Is it going to be raised or lowered? There is another consideration, this year we might have a heavy fall in our revenue receipt because a large part of Assam is affected by the floods. Land revenue and agricultural income-tax earnings, except in tea gardens, are going to be less this year. Therefore, we do not know how, in addition to the previous deficit, this new demand that is going to be charged to the Consolidated Fund will ultimately affect the deficit? So these things should be placed before the House and such matters should be reviewed by the House from time to time. Therefore, I want to know from the Minister, whether as a result of the total expenditure of Rs.21,91,43,000 sanctioned in the regular budget, in addition to Rs.43,93,583 sanctioned in July Session and Rs.4,72,79,380, brought forward in this Session for the vote of the House, what is going to be the net financial position? We want to know to what extent we are going to increase or decrease our net deficit in revenue because in dealing with finance we must depend on basic sources and not on capital sources. We are taking money from the Central Government with a view to repay them through some productive schemes. I may support all this but our real source of revenue which amounts to

Rs.14,41,61,000 is our mainstay. But we are actually spending upto Rs.32 crores, and that is why we are gradually going to regular deficit financing. So long as we cannot solve the basic economic problems of the people and increase their basic income, things cannot improve. Sir, my point is that the taxing capacity of the people should increase only at par with their productive capacity ; but what we have got just now ?

Adjournment

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

(After lunch)

Maulavi MUHAMMAD UMARUDDIN: Mr. Speaker, Sir, I was making certain observations on the financial position of the State as it now stands on the grant of two supplementary demands after the regular budget was passed in the March Session and I enquired from the Finance Minister as to whether the financial position of the State is safe enough in spite of the deficit. Another point, Sir, which I would like to make is that in the list of supplementary demands the details furnished with regard to the items of expenditure are insufficient. Just in the case of the Resolution No. 1, Sir, it was necessary for Government to point out clearly with details what moneys are diverted and from which heads when certain grants involving new schemes or projects are embodied in the Budget—the House gets an opportunity to discuss them and by voting the grants a definite responsibility is fixed on Government to implement those new schemes. But when after the expiry of the financial year or during its currency any savings are anticipated—and a resolution for reappropriation is brought before the House, the causes necessitating such diversion should be fully explained. This is also necessary in the case of supplementary demands and I hope in future such details will be furnished. And, therefore, Sir, I have nothing further to say. I hope Mr. Bora will give us a clear indication on the financial position of the State and allay the apprehension we now entertain on that score.

Shri RANENDRA MOHAN DAS : Mr. Speaker, Sir, I like to speak a few words about the Bill presented before us. Rightly my Friend, Mr. Umaruddin, said that we should know from the Finance Minister what is the financial position of the State to-day. In the last budget we have seen that we have a deficit of more than two crores of rupees. We argued with the Minister that this deficit was generally artificial and we pointed out in some cases that though the anticipated income of revenue should be more, it had been estimated to a much lower amount. And so by showing all these figures we proved and convinced the House that the deficit which has been shown was not real, and that was done with some *ulterior* motive to show a helpless state of affairs and take the House into confidence for more taxation. Now, we have voted several crores of rupees in the budget, more than Rs.16 crores, and in two supplementary budgets more than Rs.5 crores and also apart from this there are other drawals from the Consolidated Fund. So the whole figure comes near about Rs.31 or Rs.32 crores. We want to know from the Finance Minister.....

Mr. SPEAKER : What is your reference ?

Shri RANENDRA MOHAN DAS : When our deficit was more than Rs.2 crores, whether the deficit is increasing or the figure is coming down, and it is the proper opportunity for the House to get the clear statement about the financial position of the State from the Finance Minister. Sir, we also objected to this deficit financing in the Budget Session because it was ruled out by the Central Finance Minister, Mr. C. D. Deshmukh, on the ground that there was already deficit financing in the Five-Year Plan and any more deficit financing in the State can upset the whole Plan, but in some cases, the Central Finance Minister allowed deficit financing if the expenditure was for development projects. We know in our State we have no such projects except Umtrew Electric Project so that the money which will be spent from loan can be recouped within a certain period of time. So we have got no development project to supplement or to replenish the fund or on the other hand, we are increasing our expenditures every time. I do not know the gulf of deficit which is swelling or not. Secondly, my Friend, Maulavi Md. Umaruddin also pointed out that due to the flood havoc Government had to spend a big amount for the protection of flood and repair and other relief measures. But no correct figure was given by the Government as to how much money will be required for the flood damage repair

works. Rs.50 lakhs have been spent from our fund, but we do not know how much money will be required. As I told the other day that in reply to a question in Parliament, it had been said by the Deputy Minister of Finance, Mr. Saha, regarding Assam that the latest demand of Assam Government for flood damage repair works was Rs.4 crores and the Government of India was willing to give us grant only for gratuitous relief, that is, amounting to Rs.10 lakhs only and the rest of the money the Government of India is willing to give in the shape of loan. We do not know whether it is a conditional loan. Whether the State Government should spend another Rs.2 crores from our fund.

Now, apart from all these commitments in the Budget and supplementary budgets if we are to spend Rs.4 crores, that is Rs.2 crores as loan from the Central Government and another Rs.2 crores from our State fund, I do not know how we will be able to meet these extra expenditures. We also know that all this money which is naturally not for development but for flood repairs, for relief of the people and I am afraid how Government proposes to meet these urgent demands. So all these points should be considered very critically. Evidently we are widening our deficit. From this figure it may be another Rs.4 crores, but Government should convince us how this further sum of Rs.2 crores for flood should be raised from our provincial sources.

Secondly, we know that our revenue would fall remarkably due to the floods. From the statement of the Finance Minister we find that there is a loss of about 15 crores of rupees in the State of Assam from Government as well as private properties. Naturally the people must be given relief in the shape of remission of Government taxes, fees and other charges. So it is not an anticipation, rather it is a fact that our revenue collection from all sources, particularly in the Assam Valley, which has been greatly affected by floods, would remarkably fall. Taking for granted that there would be a definite fall, I am afraid, what would be our financial position? So before passing it we want to know from the Finance Minister in details about our financial position—whether the deficit of more than Rs.2 crores is widening or narrowing down.

