

**Proceedings of the Seventh Session of the Assam Legislative
Assembly assembled after Second General Election
under the Sovereign Democratic Republi-
can Constitution of India.**

The Assembly met in the Assembly Chamber, Shillong at 10 A. M. on
Tuesday, the 8th December, 1959.

PRESENT

Shri RAJENDRA NATH BARUAH, B. L., Deputy Speaker in the
Chair, nine Ministers, four Deputy Ministers and eighty-five Members.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(To which oral answers were given)

**Accumulation of seed loan petitions of flood affected
Cultivators of North Kamrup area in the office of
S. D. C. and D. C's office**

Shri TARUN SEN DEKA (Nalbari-West) asked:

*31. Will the Minister, Revenue be pleased to state—

- (a) Whether Government is aware that there are
heaps of petitions from flood affected cultivators
of North Kamrup area in the office of S. D. C.
and D. C's office for seed loan this year ?
- (b) What is the number of such applicants who did
not obtain seed loan in the S. D. C's Circle of
Nalbari ?
- (c) The reasons for not sanctioning the seed loan even
in those cases where applications were made in
time ?
- (d) Whether Government will please make an enquiry
and take necessary steps ?

Shri HARESWAR DAS (Minister, Revenue) replied :

31. (a)—Yes.

(b)—1,583.

(c)—The seed loans were issued to the deserving cul-
tivators on the recommendation of Panchayats. These applica-
tions were lying in the offices of Panchayats and were submitted

to S. D. C., Nalbari very late when the fund allotted for Nalbari Circle was exhausted.

(d)—As the season for Sali paddy cultivation is long over, no useful purpose will be served by making an enquiry now. However, the Deputy Commissioner is being instructed to see that the Panchayats do not make such delay in submitting their recommendation in future.

Shri TARUNSEN DEKA (Nalbari-West): Is it fact that during the time of sali cultivation these petitions were submitted?

Shri HARESWAR DAS (Minister, Revenue): Yes Sir, that is so.

Relief Centres opened during the last flood

Shri TARUN SEN DEKA (Nalbari-West) asked:

*32. Will the Minister, Revenue be pleased to state—

- (a) How many Relief Centres were opened during the last flood?
- (b) Where are they located?
- (c) What is the actual expenditure incurred by Government on account of those officers who were deputed in relief works in the shape of travelling and halting allowances?

Shri HARESWAR DAS (Minister, Revenue) replied:

32. (a) & (b)—Forty Relief Centres were opened in the Gauhati Subdivision. The location of the centres are as follows:—

(1) Nalbari	...	..	..	12 centres.
(2) Rangia	...	...	...	6 do
(3) Hajo	...	...	...	20 do
(4) Tihu	..	...	...	1 centre.
(5) Kamalpur	...	...	...	1 do
Total				40 centres.

(c) Travelling and halting allowances were drawn by the Officers for doing flood relief works and also for tours for doing their normal duties during that period. As such, it is difficult to say what expenditure was incurred on travelling allowance and halting allowances of the officers deputed for flood relief works.

Shri BISWANATH UPADHYAYA (Patharkandi): Sir, the question is, 'How many relief centres were opened.....', but the answer is for Kamrup district only, what about Cachar?

Shri HARESWAR DAS (Minister, Revenue): I require a separate notice for the question Sir.

Reg: Date of first information received by Government of the flood havoc in North Kamrup area

Shri TARUN SEN DEKA (Nalbari-West) asked:

*33. Will the Minister, Revenue be pleased to state—

(a) Whether it is a fact that Government received first information of flood havoc in North Kamrup area only on 18th June 1959?

(b) Whether Government is aware that flood began its havoc in that area on 15th June, 1959?

Shri HARESWAR DAS (Minister, Revenue) replied:

33. (a)—Yes.

(b)—Yes.

Shri TARUNSEN DEKA: Why the information was so late when some officers were working in the locality?

Shri HARESWAR DAS: The position is like this. On the 16th we received a wire from the D. C. that flood is apprehended and then on the 18th reports of flood havoc were received.

Purpose of sanctioning seed loan to the cultivators of flood-affected area

Shri TARUN SEN DEKA asked:

*34. Will the Minister, Revenue be pleased to state—

(a) What was the purpose to sanction seed loan to cultivators of flood-affected area?

(b) What were the principle of allotment and fixation of amount of seed loan to individual cultivators?

(c) Why in each individual case seed loan was allotted Rs.5 to Rs.10 in the district of Cachar while it was Rs.15 in the District of Kamrup?

(d) What are the reasons for such differentiation?

Shri HARESWAR DAS (Minister, Revenue) replied:

34. (a)—The purpose of issuing seed loans to the flood affected cultivators was to enable them to purchase seeds or seedlings for growing crops.

(b)—Allotment of funds by Government to the Deputy Commissioners and Subdivisional Officers for issue seed loans is made on the basis of demands made by them. The District Officers and Subdivisional Officers generally make allotment for different circles or areas on the basis of requirements submitted by Local Panchayats. In fixing the amount of seed loans to individual cultivators, the economic condition of the cultivators, the area of cultivation damaged, the amount of seed or seedlings required for replantation, the cost including transport cost of such seeds or seedlings are taken into account.

(c) & (d)—Different amounts to different cultivators in different areas or districts are given on the principle cited against (b) above.

Occupation of Gauhati Dak Bungalow by Railway employees

Maulavi JAHAN UDDIN AHMED (Bilasipara) asked:

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

- (a) Whether it is a fact that the two storied building and a portion of the main house of the Gauhati Dak Bungalow is being occupied by the railway employees ?
- (b) How long the said two storied building and the portion of the main building are in possession of the Railway ?
- (c) Whether Government are aware of the difficulties of the public in general and Government Officers to find accommodation in the said Dak Bungalow ?
- (d) If so, whether Government will be pleased to take immediate steps to have these buildings vacated by the Railway for general use of the public ?

Shri BIMALA PRASAD CHALIHA (Chief Minister) replied :

35. (a)—The new two-storied Dak Bungalow building and two rooms in the old Dak Bungalow building at Gauhati were lent to the Railway for accommodating some Railway Officers (who could not get accommodation elsewhere) pending construction of quarters for them.

(b)—Since the middle of October, 1957.

(c)—Yes.

(d)—The General Manager of North-East Frontier Railway has already been requested to vacate and he has promised to do so as soon as residential quarters of the officers are completed.

Maulavi JAHANUDDIN AHMED (Bilasipara) : May I know from the Minister in charge the expected date when these quarters will be vacated ?

Shri BIMALA PRASAD CHALIHA : Sir, it is difficult for me to say the exact date but I expect that these quarters will be vacated by about the end of March next. That is my expectation.

Flood affected Villages of Jokaichuk and Morabazar Mauzas of Sibsagar Division

Shri KHOGENDRA NATH BARBARUAH (Amguri) asked :

*36. Will the Minister, Revenue be pleased to state—

- (a) The names of the villages of Jokaichuk Mauza and Morabazar Mauza (separately) of Sibsagar Subdivision affected badly by recent floods ?
- (b) The area of Ahu fields destroyed by the floods ?
- (c) The number of seedlings (in puras) so destroyed ?
- (d) The measures taken by Government to relieve the affected people ?

Shri HARESWAR DAS (Minister, Revenue) replied:

36. (a)—The names of the villages affected by floods are as follows:—

In Jokaichuk Mauza

(1) Jonmiri Goan, (2) Gual Goan, (3) Monglow Pukhuri, (4) No. 1 Rupahimukh Miri, (5) No. 2 Rupahimukh, (6) No. 1 Chintamoni Garh, (7) No. 2 Chintamoni Garh, (8) Dighalijan, (9) Napamua Bukaijan, (10) No. 1 Mout Goan, (11) No. 2 Mout Goan, (12) Khulu grazing No. I and II, (13) Khulu grazing No. 3, (14) Tipomia, (15) Teliadonga, (16) Decial, (17) Dhonakhua and (18) Namdongia bongali gaon.

In Morabazar Mauza

(1) Singibill, (2) Phukontodia, (3) Gohain Kur, (4) Guhaingaon, (5) Namatial, (6) Telial, (7) Tupar and (8) Bogugohain.

(b)—In Jokaichuk Mauza—702.20 acres.

In Morabazar Mauza—200 acres.

(c)—In Jokaichuk Mauza—2,600 puras.

In Morabazar Mauza —600 puras.

(d)—The following amounts were sanctioned for Sibsa-gar Subdivision due to floods:—

			Rs.
(1) Gratuitous relief	...	..	18,000
(2) Seed loan	...	...	30,000
(3) Test relief	...	..	30,000

Moreover, rice, paddy, gram were given to the flood affected people. Fair price shops were also opened in the affected areas.

Shri KHOGENDRA NATH BARBARUAH (Amguri): When was this test relief fund sent to Sibsa-gar?

Shri HARESWAR DAS : The sanction for Rs.15,000 was communicated on 1st September 1959 and subsequently another sanction for Rs.15,000 was communicated on 19th September 1959.

Opium addicts treatment Centre at Chabua

Shri DEVENDRA NATH HAZARIKA (Saikhowa) asked :

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

(a) Whether it is a fact that the Chabua Opium addicts treatment Centre is not functioning now?

(b) If so, since when the functioning of this treatment centre was stopped.

(c) Whether closure of the treatment centre indicated the non-existence of opium addicts in that area?

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

37 (a)—Yes.

(b)—Since 19th March 1959.

(c)—No. The centre ceased to function for non-availability of a part-time doctor at that time. Now a part-time doctor is available and the centre will start after reconstruction of the houses in the centre.

Shri DEVENDRA NATH HAZARIKA : Whether the Minister-in-charge knows that there is a large number of opium addicts in the Dibrugarh subdivision, well-distributed throughout the subdivision?

Shri HARESWAR DAS : Yes, Sir, that is correct.

Shri DEVENDRA NATH HAZARIKA: Whether the Minister-in-charge knows that this centre did not function practically since 1956?

Shri HARESWAR DAS: It was functioning, but it was almost in a moribund condition.

Shri DEVENDRA NATH HAZARIKA: Whether any addicts were treated there between 1956 and 1959?

Shri HARESWAR DAS: I shall require notice for that.

Shri DWIJESH CHANDRA DEB SARMA (Digboi):
ডিব্ৰুগড় মহকুমাত কানীয়াৰ সংখ্যাৰ হিচাব লোৱা হৈছিল নে?

Shri HARESWAR DAS: We have record of those who have got licences, but we have no record of those who take smuggled opium.

Shri DWIJESH CHANDRA DEB SARMA: (Digboi)

এতিয়া তাত কিমান সংখ্যক লাইচেন্স নোহোৱা কানীয়া আছে ?

Shri HARESWAR DAS (Minister, Exeice): Almost nil.

Shri DEVENDRA NATH HAZARIKA (Saikhowa): Is it not a fact that Chabua is the only treatment centre in the entire south bank of the Dibrugarh subdivision and it caters for an area covered by more than 9 Assembly constituencies ?

Shri HARESWAR DAS: I admit, Sir, more centres are necessary but the difficulty is to get doctors.

Shri MOHI KANTA DAS (Barchalla): Are Government aware that large quantities of smuggled opium are very often seized in Dibrugarh subdivision ?

Shri HARESWAR DAS: That is correct.

Shri DWIJESH CHANDRA DEB SARMA: ডিব্ৰুগড় মহকুমাৰ বহু সংখ্যক কানীয়াৰ চিকিৎসাৰ কাৰণে কিবা প্লেন আৰু প্ৰগ্ৰেছ লোৱা হৈছেনে ?

Shri HARESWAR DAS: প্লেন আৰু প্ৰগ্ৰেছ মতে কাম চলি আছে যদিও এইটো সচা যে কাৰ্য্যকৰী হোৱা নাই।

Shri RADHA KISHAN KHEMKA (Tinsukia): কানীয়া বিলাকৰ চিকিৎসাৰ কাৰণে এতিয়া যিটো কেন্দ্ৰ আছে, সেইটো উন্নতি কৰিবলৈ কিবা আৰু আঁচনি লোৱা হৈছেনে ?