Shri MOTIRAM BORA (Minister): Mr. Speaker, Sir, my Friends in the Opposition have raised some very important questions. In the shape of Supplementary Demands this House has been pleased to agree to an amount of 4 crores and 70 lakhs of rupees, in the current session and in the session that was held about 3 months back this House was pleased to grant a Supplementary Demand amounting to Rs.43 lakhs. Sir, it is but natural that my Friends not only on the other side but also on this side of the House should have some apprehension as to wherefrom this big amount will be coming. It is only natural for them to feel what influence—what impact, it will have on the attenuated resources of Assam. Already in the March Session the House had passed the budget in which a deficit of over Rs.2 crores was fore shadowed. Now after that if a Supplementary Demand totalling over 5 crores of rupees be taken, naturally my Friends will have apprehension whether it will not have a terrible effect on the anticipated deficit of over Rs.2 crores. That is very important point raised. It is therefore natural that the House should be eager to know what will be the financial position or rather what financial position is visualised by me.

Another point raised by my Friend, Mr. Umaruddin, is that the budget account of such supplementary demands has lost much of its importance or significance because the accuracy that is wanted in the budget figures cannot be maintained, as such a correct financial picture of the State cannot be obtained. These are the points raised by my Friends on the other side and these are very important points.

Another point raised is that the information that is given in the Supplementary Demand is very scanty; therefore they cannot understand or appreciate very much the necessity of such demands. They have requested that in future in giving information about these matters Government should be more elaborate. I have taken note of that.

In regard to the first two points I have prepared a statement just to give a true picture of the financial position of the State as far as possible. The circumstances on which these things have to be done, specially in Assam after the earthquake, are really very difficult. Therefore we cannot have a very correct picture. But as far as possible and what I can possibly visualise, I have just jotted down a few points in the form of a statement and I may read out that statement for the information of the House

“In a period of rapid development and uncertainties following from a lot of causes it is not possible for any Government to be accurate in budgetting. It will be seen that most of the items for which Supplementary Demands are sought for

are development projects, either inside or outside the Five-Year Plan. Over the Central Sector Five-Year Plan Schemes we have absolutely no control. Intimations and sanctions come from Government of India at all times throughout the whole year. Hence we have to make provision for them as soon as we get intimation. We do not get any prior intimation about the schemes.

Regarding the Five-Year Plan Schemes under the Central Sector, all the schemes cannot be sanctioned at a time. Schemes require proper investigation, modification in the light of changing circumstances, and in relation to Five-Year Plan Schemes of the Central Sector. Many of the schemes originally framed in 1950 cannot be implemented as they are now due to change of circumstances. In some cases the sanction of a Central Sector Scheme of an allied nature also changes the nature of the original scheme. Hence sanctions have to issue from time to time. Provision has also to be made from time to time. No one can foresee these things.

The net financial position of the State as it will stand after the Supplementary Demands are voted.

It will be remembered that there is no net financial impact of all the Supplementary Demands that have been voted by the House. For instance though a sum of Rs.43,93,583 was voted in the July-August Session of the Assembly, against them we will get a lot of receipts from Government of India and other sources. Also many of the items included therein are of capital nature. As a result the net impact on revenue from this Rs.43,93,583 will be Rs.17,12,000 only.

So also in the current session though the Assembly was pleased to vote a sum of Rs.4,72,79,380, the actual position is as follows:

	Rs.
(1) Amount of Supplementary Demand ...	4,72,79,380
(2) <i>Deduct</i> corresponding receipt for Art. 275 Schemes.	12,15,356
(3) <i>Deduct</i> Book adjussment	1,00,62,331
(4) <i>Deduct</i> receipts from India for Central Sector of Five-Year Plan.	3,03,565
(5) <i>Deduct</i> receipts for other sources like Central Handloom Board, etc.	1,05,72,373
(6) <i>Deduct</i> amount under Capital Head ..	1,37,68,249
(7) Net impact on Revenue	1,13,57,506

Against this net impact of Rs.1,13,57,506 we will receive as Capital receipt from Government of India Rs.12,90,548 for Five-Year Plan Schemes.

Hence the over-all revenue deficit for the whole year as at present foreseen will be as follows—

	Rs.
(1) Deficit shown in the original Budget ..	2,28,51,000
<i>Add</i> net impact of July-August Session Supplementary Demands.	17,12,000
<i>Add</i> net impact of Supplementary Demand in this Session.	1,00,66,598
Total	<hr/> 3,46,29,598 <hr/>
(in round figures ...	3,46,30,000)

I have explained in the course of my Budget Speech that the deficit is mainly due to the financing of Five-Year Plan Schemes by taking loan from the Government of India. The loan taken from the Government of India will be our receipt under Capital side. In the original budget the surplus under Capital Head was estimated at Rs.11,12,000. A further sum of Rs.12,90,500 will be received under Capital Heads against Five-Year Plan Schemes. Hence the total surplus under Capital Head will be Rs.24,00,000 and odd.

While speaking of the Capital side it has to be remembered that in respect of loans to bodies, refugees, agriculturists, Government servants for purchases of house and conveyances and other items we are creditors to the extent of about Rs.4 crores. These sums will be realised only gradually. Hence our Capital position is on the whole quite comfortable till the re-payment of the loans taken from the Government of India for Five-Year Plan Schemes begin.

The picture given above will not be complete unless one more factor is added. In my foregoing analysis I have shown that as things appear at present by the end of the year our deficit on Revenue Account should be about Rs.3,46,30,000. Due to the new taxation measures and improvement of revenue sources in some other heads a sum of about Rs.1,46,00,000 can be expected.

That will reduce our deficit to about Rs. 2 crores. It is quite conceivable that there will be saving of expenditure under several Service Heads due to the disturbances caused by flood the breach of the Rail Link disrupting communication and other factors. That might account for reduction of expenditure by about a crore. Hence the ultimate deficit may come down to about Rs.1 crore.

The revised estimates to be presented in the Budget Session will give the whole picture. I am just giving only an indication as the hon. Members are asking for it.

We are also anticipating an increase of revenue from Excise and other heads. Excise alone may reduce the deficit to the extent of Rs.50 lakhs.

Maulavi MUHAMMAD UMARUDDIN: I thank Mr. Bora for the statement.

Mr. SPEAKER: The question is that the Assam Appropriation (No. IV) Bill, 1954 be taken into consideration.

(The Motion was adopted.)

Shri MOTIRAM BORA (Minister): Mr. Speaker, Sir, I beg to move that the Assam Appropriation (No. IV) Bill, 1954 be passed.

Mr. SPEAKER: The motion moved is that the Assam Appropriation (No. IV) Bill, 1954 be passed.

(The Motion was put by the Chair as a question before the House and adopted.)

The Assam Local Board Elections Emergency Provisions (No.2) Bill, 1954

Shri GAURISANKAR BHATTACHARYYA: Mr. Speaker, Sir, I beg to move that in the proviso to sub-clause (i) of clause 2, the figures, letters and word "31st May" be substituted by the figures, letters and word "30th April".

Sir, the purpose of my amendment is quite clear. In the Statement of Objects and Reasons of the Bill it has been stated that postponement of the proposed Local Board Elections has become necessary due to the Budget Session of the Assembly, 1955. Now, Sir, you can very easily understand that the Budget Session will be over at least by the middle of April, if not earlier and the hon. Members will be quite free to participate in the elections after that time. It may also be possible for Government to so arrange the Budget Session that it is over by the 31st March. There is sufficient time in hand for making all the preparations. Therefore, there is no reason why it should not be possible to hold the Local Board Elections before the 30th

April, 1955. The second question I want to stress is that it is not uncommon in our State that the monsoon sometimes sets in rather early, and the early monsoon generally begins from the last part of April or the first week of May. We know that the last day of Chaitra coincides with 14th April. It is not a very good time for our peasant populace to be in the midst of elections in the month of Jaistha because invariably by Jaistha or by the latter part of Baisak rains set in. Therefore it is not a proper time for the elections. Thirdly, it is always said that the policy of the Government is to encourage the cultivation of Ahu crops. So far as Assam Valley is concerned, Ahu used to be grown formerly in the districts of Lower Assam only. But of late this Ahu cultivation has been spreading throughout the entire State and everybody having some idea of cultivation knows that the month of Baisak and Jaistha are the busiest month for Ahu cultivation. There are two types of Ahu cultivation. In Kamrup one is known as Dhulia and the other is known as Letka or Asra. Ploughing begins in the month of Falgun for the Dhulia Ahu cultivation and continues upto Baisakh. The Letka or Asra, that is, the wet Ahu cultivation begins by the latter part of Baisak and continues for the first part of Jaistha. So this month of May is the most important month for the cultivation of Ahu crop. We know that for the jute cultivation also this period is crucial for though the seeds are sown either in the month of Chaitra or within the first week of Baisak cleaning and weeding is done by the latter part of Baisak. These points should be carefully considered in view of the fact that these Local Board Elections will mainly concern not so much the town folk, not the Ministers and Members of the Assembly, but the vast rural populace. It is only meet and proper that the Government should see that it does not interfere with the Ahu and jute cultivation. Furthermore, in case monsoons set in early, there will be difficulties in communication also. If there be inclement weather we know that it will not be so easy for the voters to go to the booths. Under the proposed new provision there will be adult suffrage and therefore all people, rich and poor, male and female, are expected to participate in the elections and the greater is the participation the better the purpose will be served. There will be greater participation if these considerations do not stand in the way. Furthermore so far as my knowledge goes, the Bihu festival, specially in the Lakhimpur District and also to a certain extent in the Sibsagar District and in the tribal zones generally the merry-making will not be over within a week, but will continue at least for a fortnight.

Mr. SPEAKER : These will go to the end of April.

Shri GAURISANKAR BHATTACHARYA : It may go to the end of April. So, from the 14th of April we may expect that the festivities will continue upto the end of that month and so if that be the period of elections also then there will be no further wastage of time. This will be an appropriate time because from the 14th of April, Bihu festival will begin in full swing. As the entire month of April is the month of marry-making, if these elections are held within that period, then two birds will be hit by the same stone, that is to say, only one period of holidays will do for the merry-making as well as for the election purposes. Merry-making during the Bihu has been the custom in our State from time immemorial. If again for election purpose some more time is to be spent, then a longer period of time will be wasted in this important period of cultivation. Proper adjustment will be as profitable as double cropping. Therefore, from all points of view, the most appropriate period will be the month of April, if it be difficult on the part of the Government to finish the elections within the 31st March as originally settled. We do not grudge another period of 30 days provided it is really necessary. It will be clear from the statement made by the Chief Minister on the floor of the House that there will be no difficulty with regard to the list of voters. In that case I do not think it is warranted that a period of 2 months is indispensable for this purpose. Then another thing, if the elections are not held by the earliest date possible then the suspicion which has already been seen in certain quarters, that the Government is not very keen in holding the elections quickly will get on further. I do not think it will do good to anybody and therefore I hope the Government, in view of the arguments that I have advanced, will see that there is sufficient justification for making the time-limit 30th April instead of 31st May and therefore, I commend my amendment to the acceptance of the House.

Mr. SPEAKER : The Motion moved is that in proviso to sub-clause (i) of clause 2, the figures, letters and word "31st May" be substituted by the figures, letters and word "30th April".

Shri RANENDRA MOHAN DAS : Mr. Speaker, Sir, I rise to support the motion moved by my Friend, Mr. Bhattacharyya. It is a sort of compromise. Government wanted 2 months-time and we are ready to give one month's time. Let us see if

it is possible. I shall only deal with two points. I shall explain according to election rules of Local Boards. Some scheduled time is necessary. It takes at least 4 to 5 months to complete the elections from the date of publication of the first notice. So judiciously this time should be given to Government because they are to be guided by these Rules. If the work of elections is started from the middle of November, it can very easily be completed by the middle of April. So I do not find any reason why so far as this point is concerned that according to the Local Self-Government, an election cannot be completed within four months.