Shri HARESWAR DAS: যিবিলাক আঁচনি লোৱা হৈছিল, সেই-বিলাকৰ কাম চলি আছে।

Shri RADHA KISHAN KHEMKA: কানীয়া চিকিৎসাৰ বাবে যি হস্পিটাল ঘৰ লাগে তাৰ বাহিৰেও আৰু কিছুমান বস্তৱ অভাৱৰ কথা চৰকাৰে জানেনে ?

Shri HARESWAR DAS: হয় জানো। ঘৰ ঠিক হলেই বাকীবোৰ হৈ যাব।

Shri DEVENDRA NATH HAZARIKA: The reply is that due to non-availability of doctors the centre is not functioning well. Does the Minister-in-charge know that there is a doctor available in the Chabua Health Centre, as well as another doctor in the Panitola N. E. S. Block ?

Shri HARESWAR DAS: Formerly they were part-time doctors, but they refused to work part-time any more.

**Regarding S.B.B.L. gun license to one Satya Rabha
of Khokhapara in Bardwar Mouza in South
Kamrup**

Shri HARESWAR GOSWAMI (Rampur) asked:

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

- (a) Whether one Satya Rabha of Khokhapara in Bardwar Mouza in South Kamrup applied for a S.B.B.L. gun license ?
- (b) If so whether he has been granted the license ?
- (c) Whether it is a fact that he is the Vice-President of the Bardwar Rural Panchayat ?
- (d) What are the grounds for not giving him a licence as yet ?

Shri BIMALA PRASAD CHALIHA (Chief Minister) replied:

38. (a)—Yes.

(b)—No.

(c)—Yes.

(d)—It was not considered desirable to grant him a gun licence.

**Total area of tea garden grants of Bokel Tea Estate
in Dibrugarh Subdivision**

Shri DEVENDRA NATH HAZARIKA (Saikhowa) asked :

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

- (a) The total area of tea garden grants of Bokel Tea Estate in Dibrugarh Subdivision ?
- (b) The total area under tea out of these grants ?
- (c) What is the area of land available for requisition in order to settle the same with landless cultivators of the neighbouring villages ?

Shri HARESWAR DAS (Minister, Revenue) replied :

39. (a)—6451.51 acres.

(b)—1339.50 acres.

(c)—The matter is under enquiry by the Government,

Shri DEVENDRA NATH HAZARIKA (Saikhowa): Whether the Minister-in-charge will be pleased to enquire whether it is a fact the local revenue officer did not submit any proposal to requisition land for landless people in spite of repeated requests from the questioner?

Shri HARESWAR DAS (Minister, Revenue): Land cannot be requisitioned by question. First an assessment is made and it is only the surplus waste and which can be requisitioned, not any land of a tea garden. So it is being enquired into whether there is any surplus waste available for requisition. The practice is: if there is surplus waste the matter is put before the Land Settlement Advisory Committee. The Manager of the garden concerned is also called to the meeting and a hearing is given to him. If the Land Settlement Advisory Committee decides to requisition the land, then only requisition proceedings are started by the local officer. Requisition cannot be done by questions.

Shri GAURISANKAR BHATTACHARYYA (Gauhati): While requisition cannot be done by question, may I know whether by question it can be ascertained from Government whether a particular requisition or a particular type of requisition is going to take place?

Shri HARESWAR DAS: Yes, Sir.

Shri DEVENDRA NATH HAZARIKA: Will the Minister-in-charge be pleased to inform us whether according to the formula of Government there is surplus land in the tea estates?

Shri HARESWAR DAS: The I. T. A. themselves agreed to supply the figures of surplus areas in each garden. Some of the gardens have supplied the figures and we are asking others to supply them. When these areas supplied we can examine the position.

Procurement of 300 acres of land from Wilton Grant by Proprietor of Moderkhat Tea Company

Shri DEVENDRA NATH HAZARIKA asked:

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

- (a) Whether it is a fact that the Proprietor of Moderkhat Tea Company procured about 300 acres of land from Wilton Grant?
- (b) Whether it is a fact that the Proprietor encroached about 1,800 acres of land of that grant?
- (c) Whether Government propose to evict him from their unauthorised occupation and settle these lands with landless cultivators?

Shri HARESWAR DAS (Revenue Minister) replied:

40. (a)—Yes. The Moderkhat Tea Company purchased 500 acres of land covered by dag Nos. 2 (Part), 3, 4, 5, being part of Free Simple Grant No. 22/157 in 1950 from the Jokai (Assam) Tea Company.

(b)—It is not a fact.

(c)—Does not arise as there is no unauthorised occupation.

Shri DEVENDRA NATH HAZARIKA (Saikhowa): Whether it is a fact that about 1800 acres of land are under occupation of Moderkhat T. E. in that particular grant?

Shri HARESWAR DAS : That plot was purchased from another company who again purchased it from the Jokai (Assam) Tea Company. That is a separate plot.

**Forcibly occupation of land in Gohain Gaon,
Moderkhat Mouza by the Proprietor of
Moderkhat Tea Company**

Shri DEVENDRA NATH HAZARIKA asked :

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

(a) Whether it is a fact that land covered by dag Nos. 449, 504 and 507 of periodic Patta No. 85 measuring 22 bighas, 4 kathas and 6 lessas in Gohain Gaon, Moderkhat Mouza, have been forcibly occupied by the Proprietor of Moderkhat Tea Company?

(b) Whether Government propose to evict this Tea Planter from this forcible occupation of this "Rupit Mati" (Paddy cultivable land) and settle the same with real cultivator?

Shri HARESWAR DAS (Revenue Minister) replied:

41. (a)—It is not a fact.

(b)—Does not arise.

Shri DEVENDRA NATH HAZARIKA: Will the Minister-in-charge of Revenue be pleased to tell whether these lands are under occupation of this tea planters, namely, Moderkhat Tea Company, and that these lands are being cultivated by hired labour?

Shri HARESWAR DAS: That is absolutely immaterial. The owner is a private person.

Shifting of the Civil Surgeon's Office at Gauhati from its present site

Shri HARESWAR GOSWAMI (Rampur) asked :

*42. Will the Medical Minister be pleased to state—

(a) Whether there is a proposal to shift the Civil Surgeon's Office at Gauhati from its present site to Sarania in the old buildings of the Ayurvedic College ?

(b) If so, what is the reason for doing so ?

Shri RUPNATH BRAHMA (Medical Minister) replied :

42. (a)—Yes. The office of the Civil Surgeon at Gauhati has already been shifted to the old building of Ayurvedic College.

(b)—Expansion of the Gauhati Civil Hospital necessitates dismantling of the present Nurses' quarters and the office of the Civil Surgeon being in the compound of the Civil Hospital. The Nurses are proposed to be accommodated there.

†**Shri HARESWAR GOSWAMI** : Is it not a fact that the people are experiencing great difficulties for shifting the office building from the heart of the town to almost the other end of the town?

†**Shri RUPNATH BRAHMA** : The distance is not so great, Sir, and then it is a temporary arrangement.

†**Shri HARESWAR GOSWAMI** : What will be permanent arrangement ?

†**Shri RUPNATH BRAHMA** : The office will be again taken there back.

†**Shri MOHI KANTA DAS (Barchalla)** : What is the distance of the office to the Gauhati Ayurvedic College ?

†**Shri RUPNATH BRAHMA** : The hon'ble Member already knows it well.

(Laughter)

†Speech not corrected

UNSTARRED QUESTIONS

(To which answers were laid on the table)

**Amount for Test Relief work to flood affected people
in the district of Cachar**

Shri TAJAMMUL ALI BARLASKAR (Udarband) asked:

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

- (a) Whether any amount has been sanctioned for Test Relief Work to the people of district of Cachar affected by recent floods?
- (b) If so, what is the amount?
- (c) If not, why not?

Shri HARESWAR DAS (Minister, Revenue) replied:

35. (a) & (b)—Yes, Rs.60,000 have been sanctioned as proposed by the Deputy Commissioner.

(c)—Does not arise.

**Joint application from advocates of Gauhati High Court
for settlement of land at Gauhati**

Shri HARESWAR GOSWAMI (Rampur) asked:

36. Will the Minister, Revenue be pleased to state—

- (a) Whether he has lately received a joint application from some advocates of the Gauhati High Court for settlement of land at Gauhati?
- (b) What action has been taken on that application?

Shri HARESWAR DAS (Revenue Minister) replied:

36. (a)—Yes. A joint petition from Sarbashri (1) Gunajit Kumar Talukdar, (2) Jyoti Kumar Bhattacharyya, (3) Benimadhab Mahanta, (4) Dhiren Ch. Sarma, (5) Nagendra Mohan Ganguly, (6) Bishnu Kumar Goswami, was received on 7th August 1958.

(b)—The application has been filed as the land applied for is kept reserved for Government purposes.

***Shri HARESWAR GOSWAMI (Rampur) :** Will the Government consider the other complaints regarding this plot of land ?

***Shri HARESWAR DAS (Minister, Revenue) :** If the party approaches, we shall consider it.

***Shri HARESWAR GOSWAMI :** Where is the plot of land ?

***Shri HARESWAR DAS :** The plot of land is at Ulubari.

Rehabilitation of river eroded families of Mazuli area

Shrimati KOMOL KUMARI BARUA (Katonigaon) asked:

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

(a) Whether it is a fact that some river eroded Scheduled Caste families of Mazuli were rehabilitated in Meleng requisitioned Grant No.3 about six years back?

(b) Whether it is a fact that about ten bighas of land were allotted per family for paddy cultivation?

(c) If so, whether the land was examined and found suitable for agriculture ?

(d) Whether Government is aware that the entire area is too high and there is no source of water supply for the cultivators both for drinking and cultivation ?

(e) Whether Government is aware that the land is suitable neither for Ahu nor for Sali crop ?

(f) Whether it is a fact that according to Plant Protection Inspector also, there is no irrigation facilities and minor Irrigation Project cannot be taken up in Meleng Grant No.3 ?

(g) If so, why Government selected such a site for the purpose of rehabilitation ?

(h) Who is responsible for it ?

(i) Whether Government will be pleased to undertake some alternative measures to rehabilitate these families within the current year ?

Shri HARESWAR DAS (Minister, Revenue) replied :

37. (a)—Yes.

(b)—10 bighas of land was allotted to each family for homestead and cultivation. There was no specific direction for paddy cultivation.

(c)—Yes.

(d)—The land is high but the present allottees have dug their own well on the land. The water of the wells is used by them for drinking and cultivation purposes.

(e)—The land is suitable for cultivation of Ahu, Sugar-cane and Ravi crops although it is not suitable for Sali crop.

(f)—It is not a fact.

(g)—Does not arise.

(h)—Does not arise.

(i)—Does not arise.

Shrimati KOMOL KUMARI BARUA (Katanigoan) : In the reply to my question No.37(f) it is stated "It is not a fact." My question is will the Minister be pleased to examine and enquire into the matter if I submit a copy of the report of the Plant Protection Inspector ?

Shri HARESWAR DAS : I shall surely enquire.

Shrimati KOMOL KUMARI BARUA : Will the Minister be pleased to pay a visit to this area to see the condition of the people and the land.

Shri HARESWAR DAS : I cannot give an assurance.

Shrimati KOMOL KUMARI BARUA : Whether the Government is aware of the fact that many families who were allotted lands there had to leave some plot of land as they found some plot unsuitable for cultivation?

Shri HARESWAR DAS : The difficulty is that we cannot find suitable lands for them. Such situations always arise. Now the method of cultivation must be changed. Every land is suitable for some crop.

Housing Scheme in the Plantation Labour Act**Shri HIRALAL PATWARY (Panery)** asked:

38. Will the Minister-in-charge of Labour be pleased to state—

(a) Whether it is a fact that there is a provision for Housing Schemes in the Plantation Labour Act?

(b) If so, what is the number of such houses built up-till-now in Assam since the implementation of the Act?

Shri KAMAKHYA PRASAD TRIPATHI (Minister-in-charge for Labour) replied:

38. (a)—Yes.