Mr. SPEAKER : You should confine yourself to the question.

Shri RANENDRA MOHAN DAS : We can finish it very easily according to the rules and orders within 30th of April. So, Sir, from this point we do not find any difficulty while it is said from the Government side that they require 6 months—whereas only 4/5 months are necessary to complete the election. Secondly, Sir, it does not clash with the Budget Session, as the Budget Session concludes by the first week of April generally. So, the apprehension or the difficulty felt by some of the hon. Members here who may take part in the election can be ruled out. Thirdly, we the Legislators here must look into the convenience of the electors. We know that the communication in the rural side of the country is very bad during rains, and if we really desire that during these days of adult suffrage maximum number of the voters should come to the polling booth to exercise their franchise then we must look to their convenience. Such convenience will be denied to the voters if the election is held during rains when communication is so bad in the rural areas. So, it is much better if it is held sometime after the end of the winter. But if we go to hold it any time beyond April then it will not be possible for the voters to come to take part in the election either by road or by boat. Therefore, Sir, the election must be within the month of April when heavy rains do not set in.

With these words, Sir, I support the Motion moved by my Friend, Mr. Bhattacharyya.

Maulavi ABDUL MATLIB MAZUMDAR (Minister) : Mr. Speaker, Sir, I cannot accept the Amendment. In deciding postponement of the election due consideration was given to the time factor by the Government. It was realised that one month's time would not be sufficient. Sir, it is well known that we are

in shortage of officers, ballot boxes, stamping machinery, etc. It may be that the Local Board Election will have to be conducted in several shifts on zonal and sub-zonal basis. With that end in view the time has been kept at 2 months.

The other objection of my Friend is that by the end of April or in the beginning of May our people will be busy in cultivation. Sir, we find that in Assam Valley the Ahu cultivation is completed before April and so far as the Cachar District is concerned, it only begins then. So, from that aspect there is no difficulty.

Another difficulty was shown with regard to the Bihu festival. Sir, Bihu festival will come by the middle of April and the voters shall be able to take part in the election a week after the Bihu festival. We cannot accept the plea that the Bihu festival will continue up to the end of April, nor do we think that our people will be wholly engaged in cultivation throughout the day. If they want to take part in such an important affair as the Local Board Election then I think they can easily afford to come to the polling booth in any time of the day to cast their votes.

With these observations, Sir, I cannot accept the amendment and I hope my Friend will withdraw it.

Mr. SPEAKER: Does the hon. Member want to withdraw his Amendment?

Shri GAURISANKAR BHATTACHARYYA: No, Sir.

Mr. SPEAKER: The question is that in proviso to sub-clause (i) of clause 2, the figures, letters and word "31st May" be substituted by the figures, letters and word "30th April".

(The Motion was adopted).

The second Amendment goes out automatically.
Now the question is that the short title and preamble of the Bill do form part of the Bill.

(This was adopted)

Maulavi ABDUL MATLIB MAZUMDAR (Minister): Mr. Speaker, Sir, I beg to move that the Assam Local Board Elections (Emergency Provisions) (No.2) Bill, 1954, be passed.

Mr. SPEAKER: The Motion moved is that the Assam Local Board Elections (Emergency Provisions) (No.2) Bill, 1954 be passed.

Shri GAURISANKAR BHATTACHARYYA: Sir, I want to speak a few words only. I want to correct the Minister-in-charge of Local Self-Government with regard to Ahu cultivation in Assam. I do not blame him because he comes from the other Valley where this cultivation may not be common. In our rural areas Ahu cultivation continues even upto the month of Ashar. There are two types of Ahu cultivation—one is Dhulia and cultivation of this Dhulia begins from the month of Falgun and continues upto the middle of Baisakh. The second type is called Leta or Asra and its cultivation begins from mid-Baisakh and continues to mid-Ashar. There is another variety of Ahu crop which is called 'Kharma' the cultivation of which begins from the end of Baisakh and continues upto the end of Ashar. Leta or Asra Ahu is a very common crop in our District though Dhulia is not so very common. In our part of the country the cows are let loose from Magh Bihu upto the Bohag Bihu and so no crop is sown too early. It is due to the stray cattle that people cannot make Ahu crop at that time. Anyway, this is only by the way and not strictly relevant to the Motion before the House.

The first point to which I draw pointed attention of the Government is that we had declared during the last Session that this was an emergency Bill. But if the emergency goes on occurring every day, it is no longer an emergency. We had an emergency during the last Session, now we have a second emergency. We only hope that there will be no third emergency.

Then, Sir, I hope the Government will carefully consider the weather report of the last few years. If they do so, they will see that it will be in the interest of both the Government officers who will have to be presiding and polling officers, and also the candidates and voters, that the elections are finished as early as possible. The month of Jaistha will really be a difficult month due to rains. If you cannot finish the elections by 30th April let them be finished by 5th or 6th of May. Please do it as quickly as possible. These are the observations which I wish to make at this last stage of the Bill.

Maulavi ABDUL MATLIB MAZUMDAR (Minister): Sir, I do not accept the contention of my hon. Friend. I was a cultivator before he was born. I was moving in the Assam Valley when he must have been very young. I can definitely say that wet cultivation of Ahu is very rare in Assam Valley (*Voices* :— No, and interruptions).

A voice :—Does he (meaning Mr. Bhattacharyya) cultivate himself ?

Another voice :—He does not cultivate but incites the cultivator.

Shri GAURISANKAR BHATTACHARYYA: On a point of personal explanation, Sir, whether I am a cultivator myself.....

Mr. SPEAKER: The Minister does not give way.

Maulavi ABDUL MATLIB MAZUMDAR (Minister): So, I know better than him about the time suitable for the elections.

Then, regarding the other point raised by him, I can definitely say, Sir, there is no intention of postponing the elections any further and all efforts will be made to finish the elections by the end of April or the first half of May. They will never be postponed further. That is our intention.