(b)—

Houses newly constructed				Houses provided by remodelling (old existing houses)	
			Rs.		Rs.
Pucca	..	..	14,397		5,780
Semi-pucca	..	...	660		1,824
Kutcha	...	..	4,600		704
Total			19,657		8,308

The figures relate to the period upto 31st December 1958. The number of houses constructed during the current year is not available immediately.

Shri HIRALAL PATWARY : क्या सरकार यह जानता है कि C. I. Sheet और और Cements के अभाव के कारण बहुत से बानाने बाल घर नहीं बना सके हैं।

Shri KAMAKHYA PRASAD TRIPATHI : जी! कुछ कुछ मालूम है।

Allotment of big quota of milk powder to a Marwari Merchant to be sold to people of Tarabari of Barpeta Subdivision

Dr. SRIHARI DAS (Barpeta) asked:

39. Will the Minister-in-charge of Supply be pleased to state—

(a) Whether it is a fact that a big quota of milk powder was allotted to a Marwari Merchant

of Barpeta to be sold to people of Tarabari of Barpeta Subdivision during 1958-59?

(b) If so, who is that merchant?

(c) Whether Government are aware that the entire quota of that milk powder was sold at Gauhati depriving the people of Tarabari?

(d) At what price per maund the milk powder was taken from Government and at what price this was sold?

(e) Whether that quota of milk powder was sold to the people of Tarabari at all?

(f) If not whether Government will take steps against this blackmarketeer?

M. MOINUL HAQUE CHOUDHURY (Minister, Supply) replied :

39. (a) & (b)—One Hunumanprasad Nandakishore, a merchant not of Barpeta but of Tarabari was allotted the usual quantity of 3,000 lbs. of Skimmed Milk Powder for retail sale at Tarabari.

(c)—Entire quantity of 3,000 lbs. milk powder were taken to Tarabari by the allottee and sold to local consumers at retail price fixed by Subdivisional Officer, Barpeta.

(d)—Government wholesale price of Skimmed Milk Powder was fixed at Rs.76.12np. per bag of 100 lbs. The retailers' selling price to consumers was fixed by the Subdivisional Officer, Barpeta at Re.1.78np. per seer for Tarabari area.

(e)—Answer at (c) above.

(f)—In view of the reply at (c) above it does not arise.

Dr. SRIHARI DAS (Barpeta) : May I know from the Minister whether tenders were called for these allotments?

M. MOINUL HAQUE CHOUDHURY : These are not cases of tenders, Sir. I understand only 11 parties applied for having the stock and each one was given allotments.

**Grant of annual patta to an up-country businessman
of sarkari land in Hilikhaguri village in
Gharbandi Mauza (Dibrugarh)**

Shri DEVENDRA NATH HAZARIKA (Saikhowa)
asked :

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

- (a) Whether it is a fact that the Sub-Deputy Collector granted annual patta to an up-country businessman for 17 bighas, 3 kathas, 8 lessas of sarkari land covered by Dag No.295 in Hilikhaguri Village in Gharbandi Mauza (Dibrugarh) ?
- (b) Whether Government is aware that this land has been used as grazing and as burial ground by several villages ?
- (c) Whether Government are aware that a memorandum was submitted to the Deputy Commissioner, Dibrugarh by the public of the locality opposing settlement of this land on 20th December, 1956 ?
- (d) Whether it is a fact that the representation was forwarded by Deputy Commissioner to the then Sub-Deputy Collector, Dibrugarh Eastern Circle but the Sub-Deputy Collector did not take any action on it ?
- (e) Whether it is a fact that the public of 5 or 6 villages of Laipuli Primary Panchayat had been agitating for cancellation of the annual patta and to restore the land in question to the villagers ?
- (f) Whether Government is aware that the President, Gharbandi Rural Panchayat represented the matter to Deputy Commissioner, Dibrugarh on 16th January, 1959 requesting to cancel the annual patta for this land ?
- (g) What action has so far been taken on these representations ?

Shri HARESWAR DAS (Revenue Minister.) replied:

40. (a)—Yes.

(b)—Records do not indicate that the land was used either as grazing or burial ground before it was settled.

(c)—There is no record of any such memorandum to the Deputy Commissioner from the public of the locality.

(d)—Does not arise.

(e)—Yes.

(f)—Yes.

(g)—The matter was duly enquired by the Deputy Commissioner. It was found that the patta holder did not effectively utilise the land and the people of the locality require the land for various public purposes. Deputy Commissioner has therefore, decided not to renew the patta and accordingly ordered for issuing non-renewal notice on the patta holder.

Shri DEVENDRA NATH HAZARIKA (Saikhowa) : May I know from the Minister-in-charge, Revenue for what purposes the Annual Patta was ganted to the non cultivators ?

Shri HARESWAR DAS (Minister, Revenue) : My purpose is indicated in the reply.

Shri DEVENDRA NATH HAZARIKA : Whether the Minister-in-charge will be pleased to enquire into these irregularities which had to be rectified by non-renewal of the Patta ?

Shri HARESWAR DAS : If non-renewal notice has been issued, it has been rectified.

Encroachment of a big area of land of Dirpai garden by a Marwari gentleman

Shri MAHANANDA BORA (North-Lakhimpur) asked :

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

(a) Whether Government have any information or received reports regarding encroachment of a big area formerly belonging to Dirpai garden and now a Sarkari plot, by a Marwari gentleman without any authority ?

(b) Whether Government has any information as to who allowed this person to reclaim this garden and build permanent building, etc., in the said area ?

- (c) Why Government in this case is not taking the same kind of action as is done in the case of ordinary encroachers ?
- (d) Whether Government has any intention to evict this trespasser immediately from the land which he is holding without any authority ?

Shri HARESWAR DAS (Revenue Minister) replied:

41. (a)—Yes, one Shri Rameswar Agarwalla has encroached about 148 bighas of land in Dirpai Tea Estate relinquished by the Jokai Assam Tea Co.

(b)—Nobody allowed this person to reclaim the garden and build houses there.

(c)—Action has been taken against him under Rule 18 (3) of the Settlement Rules as usual.

(d)—The encroacher has applied for settlement of the land which is under consideration.

Adherence of Government to a Resolution adopted by them regarding Settlement of waste land in Assam

Shri MAHANANDA BORA (North-Lakhimpur) asked:

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

(a) Whether Government strictly adhere to the resolution adopted by them in September 1958 regarding settlement of waste land in Assam ?

(b) Whether Government is aware that often times local officers do not like to adhere to it in practice ?

(c) Whether Government is aware that the existing co-operatives are often ignored and in their place settlement of waste land is given to individuals who already own enough land elsewhere ?

(d) Whether Government will take proper steps where specific cases are brought to the notice of the Government ?

Shri HARESWAR DAS (Revenue Minister) replied:

42. (a)—Yes.

(b) & (c)—No such complaint has been received by the Government.

(d)—Yes.

Present Settlement Operations in Assam

Shri GHANASHYAM TALUKDAR (Sorbhog) asked:

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

- (a) What is the direction given to the Settlement Officers relating to the conduct of present settlement operations in Assam?
- (b) Whether the A. S. Os. are to demarcate the boundaries of lands, settle up mutation cases and classify the lands?
- (c) Whether this has been done by the A. S. Os. of Barpeta Subdivision?
- (d) If not, why not?

Shri HARESWAR DAS (Revenue Minister) replied:

43. (a)—No special instructions were given to the Settlement Officers but they are to be guided by the provisions of the Assam Land Revenue Reassessment Act, 1936 and the rules framed thereunder and also by the Executive Instructions as incorporated in the Assam Resettlement Manual in conducting the present settlement operations in Assam.

(b)—Yes.

(c)—Yes.

(d)—Does not arise.

Shri GHANASHYAM TALUKDAR : I refer to my question No. 43 (b). Do the Government know that the A. S. O.'s of Barpeta Subdivision refused to demarcate the boundaries?

Shri HARESWAR DAS : Government are not aware of any such complaint.

Shri GHANASHYAM TALUKDAR : Will the Government be pleased to enquire?

Shri HARESWAR DAS : If such an application is received, we shall enquire.

Shri PRABHAT NARAYAN CHOUDHURY (Nalbari—East) : The Minister has stated in reply to 43(a) that the A. S. Os are to be guided

by the provisions of the Assam Land Revenue Reassessment Act 1936 and the rules formed thereunder and also by the Executive Instructions as incorporated in the Assam Resettlement Manual in conducting the present settlement operations in Assam. Why should not then enquiry be made, Sir that no demarcation boundaries, have been done at all ?

Shri HARESWAR DAS (Minister, Revenue) : An application has to be filed ; then only we can enquire into the matter.

Transfer of certain bighas of land at Chagolikata Village in Moderkhat Mouza to a non-cultivator

Shri DEVENDRA NATH HAZARIKA (Saihhowa) asked :

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

- (a) Whether it is a fact that land measuring about 66 bighas covered by periodic patta No. 30 and *dag* No. 33, 35 and 52/358 at Chagolikata Village in Moderkhat mouza was transferred to a non-cultivator ?
- (b) When this land was transferred and what were the terms and conditions ?
- (c) Whether it is a fact that as per land Revenue Manual, Chapter II of Part VI in rule 6 prior approval of the Deputy Commissioner was required for this transfer ?
- (d) Whether it is a fact that no prior approval of the Deputy Commissioner was obtained ?
- (e) Whether Government propose to cancel this transfer ?

Shri HARESWAR DAS (Revenue Minister) replied :

44. (a)—Yes.

(b)—In 1936. The Land was transferred with the original terms and conditions of the lease.

(c)—Yes.

(d)—Yes.

(e)—There is no such proposal under consideration of Government.

Shri DEVENDRA NATH HAZARIKA (Saikhowa) : Will the Government please insist on their officers to follow the rules of the Land Revenue Manual and also to ensure that they obtain approval of the Deputy Commissioner in transferring land from cultivators to non-cultivators ?

Shri HARESWAR DAS (Minister, Revenue) : It is not a question. If an officer violates the provisions of the Land Revenue Manual, we take serious notice of this.

Quarrel of fishermen of Barpeta with the lessee of Chaulkhoya fishery in Barpeta Subdivision

Shri MAHADEV DAS [Barpeta (Reserved for Scheduled Castes)] asked:

45. Will the Revenue Minister be pleased to state—

- (a) Whether Government is aware that the fishermen of Barpeta have got a long standing quarrel with the lessee of No. 2, 3, 4 of Chaulkhoya fishery in the Barpeta Subdivision regarding the rent for fishery ?
- (b) How many cases have been filed by both the parties on the matter ?
- (c) Whether there is any such rates fixed by Government as rent to be paid to the lessee in the flood season ?
- (d) If so, what are the reasons for which the lessee is not abiding by the rates ?
- (e) Whether Government will take immediate and proper steps to enforce the existing rules ?

Shri HARESWAR DAS (Minister, Revenue) replied:

45. (a)—Government have no information about long standing quarrel but have information about a quarrel which arose in July, 1959.

(b)—Two petitions one from the lessee and other from the fishermen were received.

(c)—No. No such rate is laid down by Government.

(d)—Does not arise.

(e)—The existing rules are in force and if there be any violation, Government will surely take action against the lessee.

Regarding rehabilitation of the Flood-eroded Families of Balilecha

Shri PRABHAT NARAYAN CHOUDHURY (Nalbari-East) asked :

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

(a) The extent of distress in the worst flood-affected water pocket of Nalbari with details of extensivity stating the period of which the area was under flood water ?

(b) Whether Government are aware of worst flood distress of village Balilecha and the neighbouring villages affected by breach at Balilecha of Pagladiya dyke on the right ?

(c) Whether Government have collected proper account of flood damage of those families of Balilecha and its neighbouring villages whose houses and belongings were washed away ?

(d) Whether Government are aware that on successive five occasions there was breach of Pagladiya embankment near the present breach near Balilecha village ?

(e) What definite measures the Government took to avert the crisis created by continuous breach of Pagladiya dyke about Balilecha creating havoc and devastation to the residents and distress to many villages ?

(f) Whether Government are aware that many families of Balilecha are either yet unable to return home or are to be rehabilitated elsewhere ?

- (g) Whether Government propose to rehabilitate the flood eroded families of Balilecha in a planned manner ?
- (h) How Government propose to settle those distressed families for maintenance of whose cultivated lands have rendered unfit for cultivation and also of those whose other sources and income like goldsmithy, industry and weaving have been totally affected ?
- (i) Whether Minister-in-charge or any of his Colleague visited the disaster of Balilecha and whether D. C. or the A. D. C. visited the havoc ?
- (j) If not, why not ?

Shri HARESWAR DAS (Minister, Revenue) replied :

46. (a)—The water pockets comprising villages Barbara, Sonkani, Khudra-Kulhati, Panbari, Sonkuriha No. I, Marowa, Simalia, Athgharia, Pandula, Ukhra, Kalag, Kotalkuchi, Ranakuchi, Dingdingi, Khudra, Dingdingi, Parakuchi, Barasainalia, Arangmau, Dokoha, Ratkuchi, Nakhati, Raimadha, Kamarkuchi, Ulabari, Karia, Tarmatha and Kataha were under flood water for about 25 days.

Some cattle of the above villages were washed away. Some of the affected people took shelter on the embankment and others shifted temporarily to other places. The loss sustained by these people was heavy.

(b)—Yes.

(c)—Yes.

(d)—The Pagladiya embankment was breached on two occasions and not five occasions.

(e)—In August, 1958 flood water rushed through the cut portion of ring bund (made by miscreants) of the Pagladiya embankment on the right bank near Balilecha Temple breaching the main Pagladiya embankment. In order to protect the area, a retirement on the right bank of the Pagladiya near Balilecha for Rs.41,200 was sanctioned by the Superintending Engineer in April, 1959. But owing to the unprecedented

floods of June, 1959, the Pagladiya embankment on the right bank at two places near Balilecha was overtopped and ultimately breached. These have since been closed by the Divisional Officer.

(f)—Yes.

(g) & (h)—The matter is receiving Government attention and necessary action will be taken on receipt of proposal from Deputy Commissioner, Kamrup.

(i)—The A. D. C. (ii) visited the affected areas of Balilecha.

(j)—Does not arise.

Shri PRABHAT NARAYAN CHOUDHURY (Nalbari-East): In reply to (e) it is stated that it was done by some miscreants. If so, were the miscreants detected? Who were these miscreants?

Shri HARESWAR DAS (Revenue Minister): No, Sir, they were not detected but it was reported that some people did it.

Shri PRABHAT NARAYAN CHOUDHURY: Why such improper reply is given, Sir? It is stated that the ring bund was cut by some miscreants, but no enquiry was made and without any enquiry they attributed the breach to miscreants?

M. MOINUL HAQUE CHOUDHURY (Minister, Agriculture, etc.): May I make the point clear, Sir. The reply was that the breach was done by some miscreants. Then the supplementary was whether these miscreants were detected. An enquiry was made and the miscreants could not be detected. So the reply is not improper, Sir.

Shri PRABHAT NARAYAN CHOUDHURY: Then again, Sir, it is stated that Rs.41,200 was sanctioned in April. Why was the money sanctioned so late?

M. MOINUL HAQUE CHOUDHURY: Money was sanctioned in April, but the work was started earlier. The hon. Member himself knows it.

Shri PRABHAT NARAYAN CHOUDHURY: Money was sanctioned in April, but why was it sanctioned so late only after two successive floods had already caused a lot of damage?

M. MOINUL HAQUE CHOUDHURY: The work was started much earlier. The local officers were authorised to start the work and they carried out the work earlier but the formal sanction from Government was received on that date.

Shri PRABHAT NARAYAN CHOUDHURY: Will the hon. Minister be pleased to take it from me that no work worth the sum of Rs.41,200 was done in that portion?

M. MOINUL HAQUE CHOUDHURY: I will enquire into it, Sir.

Pay Scale of the Upper Division Assistant working in the Secretariat Offices, Heads of Departments and District Offices

Shri SARBESWAR BARDOLOI (Titabar) asked :

47. Will the Finance Minister be pleased to state—

(a) What are the different pay scale of the Upper Division Assistant working in the Secretariat Offices, Heads of the Departments and District Offices ?

(b) Whether it is a fact that the present pay scale of the Upper Division Assistants of the District Offices and Subdivisional Offices are the same as fixed according to the 1948 pay revision ?

(c) If so, whether Government will be pleased to enhance the scale of pay of the Upper Division Assistants of the District Offices ?

Shri FAKHRUDDIN ALI AHMED (Minister-in-charge, Finance) replied :

47. (a)—(c)—The attention of the hon. Member is drawn to the reply given to the Unstarred Question No.18 in the September Session of the Assembly, on the 18th September, 1959.

Construction of a bridge over Hakua and Naljara River on the Sorbhog—Kahitoma Public Works Department Road

Shri GHANASHYAM TALUKDAR (Sorbhog) asked :

48. Will the Minister, Public Works Department (R. & B.) be pleased to state—

(a) Whether bridge will be constructed over Hakua and Naljara River on the Sorbhog-Kahitoma Public Works Department Road ?

(b) If so, when ?

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

48. (a) & (b)—As these bridges are not included in any scheme, the proposal was put up to the Assam Road Communication Board meeting held on 11th October, 1958 for consideration. But the Board did not select any scheme for taking up in the near future. However, as decided by the Board, the proposal has been sent to the Subdivisional Development Board for initial consideration and allocation of priority and works will be taken up as and when this is recommended by them and funds are made available for the purpose.

Non-availability of Text Books in Multi-purpose Schools

Dr. GHANASHYAM DAS [North Salmara (Reserved for Scheduled Castes)] asked :

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

(a) Whether Government are aware that no Text Books have been made available for students of the Multi-purpose Schools as yet and as a result many good students are leaving the multi-purpose schools and have joined other High Schools?

(b) If so, what steps Government propose to take to get rid of this difficulty?

(c) Whether this difficulty will be solved during the current year?

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

49. (a)—Text books in the regional languages are under preparation. Meanwhile teachers have been advised to teach according to the prescribed syllabus with the help of English books. Teachers have been asked to prepare notes for use of the pupils. This is however, a short term measure and regular text books will be available in the next school session. For mother tongue and English the books used for the Matriculation Examination have been printed for Class IX and X., as the standard of these two classes in a Higher Secondary School corresponds with that of the Matriculation Course.

(b)—Text books were invited by Gazette Notifications. As books on certain subjects were not received in time the last date for submission had to be extended. Books on the following subjects have been viewed and reviewed.—

1. Civics and Economics.

2. Mathematics.

3. Sanskrit.

4. Logic.

5. Geography.

6. Agriculture.

7. Home Science.

8. Physics.

9. Chemistry.

Government declared prizes of the value of Rs. 2,500 for books on some of the subjects. The Department have requested through personal contact, experts in various subjects to write books. As some of the books specially in science subjects will have only a limited circulation authors are not willing to write books. The remuneration of Rs. 2,500 is considered inadequate. Some authors have asked for relaxation of the rules. They are willing to sell the copyright to Government only for a limited period.

(c)—It is expected that by the end of the current school sessions the difficulties will be removed.

Disqualification for future employment of the Teachers Test passed teachers in Lower Primary Schools

Mrs. JYOTSNA CHANDA (Silchar-West) asked :

50. Will the Minister of Education, be pleased to state—

(a) Whether it is a fact that Circular Letter No.1/B. EX./59/6762-75, dated 31st July, 1959 of the Assistant Basic Education Officer, Assam to

the Secretary School Board Silchar have disqualified the Teachers Test passed teachers, from future employment in L. P. Schools ?

(b) Whether Government are aware that the Teachers Test passed teachers are in permanent Service ?

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

50. (a)—Yes, the circular letter was issued by Assistant Basic Education Officer under the direction of the State Advisory Board for Basic Education, Assam stating that the candidates who passed the T. T. Examination held by Sub-divisional School Board and not appointed up till now, are not eligible for appointment with effect from the date on which the result of the Departmental T. T. Examination conducted Statewise was announced.

(b)—Those who are already in permanent service will not be affected by this circular.

Mrs. JYOTSNA CHANDA (Silchar-West): In reply to question 50 (a) it is stated that the Circular letter was issued in accordance with the resolution of the State Advisory Board for Basic Education. Now, may I know from the Minister-in-charge whether he has gone through the proceedings of the State Advisory Board for Basic Education where, to my knowledge, no such resolution was passed ?

Shri RADHIKA RAM DAS : I have not seen that resolution, but if my Friend insists, I propose to go through it and let my Friend know about it.

Shri SARAT CHANDRA GOSWAMI (Kamalpur): May I know Sir, why those teachers who passed duly the Teachers' Test Examination held by the School Boards were declared unfit by the State Board ?

Shri RADHIKA RAM DAS : The reason is that some teachers passed this T. E. Examination about three or four years back. Some of these have already been provided with jobs while other who could not be provided with any job, took up some other avocation and forgot what little they learnt due to disuse. These people did not appear in any Subdivisional T. T. Examination. Now after this, this State Board Examination was held. This Circular letter refers to those teachers who did not appear in this State Board Examination.

Mrs. JYOTSNA CHANDA : May I know were they asked to appear in the State Board Examination ?

Shri RADHIKA RAM DAS : They were not asked.

Shri SARAT CHANDRA GOSWAMI (Kamalpur) : Do not Government think it improper to debar those students from appointment ?

Shri DEBESWAR SARMAH (Education Minister) : Sir, I have failed to see the impropriety in the procedure adopted. As the hon. Members will find, a considerable number of primary teachers are not up to the standard required. Therefore with a view to standardise the qualification of primary teachers a State Board Examination was held. Many of those teachers who appeared and passed any Subdivisional School Board Examination were entertained but those examinations were held at different times and they became rather, if I may use the word for lack of vocabulary for a more suitable substitute, stale. But those teachers who passed the Subdivisional Test Examinations were not debarred or prevented from appearing in the State Board Examination. I quite appreciate that some hardship has been caused to those teachers who will not be entertained although they passed the Subdivisional Board Examinations. But I would submit to the House that it is only with a view to improve the standard of education that this State Board Examination is introduced.

Mrs. JYOTSNA CHANDA (Silchar-West) : May I know whether these Subdivisional Board Test Examinations were approved by the State Board or not ?

Shri RADHIKA RAM DAS (Deputy Minister, Education) : They were, and I think we will give chance to those teachers who could not appear in the State Board Examination to appear again.

Mrs. JYOTSNA CHANDA : May I know from the Government whether the different School Boards have been informed that this order will apply only in case of those teachers who, although passed the Subdivisional School Board Examination, but never served and not in respect of those who have been served for three or four years temporarily.

Shri GAURISANKAR ROY (Katlicherra) : The question is whether those teachers who served in deputation vacancies will be taken in or not.

Shri RADHIKA RAM DAS : We are considering the cases of those teachers who had been serving for four or five years, whether they can be retained or not.

Shri SARAT CHANDRA GOSWAMI : When was the last School Board Examination held ?

Shri RADHIKA RAM DAS : Year before last, Sir.

Shri SARAT CHANDRA GOSWAMI : Then Sir, how those teachers who appeared in the last School Board Examination can become stale ?

Shri DEBESWAR SARMA : I would request the hon. Member to get himself in touch with the reality. I said that 'stale' was used as a substitute of a better term. Now, those teachers who passed these School Board Examinations do not have high qualification. If they engage themselves in certain other vocations, they are likely to forget what little they learnt. After all, they come from Class VIII or IX of High Schools or from Middle English or Middle Vernacular Schools. So after two or three years' disuse, they are likely to forget what they learnt.