Mr. SPEAKER: The question is that the Assam Local Board Elections (Emergency Provisions) (No.2) Bill, 1954, be passed.

(The motion was adopted.)

(At this stage the Speaker vacated the Chair and the Deputy Speaker occupied it.)

The Assam Contingency Fund (Augmentation of Corpus) Bill, 1954

Shri BAIDYANATH MOOKERJEE (Minister): Mr. Deputy Speaker, Sir, as there is no amendment to any clauses of this Bill, I beg to move that the Assam Contingency Fund (Augmentation of Corpus) Bill, 1954, be passed.

Mr. DEPUTY SPEAKER: Motion moved is that the Assam Contingency Fund (Augmentation of Corpus) Bill, 1954, be passed.

(The Motion was put by the Chair as a question before the House and adopted.)

The Assam Taxation (on Goods carried by Roads or Inland Waterways) (Amendment) Bill, 1954

Shri BAIDYANATH MOOKERJEE (Minister): Mr. Deputy Speaker, Sir, as in the previous case there is no amendment to this Bill also, so, I beg to move that the Assam Taxation (on Goods carried by Roads or Inland Waterways) (Amendment) Bill, 1954, be passed.

Mr. DEPUTY SPEAKER: Motion moved is that the Assam Taxation (On Goods Carried by Roads or Inland Waterways) (Amendment) Bill 1954, be passed.

(The motion was put by the Chair as a question before the House and adopted.)

The Assam State Acquisition of Zamindaris (Amendment) Bill, 1954

Maulavi MUHAMMAD UMARUDDIN: Mr. Deputy Speaker, Sir, I beg to move that in clause 2, for the words "or treated as such at any time" substitute the words "under any law for the time being in force or recognised as such hitherto by Government".

Sir, in course of discussion of this Bill on the last occasion, I raised this point and Mr. Das was good enough to give us the history of the permanently-settled estates and he pointed out that notwithstanding certain estates created as such through decennial settlement or the Permanent Settlement Regulation, certain estates existed from before and were recognised as such by the then Government and those estates have been continuing as such. With a view, therefore, to bring those estates under the purview of the permanently settled estates, this Amending Bill has been brought.

Sir, I have practically revised my amendment with a view to embody what Mr. Das said. "Permanently-settled estates" have been defined in the original Act like this: "'permanently-settled estates' means any estate in the districts of Cachar, Garo Hills and Goalpara included in the decennial settlement of the Lower Provinces of Bengal or permanently-settled at any subsequent date under any law for the time being in force."

Now, Sir, permanently-settled estates were created by two or three different means, *viz.*, by notification under decennial settlement, then by the Regulation of 1793 and some of them were already existing, which did not come under any of the Regulations directly, but were recognised as such by the then Government as permanently-settled. I want to make this position clear by making the definition more comprehensive. The wording in the Amending Bill is rather vague. Those estates were treated as permanently-settled by reason of ownership because so far as the regularly-constituted permanently-settled estates are concerned, we find there is a time limit. After 1869 no permanently-settled estates were created and before that date they were created either through decennial settlement or the Permanent Settlement Regulation of 1793.

But there were certain estates that existed prior to that and when these estates recognised by Government. Therefore, in any case the words "treated as such" do not seem to be appropriate. So I bring this amendment and I know Mr. Das, who has got a very thorough knowledge of the subject will possibly not find any fault with the amendment and will accept the amendment so that some vagueness can be removed.

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

Mr. DEPUTY SPEAKER : The Motion moved is that in clause 2, for the words "or treated as such at any time" substitute the words, "under any law for the time being in force or recognised as such hitherto by Government".

Shri HARESWAR DAS (Deputy Minister) : Mr. Deputy Speaker, Sir, I am very sorry that I am unable to accept this amendment. This amendment does not make any improvement, but rather the argument advanced by Shri Umaruddin supports our amendment because he also admits that there are some at least permanently-settled estates which existed before the Permanent Settlement Regulation of 1793 came into force.

Now, as far as the definition of the phrase, 'permanently settled' is concerned we are not very much concerned here because my Friend himself admits that there are estates which were treated as such from before the permanent settlement. So the time limit of permanent settlement is not material for this purpose. Now, as far as words are concerned, "or treated as

such at any time", which he wants to substitute with the words 'recognised as such', I have seen the dictionary meaning of the words, 'recognise', which means, 'to acknowledge,' that connotes a positive action on the part of the paramount power i. e., some order acknowledging the permanency of the estate, the dictionary meaning of the word acknowledge is to own as truth. So there must be some order at certain time acknowledging the permanency of an estate.

Now, as my Friend has himself advanced the argument that some estates were treated as such even before the Permanent Settlement came into force, if we substitute the word 'treated' by the word 'recognised' then Government will have to show, some order when it was so recognised. It may be difficult to show such an order. We have purposely made the amendment comprehensive. So, I would request my Friend not to press his amendment because it will not improve matters any way.

Mr. DEPUTY SPEAKER : Are you going to withdraw your amendment ?

Maulavi MUHAMMAD UMARUDDIN : No, Sir.

Mr. DEPUTY SPEAKER : The question is that in clause 2, for the words "or treated as such at any time" substitute the words, "under any law for the time being in force or recognised as such hitherto by Government".

(The Motion was negatived)

Maulavi MUHAMMAD UMARUDDIN : Mr. Deputy Speaker, Sir, I beg to move that in the proposed proviso after sub-section (2) of section 13 of the Principal Act sought to be inserted by clause 3, the words "set of " be inserted after the word "same" occurring in the first line of the proposed proviso and after the words "such estates and tenures" occurring in the second line thereof, the words "as the case may be" shall be inserted.

Sir, this is a question of verbal improvement sought to avoid complications. In spite of what Mr. Das has stated, he means by the same proprietor or tenure holders' the same set of proprietors or tenure holders, etc., other-wise we cannot bring them under one category or one unit for the purpose of

assessment of compensation, If we have same proprietors or tenure holders owning any estates or tenures this particular clause as it stands will not be applicable. So in order to eliminate the possibility of confusion, I want to put this amendment by adding the words 'set of' after the word 'same'. This is necessary for making the clause more expressive and precise.