**Irrigation Projects in Northern Parts of Mangaldai
Subdivision under Tangla Investigation E. and D.
Subdivision**

Shri HIRALAL PATWARI (Panery) asked :

51. Will the Minister-in-charge of P. W. D. (E. and D.) be pleased to state—

- (a) Whether it is a fact that Government have taken up some irrigation projects in northern parts of Mangaldai subdivision under S. D. O., Tangla E. and D. ?
- (b) If so, which are the projects and when the work will commence and be completed ?
- (c) Whether Government are aware that many major irrigation Schemes are required for the successful cultivation in that area and for the settlement of the people ?
- (d) If not whether Government propose to make an enquiry about this ?

M. MOINUL HAQUE CHOUDHURY [Minister-in-charge, P. W. D. (Flood Control and Irrigation Wing)] replied:

51. (a)—Some Irrigation Projects in the Northern part of Mangaldai Subdivision are under investigation under Tangla Investigation E. and D. Subdivision.

(b)—The Projects are (i) Phulguri Irrigation Scheme, (ii) Moradhansiri Irrigation Scheme, (iii) Dhansiri Dong Scheme, (iv) Daipang Irrigation Scheme, (v) Swarna Irrigation Scheme and (vi) Kalapani Irrigation Scheme. The actual execution of these schemes depends upon the technical feasibility of the schemes which will be known only after completion of investigation and also upon the availability of funds.

(c)—Yes.

(d)—Does not arise.

Occupation of land in F. S. Grant No. 109 of Hukanguri Tea Estate by families of Moran Tribe and families of Ex-Tea Garden

Shri DEVENDRA NATH HAZARIKA (Saikhowa) asked :

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

(a) Whether it is a fact that 11 (eleven) families of Moran Tribe and 2 families of Ex-Tea Garden labour communities entered an agreement with the Management of the Hukanguri T. E. of Assam Frontier Tea Coy., Ltd. and had been occupying land in F. S. Grant No.109 of Hukanguri T. E. at the rate of 8 (eight) bighas of land along with 37 other families who had also been occupying land there at the rate of 8 (eight) bighas each with due agreement with the owner ?

(i) Whether it is a fact that the Local Land Advisory Board passed a resolution to requisition a portion of the F. S. Grant No.109 at Hilikaguri (Tingrai Mouza) in 1953 or so which was under the occupation of 13 families mentioned in (a) above ?

(c) Whether Government is aware that the 13 families mentioned in (a) produced their pattas granted by the management in 1949 to the then Deputy Commissioner Shri L. Sarma and to the Sub-Deputy Collector, Tinsukia last year in presence of three members of this House, Shri Indreswar Khaund, Shri Radha Kisen Khemka and the questioner ?

(d) Whether these people applied to the Deputy Commissioner, Dibrugarh on 6th July, 1955, 20th July, 1956, 25th July, 1957 and 8th October, 1958 and to the Revenue Minister on 30th July, 1956 pointing out their occupation of the Tea garden land and their agreement with the tea garden manager in 1949 whereas a decision without proper enquiry was taken by L. S. A. Board, Dibrugarh on 1954 also ?

(e) Whether it is a fact that 4 members of the present Land Settlement Advisory Board requested verbally the S. D. C., Tinsukia to forward the matter to the Board for reconsideration of the previous decision ?

(f) Whether it is a fact that this matter was not brought for discussion in the Land Settlement Advisory Committee during the last 2 years ?

(g) Whether Government propose to direct the Deputy Commissioner to bring this subject for reconsideration of the Board ?

Shri HARESWAR DAS (Minister, Revenue) replied :

52. (a)—Yes.

(b)—An area of 94 bighas of land was requisitioned out of F. S. Grant No.109 in 1954, and not in 1953, with the approval of Land Settlement Advisory Committee. It is not a fact that 13 families of Moran tribe and *ex-tea* garden labour communities were in occupation of the area requisitioned in 1954.

(c)—Yes.

(d)—They submitted various representations to Deputy Commissioner claiming allotment of the requisitioned land on the basis of actual occupation. As stated above, the land was requisitioned in 1954 when it was free from any occupation either on the strength of agreement with the T. E. or otherwise. It is not a fact that the decision taken by Land Settlement Advisory Committee in 1954 was without proper enquiry.

(e)—Four members of the Board discussed this whole question with the Sub-Deputy Collector, Tinsukia sometime towards the middle of 1958, but no request was made for placing the matter again before the Land Settlement Advisory Committee for reconsideration.

(f)—Yes ; it was not brought for discussion in view of the facts that these persons were not in possession of the land at the time of requisition.

(g)—No ; Government do not propose to issue any such direction in view of the facts explained.

Shri DEVENDRA NATH HAZARIKA (Saikhowa): Sir, in reply to (c) it is affirmed that 13 families have got pattas since 1949, then how is it that these lands were requisitioned in 1954 when it is stated here that the lands were not under their occupation ?

Shri HARESWAR DAS (Minister, Revenue): These pattas are in relation to other lands and not with regard to the requisitioned lands.

**Land requisition from Haticherra Tea garden
in Silchar Subdivision for Settlement
to the landless cultivators**

Shri TAJAMAL ALI BARLASKAR (Udarband) asked:

53. Will the Minister, Revenue be pleased to state —

(a) What is the total area of waste land requisitioned by Government from the Haticherra Tea garden in the Silchar Subdivision for giving settlement to the landless cultivators ?

(b) Whether the whole of the said requisitioned land has already been given settlement ?

(c) If not, how much land still remain unsettled ?

(d) Whether there are cultivators co-operatives who applied for getting settlement of these lands ?

(e) If so, whether Government will please take steps to settle the land immediately to some of the cultivators co-operatives ?

Shri HARESWAR DAS (Minister, Revenue) replied:

53. (a)—An area of 1274 bighas of land.

(b)—Yes.

(c)—Does not arise.

(d)—One Farming Co-operative Society has been allotted 500 bighas of land and the remaining land was allotted to landless people. No other Farming Co-operative Society applied for any land.

(e)—Does not arise.

Level crossing on N. E. F. Railway on points between Amguri and Namtiali Railway Station

Shri KHOGENDRA NATH BARBARUAH (Amguri) asked:

54. Will the Minister Transport be pleased to state—

(a) Whether Government is aware that a level crossing on N. E. F. Railway, in between the wirepost $\frac{10}{519}$ and $\frac{11}{519}$ (between Amguri and Namtiali Railway Station) is urgently necessary?

(b) What steps Government have taken to get this crossing open?

(c) If not, whether Government will be pleased to take necessary steps to get the level crossing opened?

Capt. WILLIAMSON A. SANGMA (Minister, Transport) replied:

54. (a)—Some representation has been received regarding urgent necessity of a level crossing at that point.

(b)—As required under the existing procedure the Executive Engineer, P. W. D., Sibsagar has been asked to take up the matter with the Railway.

A sum of Rs.2,000 being expenditure on plans and estimates to be prepared by the Railway are to be deposited by the party who has accordingly been requested to do so.

(c)—Does not arise.

Land in Shillong Town for Construction of Government Quarters

Shri KHOGENDRA NATH NATH (Goalpara) asked :

55. Will the Minister, Revenue be pleased to state—

(a) Whether it is a fact that no land is available in Shillong town to construct Government quarters ?

(b) If so, what steps Government propose to take to solve the problem of accommodation of Government servants stationed at Shillong ?

Shri HARESWAR DAS (Revenue Minister) replied :

55. (a)—Yes. No Government land, except some stray plots here and there, is available for the purpose.

(b)—The matter has already been taken up with Tribal Areas Department for acquisition of some land, falling within the jurisdiction of the District Council, for the purpose.

Reservation of Deroi Reserve for paddy cultivation

Shri KHOGENDRA NATH BARBARUAH (Amguri) asked :

56. Will the Minister, Revenue be pleased to state—

(a) Whether Government have received recommendation of the Land Settlement Advisory Board, Sibsagar Subdivision, to the effect that a certain part of Deroi Reserve (Deoghoria, Jelukoni, Satimari, Baotoli and other Pathers) be dere-served and thrown open for paddy cultivation ?

(b) If so, what is the Government decision and direction on it ?

Shri HARESWAR DAS (Minister, Forests) replied :

56. (a)—No. Government have not received such proposal.

(b)—Does not arise.

***Shri FAKHRUDDIN ALI AHMED (Minister, Finance):**
Mr. Deputy Speaker, Sir, I beg to present the supplementary Demands for Grants for 1959-60.

The Assam Shramik Bahini Bill, 1959

Shri DEBESWAR SARMAH (Minister, P.W.D.): Mr. Deputy Speaker, Sir, I beg to move that the Assam Shramik Bahini Bill, 1959 be taken into consideration. Sir, the purpose of the Bill is clearly stated in the preamble as well as in the statement of the objects and reasons of the Bill. During pre-British days in our State the broad roads, that is to say, the highways as also the big tanks were made and excavated respectively by our own people. Now it seems that by a curious process, may be due to the advent of English education or may be due to other reasons, quite a large section of our people has become averse to manual labour. This is we are increasingly feeling and our difficulty arose particularly when certain roads were rendered unsafe due to Pakistani firing during the year before last as also during the last year. During the monsoon season also we experienced difficulty. The people who came from outside and constructed the roads left the State and we found ourselves in difficulty. The other and more important reason is that we are passing through plans and plan means hearty co-operation between the people and the Government. Large amounts of money are spent in the plan processes. It is the desire of the Government as well as of the people that quite a big chunk of money out of the total expenditure should remain inside the State. So, with a view to facilitate voluntary association of our people for doing work and augmenting their income and resources this Shramik Bahini Bill has been introduced. The Code of the Public Works Department lays down certain rules and procedures, but our voluntary association of people often find it difficult to conform to those rules. Therefore, the Shramik Bahini Bill proposes to simplify the procedure so that people may just form into an association with not less than 25 persons. They can get work from the Department, execute it, receive the money and distribute it amongst themselves, *pro-rata* according to the labour rendered. The constitution is a simple one. It will be found in the clauses that the Chief Engineer or some of his officers whom he authorises will have the power to register the Shramik Bahini. At one time we thought that the Registrar of Co-operatives should be entrusted with the job. But our experience tells us that this is rather a complicated procedure and so we just made it simple. Clause 6 lays down the registering authority of the Shramik Bahini. The application for Shramik Bahini is also a simple one. Any 25 or more Shramiks may apply for it

Clause 7(a) and (b) state what the application is to contain and clause 8 enjoins registration. The evidence of registration also is a simple affair.

The rights and liabilities of the Shramik and non-Shramik members are also laid down and the dissolution of the Shramik Bahini is very simple. Here there is no financial implication because the people will work, get the money for their work done, divide the money amongst themselves and the State has no financial obligation. As regards delegated legislation under the proposed Assam Shramik Bahini Bill, 1959, this is also very simple, because only certain rules will be prescribed and these will be placed before the House at least 14 days before the final publication.

So I submit, Sir, that the Bill may be passed.

***Shri NILMONEY BORTHAKUR (Dibrugarh):** Mr. Deputy Speaker, Sir, I beg to move that the Assam Shramik Bahini Bill, 1959 be referred to a Select Committee consisting of the following members:

1. Minister-in-charge of Public Works Department;
2. Shri Siddhinath Sarma;
3. „ Sarbeswar Bordoloi;
4. Shrimati Lily Sen Gupta;
5. Shri Bishwanath Upadhyaya ;
6. „ Biswadev Sarma ; and
the Mover of this Resolution.

The Select Committee should submit its report by 15th February, 1960. I am in entire agreement with the purpose of the Bill, but the Bill as drafted does not embody the purpose for which it is presented. It is not very clear from the context of the Bill what the Minister who Piloted the Bill wants to

achieve. As he has stated just now that the purpose is to give facilities to unorganised labourers who can organise themselves so that they can participate in the development projects and retain a part of the expenditure spent under this heading. But it is not very clear from the body of the Bill. Certain sections which have been incorporated here should have been left to the rules, for example, here how annual meetings will be held, what should be the function of the annual meetings; these things should have been left to the rules. How applications are to be made—that should have been left to the rules. What help the Government propose to give to these Shramik Bahinis excepting that they will be allotted works below the value of Rs. 20,000. When the purpose of the Government is to give incentive to labourers to organise themselves, I think for that purpose, the Trade Union Act is there. Trade Union Act not only provides facilities for labourers, it also gives ample scope for the workers to safeguard their interests. If the purpose of the Government is to anthuse a spirit of co-operation amongst the workers, the Co-operative Department is there, the Co-operative Act, 1949 is there. In the Co-operative Act, 1912, the co-operative movement was meant for people of limited means, but that expression was given up. The same purpose would have been achieved by encouraging the workers to organise themselves and form into co-operatives. That purpose should have been clearly stated in the body of the Bill.

Now, if it is the purpose of the Government to enthuse the workers to participate in the national Plan in order to give them opportunities of employment, that is a different thing, and for that purpose the Employment Exchanges are there. But here it is left to the workers to organise themselves. But how will they organise excepting that they will be allotted works. Nothing is mentioned for the workers to organise themselves and form into Shramiks. They can only sell their labour to the government in construction work or work of other development measure. I wonder how they are going to benefit from this Bill; what help they are going to get from the Bill and whether they will get preference over other groups of workers. That has not been properly stated here in this Bill. Now, I believe that this draft of the Bill cannot be corrected by way of moving amendments. The Bill requires radical change. I find that there is a lot of drafting mistakes. You will find that at page 3, clause 5, the annual meetings of the Shramik Bahini should be held at least once a year. The words “annual

meetings" imply that the meeting should be held once a year it cannot be held more than once. The functions and the purpose of the annual meeting should have been left to the rules and regulations. Here, the Chief Engineer or Additional Chief Engineer has been interpreted as the Registering authority or any other person to whom that power is delegated. If the Government is really serious about the organisation of Shramik Bahini a particular office should be in the exclusive charge of the Shramik Bahini so that it can control and supervise the workings of the Shramik. But in the Bill I do not find any incentive to organise Shramik Bahini either at the Subdivisional level or State level. From that angle also the Bill leaves much to be expected. So I suggest that the Bill should be redrafted. Much scope should have been given to the Shramik Bahinis so that they could exchange their views and could take up different development works of the State.

Again, we find in the draft Bill at page 5, Clause 15 which reads thus "A condition of registration is that the Shramik will apply individually to the Chief Engineer or to any person empowered by the Chief Engineer". The whole drafting is very cumbersome. The text of the law should always be very precise, but here in this Bill it is meant for the illiterate labourers where not more than 5 per cent of the workers will benefit. If it is meant for the benefit of the workers, it should be much simpler. Then, again we find that provision has been made for inclusion of non-Shramik members into the Shramik Bahini. If the idea is to provide persons who will help in official work, then the Shramik Bahini could engage the services of a clerk or an Accountant. For that purpose a President or a Nayak is not necessary. I do not see that the whole Bill will help them or serve the purpose for which it is sought to be introduced. Again, in the financial memorandum we find that no expenditure is involved. I do not think this is very correct. If the Engineers are to supervise the work of the Shramik Bahini and if they are to register it they shall have to keep a separate establishment and that will involve expenditure. Apart from enquiries, there may be difficulties with some of the Shramiks not functioning properly and some of them might defalcate money. So from that angle also there should have been clear provision from the Government side. So it is not correct to say that this will not involve any expenditure. I, therefore, think that the best course for us is to refer this Bill to a Select Committee so that different clauses may be studied and the Bill properly redrafted, and after it comes out from the Select Committee it will be simpler

and much easier for us to embody the purpose for which this Bill is necessary. I, therefore, recommend my resolution for the acceptance of the House.

Mr. DEPUTY SPEAKER: The amendment moved is that the Assam Shramik Bahini Bill, 1959 be referred to a Select Committee consisting of the following Members:—

1. The Minister-in-charge, Public Works Department;
2. Shri Siddhinath Sarma;
3. „ Sarbeswar Bordoloi;
4. Shrimati Lily Sen gupta ;
5. Shri Bishwanath Upadhyaya;
6. „ Biswadev Sarma and
the Mover of the Resolution.

The Select Committee should submit its report by 15th February, 1960.

Shri KHOGENDRA NATH BORBARUAH (Amguri): In the statement of objects and reasons it mentioned that this Bill is placed here with a view to enthuse the spirit of voluntary co-operation among the labourer in the state of Assam, and to provide for formation for associations of the labourers and for their registration for better and more regular supply of labour for execution of Five Year Plan projects. Sir, in the Democratic country, the government is run by a party. The ruling party has certain ideology, and it stands for the interest of a certain class. I remember to have said here that if any one speaks or talks of politics, other than class politics, he should be caged with a kangaroo and be displayed in a kangaroo exhibition—it is said by Lenin. Now here, the ruling party stands for the interest of the imperialists, feudal lords, capitalists, *i.e.*, national bourgeois, *i.e.*, if any plan is brought or desired by the ruling party naturally these classes will be much benefited. So the Five Year Plans are brought here to enrich the rich classes, feudal lords, and national

Capitalists. So, Sir, these five year plans will not help the labouring classes and voluntary co-operation from the labours cannot be obtained unless the fruits of the five year plans are gained by the common labouring people. Some says that in the Five Year Plans roads and bunds will be constructed. But in some capitalist countries like England I have seen that many schools, roads and bunds are constructed without any plan. In formulating our plans Sir, we should see whether these plans are going to benefit our common people or not. I have observed that these plans are brought only to enthuse and enrich one section that is the upper strata. So, Sir, one thing is certainly necessary. This is whether the fruits and gains of the Five Year Plans will go to benefit the common people. I say no. One thing Sir, I have noticed in this Bill some people who are hard hit economically and who are begging from door to door may get some pretty employment and jobs or contracts. From this point of view I support this Bill. Before I go into details of this Bill I support the amendment moved by the Member from Dibrugarh as I also think that this Bill should go to a Select Committee. But then the question of time may come. I should say time is still there. Sir, before I go into the details of the Bill I have found that before registration of the Shramik Bahini Executive Committees are not formed. Sir, we see in Trade Union and Co-operatives firstly the executive of trade union or Co-operatives are formed and after that it is registered. But here it seems that registration will take place before the Executive Committee is formed by the labourers. Sir, in Section 3 (i) it has been said :

“Subject to sub-section (2) any twenty five, or more Shramiks in an area may by individually signing applications in the prescribed forms and by otherwise complying with the provisions of this Act in respect of registration associate and form themselves into a Shramik Bahini”. So Sir, the registrations are to be done after the constitution of the Executive Committee. I am at a loss to understand as to how the registration will be done before forming the Executive Committee. Another point is Sir, out of 25 Shramik Bahini members, two non-Shramik members may be included. Sir, if the number of the Shramik members is increased, whether the proportion of non-Shramik member will increase. For example if the number of Shramik Bahini members are increased from 25 to 200 then whether there will be an increase of non-Shramik member. My point is whether number 2 is fixed or it will increase proportionately with the increase of Shramik Bahini members?. Thirdly,

Sir, out of 5 members, in the executive, if the number of absentee is 2 then whether the remaining 3 will form executive? Again Sir, in the sub-section (2) of Section 4 it has been stated "The Executive Committee shall consist of not less than five not more than seven members from whom one shall be elected as the President and the other as the Nayak. "Here I think the minimum and maximum number of Executive Committee members should be 7 to 11; because if out of five in the Executive, some remain absent, the decision of 3 or 2 cannot carry weight and again if the strength of Bahini be increased to, say 100 or 200 or more, 7 men executive will feel unequal to their own task. Moreover there is no mention or provision of forming 'quorum'. Again in the sub-section (2) of section 4 the portion "But the other members of the Executive Committee shall be elected from amongst the Shramik members", I think, is unnecessary. Sir, how this could come to the head of the Minister? Only two members will be non-Shramik? Then, "Provided that the meeting so desires that the President or the Nayak or the both may be elected from amongst the non-Shramik members but the other members of the Executive Committee shall be elected from amongst the Shramik members". Sir, it automatically goes. If the two non-Shramik members are elected to the executive the other members will automatically have to come from the Shramik members-labourers. Again, in clause 5, section (2) there is a printing mistake. How is it that in this place at Shillong the brain has become so hot? At the bottom Shramik Bahini is written? However, this is a printing mistake. Moreover Sir, no such provision is there in the Bill to control and oust the corrupt President or Nayak or any other member for one year. For a year the President and the Nayak will be there. They cannot be ousted in case they are corrupted. Why the Committee will not be empowered to ask them to resign before the term of one year? Why they have been given time or the power to remain there for a year?

Sir, regarding registration of a Shramik Bahini, in clause 7 it is written that every application for registration of a Shramik Bahini shall be made to the Chief Engineer or to the Officer empowered by him in this behalf in a statement containing the following particulars; namely, the names, occupation and addresses of the Shramik and non-Shramik members making the application. Sir, the purpose of making this statement is not clear. Application form will have to be submitted by every member and in section 3 it has been laid down that the applications in the prescribed form are to be signed by individual

member. It is still in the head of the Minister whether in prescribed application forms the names addresses and occupation of Shramiks and non-Shramiks making the application are to be given. The application forms will be provided by the Government. The terms and conditions will be prescribed by the Government. Now here it is suggested that additional statements will have to be made also along with the application. Why additional statements containing the names, occupation addresses, etc., of the Shramik Bahini and the address of its office? I think, in the application form it will be there. Sir, I think, this portion is unnecessary. However in clause 7, section (b) the following portion—"which may be situated at the residence of the Nayak or the President or at any other place considered suitable by the Shramik Bahini" is not necessary. Only the address of the office may be necessary, because the Shramik Bahini may have its office here and there. I think the already mentioned portion is unnecessary.

Now I come to the functions and duties of Shramik Bahini. Whether more than one Shramik Bahini will be registered in a certain locality? In certain locality many labourers may form many such Shramik Bahinis. Whether Government will allow one Bahini to form there or more than one Bahini? It is not mentioned whether that Bahini in a certain particular area will get the local job and contract or in some other places. If more than one such Shramik Bahinis are there in a certain area what will be the basis and principle for allotment of works, how the works will be allotted?

I see that fixation of jurisdiction is not there. Again, Sir, I find that in section 11 some expenses will be necessary for registration and for maintenance of the Shramik Bahini Office. In some where it says that registration will be done without any charge. But now it seems that expenses are necessary for registration. Here again some charges have been levied.

Section 12 reads as follows: "The net income of the Shramik Bahini after deducting expenses for the management of the affairs of the Shramik Bahini shall be divided among the Shramiks and the Nayak, *pro rata*, that is proportionately of the basis of work put in. The non-Shramik member and the President, if he is also a non-Shramik member, shall not be entitled to the sharing of the net income. If the Nayak is a non-Shramik he is not entitled to get a share of the net income. But Sir, in the next line in section 12 it is mentioned that the non-Shramik member shall not be entitled to the sharing of the net income. But whether that Nayak, if he be a non-Shramik be

entitled to get a share according to the provisions is not there. I say that according to the provision here he is entitled. So, the Government is bringing this Bill in a hurry and haphazard way and contradicting its own provisions.

Regarding dissolution of the Shramik Bahini Section 25 reads as follows:—

“If the Chief Engineer or person authorised by him after enquiry is of opinion that the Shramik Bahini ought to be dissolved, he may cancel the registration of the Shramik Bahini”.

The Chief Engineer or any body empowered by him shall have to follow the conditions of the Bill. He should see whether any Shramik Bahini is functioning according to the provisions of this Act. It is not mentioned here that he will have to see that the Shramik Bahini is functioning according to the Act but he can dissolve it according to his opinion. Opinion is one thing and doing according to the provisions of the Act is another thing. Why he has been allowed here to dissolve the Shramik Bahini according to his own whims? Men have likes and dislikes. If the Shramik Bahini does not function according to the provisions of the Act he will be allowed to dissolve it. But it should not be dissolved according to his own opinion.

Section 26 runs as follows:—

“The Chief Engineer or the person authorised by him by an order in writing, cancel the registration of the Shramik Bahini, if, at any time it is proved to his satisfaction that the number of the Shramik and non-Shramik members have been reduced to less than 25.”