Now, Sir, the other day my Friend Mr. Das said that sometime singular means plural. My argument is this that this law is not going to be administered by legal luminaries like Mr. Das, but it will be enforced by executive officers and not Judges of the Judiciary well versed in law. These are the laws with which executive officers are concerned and we want that those officers should understand them properly and at the same time we cannot expect that they will have the guidance of lawyers for proper understanding of the provisions of this Act so far as Revenue and Fiscal Laws are concerned. We must make them as clear as possible because interpretation may give rise to a lot of difficulties and we should also make rules to clarify the procedure to acquaint the officers with the proper meaning and purposes of the law. That is my intention for bringing in the amendment so that there will be no difficulty in the execution of the law in day to day administration.

With these words, I commend my Motion.

Mr. DEPUTY SPEAKER : The Motion moved is: That in the proposed proviso after sub-section (2) of section 13 of the principal Act sought to be inserted by clause 3, the words "set of" be inserted after the word "same" occurring in the first line of the proposed proviso and after the words "such estates and tenures" occurring in the second line thereof, the words "as the case may be" shall be inserted.

Shri HARESWAR DAS (Deputy Minister) : Mr. Deputy Speaker, Sir, I am sorry that I am unable to accept this amendment.

Sir, as far as the words "set of" are concerned, they are redundant, they do not make any improvement, hence not necessary.

As far as the words "as the case may be" are concerned, they are positively mischievous. Because, our point is that when some proprietors hold some estates and some tenures jointly, all these should be treated as one unit for the purpose of assessment and calculation of compensation.

Maulavi MUHAMMAD UMARUDDIN : That is more mischievous.

Shri HARESWAR DAS (Deputy Minister) : There are cases where some proprietors are proprietors in respect of some estates and tenure holders in respect of some tenures. Our idea is to combine all these estates and tenures as one unit for the purpose of calculation and assessment of compensation, but if the words "as the case may be" are inserted, it will be like this :

"Provided that when the same proprietor or tenure holders jointly hold more than one estate or tenure all such estates *as the case may be* shall be treated as one unit". That means the estates will be treated as one unit and the tenures as another unit, there will be two units.

Maulavi MUHAMMAD UMARUDDIN : That is what we exactly wanted to be treated.

Shri HARESWAR DAS (Deputy Minister) : That is exactly what we want to prevent. Sir, I am unable to accept this amendment.

Mr. DEPUTY SPEAKER : I put the question : The question is :

"That in the proposed proviso after the sub-section (2) of section 13 of the Principal Act sought to be inserted by clause 3, the words "set of" be inserted after the word "same" occurring in the first line of the proposed proviso and after the words "such estates and tenures" occurring in the second line thereof, the words "as the case may be" shall be inserted.

(The Motion was negatived)

Shri HARESWAR DAS (Deputy Minister) : Sir, I beg to move that the Assam State Acquisition of Zamindaris (Amendment) Bill, 1954 be passed.

Mr. DEPUTY SPEAKER : Now, I put the question. The question is :

"That the Assam State Acquisition of Zamindaris (Amendment) Bill, 1954, be passed".

(The Motion was adopted)

**The Assam Deputy Speaker's Salary (Amendment)
Bill, 1954**

Shri MOTIRAM BORA (Minister): Mr. Deputy Speaker, Sir, as there is no amendment to the Bill, I beg to move that the Assam Deputy Speaker's Salary (Amendment) Bill, 1954 be passed.

Mr. DEPUTY SPEAKER: The Motion moved:
That the Assam Deputy Speaker's Salary (Amendment) Bill, 1954 be passed.

(The Motion was put by the chair as a question before the House and was adopted.)

**The Assam Betterment Fee and Mooring Tax
(Dibrugarh) (Amendment) Bill, 1954**

Shri HARESWAR DAS (Deputy Minister): Mr. Deputy Speaker, Sir, as there is no amendment to the Bill, I beg to move that the Assam Betterment Fee and Mooring Tax (Dibrugarh) (Amendment) Bill, 1954 be passed.

Mr. DEPUTY SPEAKER: The motion moved:
"That the Assam Betterment Fee and Mooring Tax (Dibrugarh) (Amendment), Bill, 1954 be passed.

(The Motion was put by the Chair as a question before the House and was adopted)

**The Assam Excise (Amendment) (Extension to Garo Hills, Mikir Hills and North Cachar Hills Districts)
Bill, 1954**

Rev. J. J. M. NICHOLS-ROY (Minister): Mr. Deputy Speaker, Sir, as there is no amendment to the Bill, I beg to move that the Assam Excise (Amendment) (Extension to Garo Hills, Mikir Hills and North Cachar Hills Districts) Bill, 1954, be passed.

Mr. DEPUTY SPEAKER: The Motion moved:
"That the Assam Excise (Amendment) (Extension to Garo Hills, Mikir Hills and North Cachar Hills Districts) Bill, 1954 be passed.

(The Motion was put by the Chair as a question before the House and adopted)

The Assam Opium (Amendment) (Autonomous Districts) Bill, 1954

Rev. J. J. M. NICHOLS-ROY (Minister): Mr. Deputy Speaker, Sir, as there is no amendment to the Bill, I beg to move that the Assam Opium (Amendment) (Autonomous Districts) Bill, 1954, be passed.

Mr. DEPUTY SPEAKER : The motion moved :

“That the Assam Opium (Amendment) (Autonomous Districts) Bill, 1954, be passed.

(The Motion was put by the Chair as a question before the House and was adopted)

The Assam Local Self-Government (Second Amendment) Bill, 1954

***Shri GAURISANKAR BHATTACHARYYA :** Mr. Deputy Speaker, Sir, I beg to move, that in the proposed sub-section (1) of section 66 of the Principal Act sought to be inserted by clause 2, *delete* the sentence, “The Boards shall be guided by provisions contained in that Act and rules and orders thereunder in the discharge of their liability in respect of Basic Education.”

Sir, I think, this clause is quite redundant, and therefore without inflicting any speech on the already depleted House, I beg simply to move the motion for acceptance of the House.

Maulavi ABDUL MATLIB MAZUMDER (Minister) : Mr. Deputy Speaker, Sir, I cannot accept this amendment. The amendment is rather a redundant one, as my Friend Shri Bhattacharyya wants us to delete the sentence “The Boards shall be guided by provisions contained in that Act and orders thereunder in the discharge of their liability in respect of Basic Education”, but after examination of the Section which we want to amend, we find that the sentence is very necessary. Sir, in this connection, let me read the whole amendment.

Amendment of section 66.—For sub-sections (1) and (2) of section 66 of the Principal Act, the following shall be substituted, namely :—

“(1) The Middle Vernacular Schools maintained and aided by the Local Boards, when recognised as Basic Schools under the Assam Basic Education Act, 1954 (Assam Act XXVI of 1954) shall be under the charge of the authorities set up under that Act.....”

That does not go to the whole length that we want it to go. There are other provisions under the Basic Education Act, which must be obeyed and observed by the Local Boards. For instance, under Section 11.

State Basic Education Board Fund : “(1) A fund hereinafter called the State Basic Education Fund shall be maintained by the State Board of which the Director of Public Instruction shall be the controlling authority.

*The amendment was moved by Shri Gaurisankar Bhattacharyya, on behalf of Shri Hareswar Goswami.

(2) Each Local Authority shall pay to the State Basic Education Fund an annual sum equivalent to the average amount spent by such Authority in excess of the Government Grants drawn by it, on maintenance of the Middle Vernacular Schools under it during the three financial years immediately preceding the financial year in which this Act comes into force together with such an annual sum as is equivalent to the average amount spent by such an authority in excess of the Government Grants drawn by it on maintenance of the Lower Primary Schools under it during the three consecutive financial years ending in 1947-48:

Provided that if any Local Authority has maintained Middle Vernacular School or Schools for less than three financial years, the sum payable by it shall be equivalent to two financial years' average or one financial year's actual as the case may be.

(3) If any Local Authority fails to pay any amount due under sub-section (2) above, the amount so due shall be liable to be deducted by the State Government from any money payable by the State Government to the said authority. The money so deducted shall be paid to the State Basic Education Fund."

These are the rules each and every Local Board must obey. So, Sir, if that sentence is deleted the provision will be incomplete and the purpose will not be served. For that, Sir, I cannot accept it.

(The Motion was put by the Chair as a question before the House and negatived).

Maulavi ABDUL MATLIB MAZUMDAR (Minister): Mr. Deputy Speaker, Sir, I beg to move that the Assam Local Self-Government (Second Amendment) Bill, 1954 be passed.

Mr. DEPUTY SPEAKER: The Motion moved is that the Assam Local Self-Government (Second Amendment) Bill, 1954 be passed.

(The Motion was put by the Chair as a question before the House and adopted).

(At this stage the Speaker occupied the Chair)

The Assam Adoption of Standard Weights Bill, 1954

Shri MAHENDRA MOHAN CHOWDHURY (Minister): Mr. Deputy Speaker, Sir, I beg to introduce the Assam Adoption of Standard Weights Bill, 1954. A copy of the Bill has been circulated to each Member of the House.

Mr. SPEAKER: The Motion moved is that the Assam Adoption of Standard Weights Bill, 1954 be introduced.
(The Bill was introduced)

***Maulavi MUHAMMAD UMARUDDIN:** I raise on a point of order. Under rule 61 when a Bill is introduced or on some stage move the member in-charge may make one of the following motions in regard to the Bill, namely :—

One of the following motions, Sir, that the Bill be taken into consideration at once or at some future day or it may be referred to a Select Committee or be circulated for public opinion.

Mr. SPEAKER: Which rule ?

***Maulavi MUHAMMAD UMARUDDIN:** Rule 61, Sir, This Bill was published on 30th of October and was placed on the table on the 2nd November. Secondly, this is very important. It requires study. The Select Committee must have a reaction of the whole House so that they can make their enquiry and investigation on that line. After the Select Committee has submitted a report there is an action. It shall involve a discussion for important measures.

Mr. SPEAKER: The next Motion to be moved is that the Bill be referred to a Select Committee. I have heard Mr. Umaruddin about his point of order, but, of course, it leaves the matter to the discretion of the Speaker and I find that this motion is only a motion for referring the Bill to a Select Committee and so the motion may be moved.

Shri MAHENDRA MOHAN CHOWDHURY (Minister): Mr. Speaker, Sir, I beg to move that the Assam Adoption of Standard Weights Bill, 1954 be referred to a Select Committee. Sir, the names of members of the Select Committee are the following :—

1. Minister-in-charge—Chairman.
2. Deputy Minister, Revenue.
3. Shri Sashadhar Ghosh.
4. Shri Bimala Kanta Borah.
5. Shri Purandar Sarmah.
6. Maulavi Mahmud Ali.
7. Maulavi Muhammad Umaruddin.
8. Maulavi Md. Idris.

Five members shall form a quorum and the Committee to submit its report by the end of February, 1955.

Sir, this is a measure which is long pending before this House. To be more precise, the Bill is pending for the last ten years in this House. In 1945 the Bill was passed in the Lower House but before it could be sent to the Upper House it lapsed. Then again the Bill was brought in 1951. Sir, at that time, the Bill was referred for eliciting public opinion but as the life of that Assembly expired, with the expiry of the life of the Assembly the life of the Bill also expired. We did not bring the Bill to the Assembly again. Now again, Sir, as Mr. Umaruddin has said that it is an important measure, a measure to give relief to the cultivators. Therefore, Sir, I cannot give to this Bill a final shape just now and have brought this Bill with the belief that we will receive cooperation and support from all corner of the House and all section of the people. With these few words Sir, I request my Friend to accept my motion.

Mr. SPEAKER: The Motion moved is that the Assam Adoption of Standard Weights Bill, 1954 be referred to a Select Committee consisting of 8 members as named in the motion. Five of them will form the quorum. The Committee to submit its report by the end of February 1955.