So out of 25 if one passes away from this world or cannot join, in that case the registration will be cancelled. I think some time must be given or some warning should be given so that the gap may be filled up say in one month's time.

Then again Sir, in clause 29 it is said—“The State Government may from time to time, constitute at the subdivisional level a District Shramik Advisory Committee, consisting of such number of persons as it may think fit in each case and on such terms and conditions as may be prescribed”. Here it is not mentioned whether this Shramik Advisory Committee will also consist members from the Opposition or some persons from recognised political parties in the State. So I think some provision should be made so that the Advisory Board should also contain members from other recognised political parties.

Then in the same clause 29, sub-clause (3), it is said—“The District Shramik Advisory Committee shall meet at such interval as may be prescribed, and for the transaction of urgent business or on such other occasions as the State Government may require”. From this it appears that the Advisory Board will sit or will meet only at the instance of the Government but I think every member is also entitled to call a meeting of the Advisory Board. In other words, the members of the Advisory Board should have the right to call a meeting of the Board by informing the President that the meeting of the Advisory Board should be called and accordingly the Board should be invited to meet. But according to this clause only the Government has the right to call the meeting of the Board. How can this be in a democratic country?

Sir, another thing is with regard to materials. How can materials be supplied by the Shramiks? From where can they get the capital? In this case I think the Government should come forward to supply the materials. Then again, there is no provision as to how payments should be made—whether by instalments or otherwise at the beginning. From all these things I find that the Bill is very clumsily drafted. So it is only proper to refer the Bill to a Select Committee. If a Select Committee is formed it will perhaps go through the Bill and suggest amendments, etc., and after that the Bill can be passed.

Now Sir, so far the principle envisaged in this Bill that is, to enlist and employ the labourers for developmental works, I welcome it and I also welcome the amendment just moved by my Friend from Dibrugarh.

Shri SARAT CHANDRA GOSWAMI (Kamalpur):

Sir, I have followed very closely the remarks made by my Friends opposite over there supporting the amendment to refer this Bill to a Select Committee; but I find that there is no scope nor any necessity to refer this Bill to a Select Committee. Sir, this Bill was to have been passed in the last Assembly and it was noticed then, as it is now that the purpose and the necessity of this Bill has been very clearly expressed by the hon. Minister-in-charge. So I think that there is no necessity to refer this Bill to a Select Committee any further. It will be in the fitness of things, I feel, that this Bill should be passed immediately if the purpose envisaged by this Bill is to be served.

As regards the observations made by other Members opposite, I think my Friends are very much obsessed with the idea of labour or labour movements which this Bill envisages. Then as regards the definition, here it is clearly emphasised as to the necessity of this Bill. Here it says—"Shramik means a person who is not below the age of 18 years and is a resident of the State of Assam and desirous of putting in his labour in any project, undertaking or contract works to earn his living or to supplement his income". Now, the very definition of the "Shramik" clearly emphasised the necessity of this Bill. Because our people are averse to manual labour whether for works under the Five Year Plans or under Developmental works of the Government. Most of the resources of the State are drained away by the labour coming from other parts of India. So if we want to take advantage of the investment made in our State we should make our own people to come and work by taking up manual labour. That is the very purpose of this Bill. Then again, as regards other observations made by my Friends, most of the details will come under the Rules. In other words, the minute details with regard to registration, calling of meetings, method of payments, etc., all these things will come under the Rules. Then Sir, as regards inclusion of non-Shramik, if it is so desired that non-Shramik should not be included this can be met by an amendment. So Sir, I do not see any reason why the Bill should be referred to a Select Committee which will only waste much time of the House and delay passage of this Bill. So I would request my Friends opposite as they have appreciated the spirit of this Bill and they have welcomed the purpose of this Bill, to withdraw their amendment and to accept the main motion moved.

Shri SARBESWAR BORDOLOI (Titabar): উপাধ্যক্ষ

মহোদয়, এই শ্রমিক বাহিনীৰ বিলখন বাচনি কমিটিলৈ পঠাবৰ বাবে যিটো প্ৰস্তাৱ শ্ৰীযুত বৰঠাকুৰ ডাঙৰীয়াই দাঙি ধৰিছে, মই সেই প্ৰস্তাৱটোৰ বিৰোধিতা কৰিছোঁ। প্ৰস্তাৱটো যদি গৃহীত হয় তেনেহলে বিলখন এই অধিবেশনটো পাচ হোৱা তান হ'ব আৰু বাজেট অধিবেশন পাবগৈ। ফলত খৰালি দিন পাবহে যাৰ আৰু বাৰিষা পাবগৈ। তেতিয়া হলে বিলখনে অসমৰ নিবনৱা জনসাধাৰণৰ মাজত এটা জাতীয় জাগৰণৰ সৃষ্টি কৰিব পৰা আশা কৰি যাব।

অসমত শ্রমিক হিচাপে জীৱিকা অৰ্জন কৰিব পৰা সুবিধা বহুত আছে। অসমত বছৰত অকল মাটিৰ কাষেই প্ৰায় ৭ কোটি টকাৰ হয়। তাৰোপৰি অন্যান্য কামো যথেষ্ট আছে। এই মাটিৰ কামৰ প্ৰায় টকা প্ৰতি বছৰে অসমৰ বাহিৰলৈ যায়। ইফালে অসমত বহুত মানহে চাকৰি নোহোৱাকৈ অনাই-বনাই ঘূৰি ফুৰিছে, ফলত অসমৰ আৰ্থিক

অবস্থা দিনক-দিনে বেয়া হৈ গৈছে। গতিকে মাটিৰ কামৰ এই প্ৰায় ৭ কোটি টকা যদি অসমৰ ভিতৰতে বন্ধা কৰিব পৰা যায় তেনেহলে অসমৰ আৰ্থিক অৱস্থা কিছু সুবল হব। যদি এই টকা বাৰিষ পৰা নেযায় তেন্তে বঢ়বে বঢ়বে কি অৱস্থা হৈ গৈছে সকলোৱে অনুভৱ কৰিব পাৰিব।

গতিকে আজি এই আইনখন বিটো সদ উদ্দেশ্যেৰে দাঙি ধৰিছে সেই সদ উদ্দেশ্যত দীৰ্ঘ পঠালি দিয়া উচিত নহব। মোৰ মতেৰে এই আইনখন এই অধিবেশনতে গৃহীত হবলৈ দিয়া উচিত। যদি এই পৰালি বঢ়ৰ গুচি যায় তেনেহলে এই আইনৰ কাৰণে যি জাগৰণ উঠিছে সেই জাগৰণ নাইকিয়া হব। সেই কাৰণে Select Committee লৈ দিয়া বিষয়ত মই বিৰোধিতা কৰিছো আৰু মাননীয় সদস্য সকলক অনুৰোধ কৰিছো যাতে Select-Committee লৈ নপঠোৱাকৈ এই অধিবেশনতে বিলখন গৃহীত হয়। শ্ৰীযুত বৰবৰুৱা ডাঃবীৰাই বক্তৃতাত কৈছে যে ২৫ জনৰ ভিতৰত ২ জন অনাগ্ৰমিক থাকিলে ১০০ জনৰ ভিতৰত কিমান অনাগ্ৰমিক হব। কিন্তু মই কওঁ যে সংশোধনী আনি শ্ৰমিক বাহিনীত অনাগ্ৰমিক নাই কিয় নাই কৰি দিব পাৰি কিন্তু আনহাতে বচাবও পাৰি যদিও বচোৱা উচিত নহব।

Shri KHOGENDRA NATH BARBARUAH (Amguri):

চাৰ, মাননীয় সদস্য নিজে কোনো এক শ্ৰমিক দলৰ প্ৰতিনিধি। তেখেতে শ্ৰম নকৰাকৈ কেয়েকৈ শ্ৰমিক সদস্য হিচাবে আছে—তেখেতে বাগানৰ পাতো নিচিঙে।

Shri SARBESWAR BORDOLOI (Titabar):

Indian Trade Union Act 1926 অৰ মতে শ্ৰমিক সংগঠন Trade Union বিলাক registered হয়। সেই আইনত honorary members অৰ ব্যৱস্থা আছে। সেই কাৰণে শ্ৰীবৰবৰুৱাৰ প্ৰশ্নটো মই অৱত্তৰ বুলি ভাবো। এই আইন মতে গঠন হোৱা বাহিনী শ্ৰমিক সংগঠন নহব। এইতো অসমৰ নিবনুৱা সকলক সংগঠনৰ এটা প্ৰচেষ্টা; তেওঁলোকৰ অনু সমস্যা দৰ কৰাৰ ব্যৱস্থা, গতিকে মই প্ৰস্তাব কৰিছো এই সদনতে যাতে গৃহীত হোৱাৰ ব্যৱস্থা কৰা হয়।

Maulavi JAHANUDDIN AHMED (Bilasipara):

I support the amendment moved by Mr. Sarbeswar Bordoloi. The Government should not think that they have monopolised all the legal knowledge. They should consider that the proposition also have something to suggest of substance. Some of the Members said that the Bill should be passed immediately so that our workers, the Shramiks, might get some work to do in the meantime. I have personally tried to form some Shramik Bahinis and I have received a letter from the Chief Organiser, Shramik Bahini, regarding its formation. I find some difficulty. I want to place these difficulties and impress upon the Government the fact that if we draw up various schemes in this regard with such haste they are liable to commit many mistakes. I think the season of work is now approaching its end. I have consulted some executive Engineers and have come to know that they have already finished allotment of their works to the contractors. I want to bring to your notice the fact that even if this Bill is passed immediately the Shramiks will not derive any

benefit immediately or at once. We must have sufficient propaganda work in the villages before we proceed further in this matter. I have found whenever I went to the villages that first of all the villagers are unable to understand the implications of this Shramik Bahini. They look at it with suspicion. This I have felt when I tried to explain to them that it is for their good and Government is going to give them the work at a cheap rate and there will not be any earnest money and things like that. This was because the Shramiks are not literate. They can understand very little of the implication of accounts and other related things. So it will be difficult for them to manage the affairs themselves without the help of some enlightened people from among them or from outside. For the time being till they gather some experience at their work in the Shramik Bahini, some sort of help from outside should be made available to them.

Further I feel that certain amendments are necessary in the Bill, e.g., the value of work, the minimum number of Shramiks that should constitute a Bahini, etc. Now the minimum has been fixed at 25. There may be some Shramik Bahini where one hundred or two hundred Shramiks may work. So if there are more Shramiks, valuation work should be flexible so that it can be raised as the case may be. But as we find here, it is not flexible. Therefore this point requires some modification.

Further, I find that the Executive Engineers are given very wide powers to regulate the Shramik Bahinis. That should not be the spirit of our Bill. If he finds that there are some difficulties therein, he should be allowed to reconstitute it so that the difficulties may be removed. There should not be any question of dissolving the Shramik Bahini. Some of the Shramiks may fall ill or may not join the work. In that case the number of the Shramiks may be reduced or go below 25. But that should not be the cause of dissolving the Bahini itself. That is why I think that the Select Committee should consider all these things. For that Government is not going to lose anything. Nor will the Shramik Bahinis be affected at all thereby. I therefore would appeal to the hon. Minister to accept the amendment moved by my Friend and allow some more time to the House, if possible even in this very session, all these things may be considered. I hope the hon. Minister will

not hesitate to accept the amendment moved by my Friend for the benefit of the Shramik as well as to achieve the very purpose for which this Bill has been brought.

Shri HIRALAL PATWARY (Panery): Sir, I want some clarification on one or two points.

Mr. DEPUTY SPEAKER: I hope the hon. Member will kindly take his seat.

Shri DEBESWAR SARMAH (Minister, Public Works Department): He only seeks a clarification, Sir.

Mr. DEPUTY SPEAKER: All right, in that case he may have the clarification.

Shri HIRALAL PATWARY: Sir, at the 1st page it is stated "Non-Shramik" means a member of the public who is not a Shramik and "Shramik" means a person who is not below the age of 18 years and is a resident of the State of Assam and desirous of putting in his labour in any project undertaking or contract works to earn his living or to supplement his income."