(At this stage the Speaker vacated the Chair and the Deputy Speaker occupied it.)

Maulavi MUHAMMAD UMMARUDDIN: Sir, I support the measure on principle, but then I want to point out that Government has always been in the habit of rushing things and such matters are brought forward towards the fag end of the session, that is objectionable. The Hon'ble Minister has said that the Bill has been pending for the last 10 years, i.e., since 1944 and that every time the life of the Assembly expired and the Bill could not be pushed through. I quite appreciate that but then he has brought in this Bill, this time also when the life of the present session of the Assembly has also almost expired. Sir, this is an important Bill and requires close examination and it is desirable that all the hon. Members of this House should note carefully all the provisions and present their comments. The Bill deals with the adoption of standard weights and there are different standard weights in vogue in different parts of the State according to prevalent customs and usages. If there is a scope for a full discussion,—various useful and relevant facts about the practice in vogue in different places and the extent of prevalence or the use of short weights by dealers might be brought before the House. This will enable the members of the Select Committee to examine and scrutinise the provisions of the Bill in the

light of the facts disclosed. There may be some bad practice about use of wrong standard weights existing in some parts of the State, but as a member of the Select Committee, I shall not be able to speak all these things when the Select Committee report comes for discussion in the House at a later stage.

(Voices You can speak now).

Sir, there is not enough time to go through all these things carefully. This is a very long Bill and we are busy in other work also. My point is that we should have sufficient time to study the Bill carefully and offer our suggestions towards improvement. I am not of course opposing the Bill but my contention is that we must have full scope to improve it, but the time at our disposal to study the Bill is so short that we cannot examine it carefully, neither we can give our comments. So, Sir, we are sorry that this should have been done so hastily. I would like to hear the reaction of other hon. Members and what observations they would like to make. Let us hear other hon. Members also.

Shri MOTIRAM BORA (Minister) : There is no necessity for speech.

Shri MAHENDRA MOHAN CHOUDHURY (Minister) : Mr. Speaker, Sir, my motion is quite innocuous and quite innocent. The Bill was published in the *Assam Gazette*. To-day is the seventh day of its publication, even then my Friend has found fault with the Government that he could not get time to go through the Bill thoroughly. He is now elected as a member of the Select Committee and he will get atleast three months' time to study every figure and letter of the Bill and some prepared to the Select Committee, and also, Sir, if he so desires we may make available to him all the opinions that have come in favour of this Bill. Also, Sir, this is not a new Bill. I have already stated that and public opinion in favour or against this Bill has already been mobilised ; therefore, Sir, I find little strength in the arguments advanced by Mr. Umaruddin that the Government want to by-pass the importance of this important measure. Sir, this Government is a democratic one in all respects and it is the intention of this Government to give all people to express their opinion freely. This is a Bill which is vitally connected with the interests of the people the agriculturists and as such the Bill should receive every one's support. With these few words Sir, I request my Friend, Mr. Umaruddin, to withdraw whatever objection he may have against this Bill and accept my Motion.

Mr. DEPUTY SPEAKER : The question is that the Assam Adoption of Standard Weights Bill, 1954 be referred to a Select Committee consisting of the following members. Five of them will form the quorum. The Committee will submit its report by the end of February, 1955.

Names of Members of the Select Committee.

1. Minister-in-charge—Chairman.
2. Deputy Minister, Revenue.
3. Shri Sashadhar Ghosh.
4. Shri Bimala Kanta Borah.
5. Shri Purandar Sarmah.
6. Maulavi Mahmud Ali.
7. Maulavi Muhammad Umaruddin.
8. Maulavi Md. Idris.

(The Motion was put by the Chair as a question before the House and adopted).

**Re: Fixation of business for the remaining days of
the Session**

Shri MOHIKANTA DAS (Parliamentary Secretary) : Mr. Deputy Speaker Sir, 4th and 5th were fixed for Government business and 6th for Private Members' business and any business remaining unfinished. But the Private Members' business can be brought up tomorrow the 5th November as the Government business fixed on the 4th and 5th have been finished. The Leader of the Opposition also has agreed that the Private Members' business may be taken up on Friday. On Saturday the 6th, the Advocate General has been requested to address the House about the admissibility to introduce the Assam Freedom of Movement in Tea Plantations Bill, 1954.

Mr. DEPUTY SPEAKER : I don't know how many Resolutions are there still left. It may take the whole day. We will have to sit according to the programme.

Adjournment

The Assembly was then adjourned till 1-30 P. M. on Friday, the 5th November 1954.

Shillong :
The 22nd July, 1955. }

R. N. BARUA,
Secretary, Legislative
Assembly, Assam.

AGENTS IN INDIA

1. Messrs. Thacker Spink & Co., Calcutta.
2. Messrs. W. Newman & Co., Calcutta.
3. Messrs. S. K. Lahiri & Co., Calcutta.
4. Messrs. R. Cambray & Co., 6 and 8/2, Hastings Street, Calcutta.
5. Messrs. D. B. Taraporevala Sons and Co., 103, Meadow Street, Fort, Post Box No. 187, Bombay.
6. The Indian School Supply Depot, 309, Bow Bazar Street, Calcutta.
7. The City Book Company, Post Box No. 283, Madras.
8. The Director, The Book Company, Limited, Book Sellers and Stationers, 4/4A, College Square, Calcutta.
9. The Manager, The Imperial Publishing Co., 99, Ry. Road, Lahore.
10. Messrs. Chapala Book Stall, Shillong.
11. Messrs. Sirbhum Publishing Co., Calcutta.
12. The Proprietor, 'Graduates Union', Gauhati.
13. Mr. Banwarilal Jain (Book Seller), 1719/2002, Mati Katra, Agra (India).
14. Messrs. Low Book Society, 65/3, Harrison Road, Calcutta.
15. The Director, Benares Corporation, University Road, P.O. Lanka.
16. Messrs. Law Book Society, 4A, Wellington Square, Calcutta.
17. Messrs. Bodh Raj Marwah, Booksellers, Shop No. 63, Pusa Colony Market, Delhi-Karol Bagh, New Delhi.