Now what a 'Shramik' means ?

And the second point is this: is there any non-Shramik in our State and whether we will allow any non-Shramik to remain here ?

Shri DEBESWAR SARMAH: Mr. Deputy Speaker, Sir, I have heard the arguments advanced by the hon. Members for sending this Bill to a Select Committee with attention, and I am glad to find that the principle of the Bill has been accepted by those who moved the Amendment and supported it. Although, I might say that Shri Barbarua, while supporting the amendment was saying something about feudal lords and bourgeois only as those who will derive benefit out of this proposed enactment, I do not exactly follow him what he means thereby.

Shri KHOGENDRA NATH BARBARUAH (Amguri): Yes, the Bill has been brought with a view to implement Five-Year Plan Projects. But these projects, when implemented, all the fruits will go to the propertied class.

Shri DEBESWAR SARMAH (Minister, P.W. D.): I was almost going to say that exactly here I fail to follow the logic of my Friend. Any way, I am glad to find that he says that feudal lords and the bourgeois, if any, will be benefited out of this Bill.

Shri KHOGENDRA NATH BARBARUAH (Amguri): Yes, they will only be benefited. If roads are constructed, things will be available at cheaper cost and so.....

Shri DEBESWAR SARMAH: I am sorry to confess, Sir, that I do not understand very much of economics. But I do understand this much that when people talk of feudal lords and bourgeois in our place, they naturally mean the Barbaruas and Barphukans (*laughter*).

Shri KHOGENDRA NATH BARBARUAH: We want to do away with those old relics of feudalism.

Shri DEBESWAR SARMAH: The hon. Mover of the Amendment pointed out certain discrepancies and lacunas which, I submit, may be removed or improved upon by amendment. Now if it were in the last Session of the Assembly when the Bill was introduced, a motion was moved for sending it to a Select Committee things might have been different. But now since the Bill is a simple one, no party question is here and by this, we only want to induce the people to take to manual work so that dignity of labour is not only preached but also practised, I feel the hon. Members need have no difficulty to pass it. The learned Member has been pleased to refer to the Co-operative Societies' Act. As I have already stated, this Bill is not cumbersome. Our people are very simple. Then my Friend has further stated that this Bill, if brought into an Act, will amount to a negation of democracy. I do not understand how this Bill can be a negation of democracy. May I invite his attention to Clause 29-- I beg your pardon Sir, to Clause 31 where it has been stated, "The State Government may, by notification in the Official Gazette, make rules to carry out the purpose of this Act". Here it is clearly stated that rules will be made to carry out the purpose for which this Bill has been brought. Then again in sub-clause (2) it is further stated: "All rules made under this section shall be laid not less than fourteen days before the Assam Legislative Assembly as soon as possible after they are made, and shall be subject to such modifications as the Assam Legislative Assembly may make during the Session in which they are so laid or the Session immediately following."

Therefore, the hon. Members will have further chance or chances of criticising these rules. Again the Clause 31 of the Bill enables the State Government to make such rules. Here it is laid down in the Memorandum regarding delegated legislation, "Clause 31 specifically lays down that such rules shall be laid on the table of the State Legislature as soon as possible and in any case, not less than 14 days before final publication. It is also expressly stipulated therein that such rules shall be subject to such modifications as the House may like to make."

So I submit, Sir, there is nothing in this Bill which need a Select Committee revising it and it will be improved upon by amendment.

Another point the hon. Member laid stress is regarding Financial Memorandum. He said that there would be expenditure incurred by officers of the Government in supervising the work of the Shramik Bahini. I submit, Sir, the Shramik Bahini will do the work which otherwise the contractors will do. So, the duties and functions of the Government Officers will remain the same. Whether the work is done by a contractor or a Shramik it will not matter much financially. Therefore, I submit that perhaps there is some misunderstanding somewhere. Then Shri Barbaruah said that executive should be constituted first after its registration. That may be done by the Shramiks themselves sitting together in a Namghar. Shri Barbaruah himself knows that legally this is not of great importance. We always look upon Shri Barbaruah with respect and a little amount of awe also, if I may say so. So I cannot understand how he could say that the head of the Minister had become hot during this winter also in Shillong. He also pointed out some printing mistakes. I would say that Shri Barbarua's behaviour is not gentlemanly. I submit Shri Barbaruah has always been a bit lenient.

Shri KHOGENDRA NATH BARBARUAH (Amguri): 25 persons will apply for registration individually, and they will have to come here for registration. They will elect President and the Executive Committee will be formed later on. There lies the difficulty.

Shri DEBESWAR SARMAH (Minister, P. W. D.) : The difficulty does not lie there. It perhaps lies elsewhere. 25 or more persons can apply and it is not limited to 25. Now the 25 persons will sign a paper that they are desirous of rendering manual labour and that paper will be produced before the Chief Engineer or any other Officer to whom the power of registration has been delegated. Then the Officer will register it. It is not necessary that all the persons should come to the Chief Engineer. They will sign a paper stating that they want to form a Shramik Bahini for the purpose laid down in the Bill.

Shri KHOGENDRA NATH BARBARUAH (Amguri) : Individually they will sign the paper ?

Shri DEBESWAR SARMAH : Yes, they will sign the paper individually. How can they sign it collectively ? Now, Shri Barbaruah also mentioned another point, whether any party will have any representative in the Subdivisional level or in the State level. I submit, Sir, we do not want to make a party question. If any suspicion lies anywhere I would like to remove it straightaway. It is an attempt to make our people work-minded. Government is keen to see that people of different views and different thinking may gather together to exchange their views as to how we can improve our State economically. My Friend Shri Jahanuddin gave some valuable suggestions. Certainly if these come in the shape of amendments, they will receive due consideration. He also stated that he has formed a Shramik Bahini. I hope and trust that we will profit by his experience. He also spoke something about dissolution and then he said that the officer to whom the powers will be delegated will use the powers arbitrarily. I would request him to come with some suggestions how certain restrictions can be imposed on the officer so that he cannot dissolve the Shramik Bahini arbitrarily. Shri Patwari wanted a clarification of the words "Shram" and "Shramik". I would refer the hon. Member to the definition of "Shramik". It means "a person who is not below the age of 18 years and is a resident of the State of Assam and desirous of putting in his labour in any project, undertaking or contract works to earn his living or to supplement his income."

শ্রীযুত পাটোৱাৰীয়ে চিন্তা কৰিছে—শ্রমিক শব্দৰ অৰ্থৰ কাৰণে। শ্রম যি সৈয়ে শ্রমিক আৰু শ্রম মানে কাৰিক শ্রম অৰ্থ কৰা হৈছে। যি কোনো মান হৈছে কৰে কৰি শ্রমিক হ'ব পাৰে। যি খেতি কৰে সি খেতিয়ক, যি অফিচ আদিত লেখাপঢ়া শ্রমৰ সি কেবাপী, যি আইন ব্যৱসায় কৰে সি উকীল আৰু চৰকাৰী বিষয়া সকলো চৰকাৰৰে কাম কৰি এই পৰ্যায়ত সোমায়। শ্রমিক সকলৰ সকলোপ্ৰকাৰ শ্রমৰ পথ এই বিলৰত নকলি বখা হৈছে।

Shri HIRALAL PATWARY (Panery): বিক্ষিউজী বিলাক ইয়াত সোমাবনে নোসোমায় ?

Shri DEBESWAR SARMAH (Minister. P. W. D.): নোসোমোৱাৰ কোনো মানে নাই। তেওঁবিলাকে যদি এই দেশত বসবাস কৰি থাকি যায় আৰু সকলো সময়তে তেওঁলোকে যদি শ্রম কৰে নিশ্চয় এই শ্ৰেণীত পৰি যায়। শ্রমিক সকলৰ—সকলো বাধা—বিধিনি চিন্তা কৰিছে এই বিল অনা হৈছিল আৰু পাকিস্তানৰ সীমান্তত গুলীয়া—গুলীৰ সৃষ্টিৰ সময়ত আহি পৰা বাধা—বিধিনিবিলাকো এই বিল প্ৰবৰ্তনৰ সময়ত চিন্তা কৰা হৈছিল। এতেকে, মই আশা কৰো মাননীয় সদস্যই যেন তেখেতৰ সংশোধনী প্ৰস্তাবটো উঠাই লয় আৰু যদি কিবা আসোৱাঁহ এই বিল আইনত পৰিণত হোৱাৰ পিচত চকুত পৰে তেন্তে তাক সংশোধন প্ৰস্তাৱৰ দ্বাৰা সংশোধন কৰিব পাৰে।

Mr. DEPUTY SPEAKER: Mr. Borthakur, do you want to withdraw your amendment ?

Shri NILMONEY BORTHAKUR (Dibrugarh): No, Sir, I am not going to withdraw my amendment motion.

Mr. DEPUTY SPEAKER: The question is that the Assam Shramik Bahini Bill, 1959 be referred to a Select Committee consisting of the following Members:—

1. Minister-in-charge, Public Works Department ;
2. Shri Siddhinath Sarma ;
3. Shri Sarbeswar Bordoloi ;
4. Shrimati Lily Sengupta ;
5. Shri Biswanath Upadhyaya ;
6. Shri Biswadev Sarma ; and
7. The mover of the Resolution.

The Select Committee should submit its Report by 15th February, 1960.

The House divided.

Ayes—18.

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|-----------------------------------|-----------------------------------|
| 1 Shri Birendra Kumar Das | 10 Shri Khogendra Nath Barbaruah |
| 2 Shri Bishwanath Upadhyaya | 11 Shri Mathias Tudu. |
| 3 Shri Gaurisankar Bhattacharyya. | 12 Shri Nilmoney Borthakur. |
| 4 Shri Ghanashyam Talukdar. | 13 Shri Pakhirai Deka. |
| 5 Shri Gopesh Namasudra. | 14 Shri Prabhat Narayan Choudhury |
| 6 Shri Hareswar Goswami. | 15 Shri Prokritish Chandra Barua. |
| 7 Shri Hiralal Patwary. | 16 Dr. Srihari Das. |
| 8 Maulavi Jahanuddin Ahmed. | 17 Maulavi Tajuddin Ahmed. |
| 9 U Jor Manik Siem of Myllem. | 18 Shri Tarun Sen Deka. |

Nocs—71.

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| 1 Shri Bimala Prasad Chaliha. | 14 Shri A. Thanglura. |
| 2 Capt. Williamson A. Sangma. | 15 Pu Lalmawia. |
| 3 Shri Fakhruddin Ali Ahmed. | 16 Shri Lohit Kumar Doley. |
| 4 Shri Rupnath Brahma. | 17 Shri Sai Sai Terang. |
| 5 Shri Debeswar Sarmah. | 18 Shri Chatrasing Teron. |
| 6 Shri Kamakhya Prasad Tripathi. | 19 Maulavi Abdul Matlib Mazumdar. |
| 7 Shri Hareswar Das. | 20 Shri Baikuntha Nath Das. |
| 8 M. Moinul Haque Chaudhury. | 21 Shri Bhuban Chandra Pradhani. |
| 9 Shri Mahendra Nath Hazarika. | 22 Shri Bishnulal Upadhyaya. |
| 10 Shri Biswadev Sarma. | 23 Shri C. Chunga. |
| 11 Shri Radhika Ram Das. | 24 Shri Dandi Ram Dutta. |
| 12 Shri Larsing Khyriem. | 25 Shri Devendra Nath Hazarika. |
| 13 Shri Girindra Nath Gogoi. | 26 Shri Durgeswar Saikia. |

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|------------------------------------|----------------------------------|
| 27 Shri Dwijesh Chandra Dev Sarma. | 49 Shri Mohidhar Pegoo. |
| 28 Shri Emerson Momin. | 50 Shri Mohi Kanta Das. |
| 29 Dr. Ghanashyam Das. | 51 Shri Malia Tati. |
| 30 Shri Gaurishankar Roy. | 52 Shri Motiram Bora. |
| 31 Shri Hakim Chandra Rava. | 53 Shri Nanda Kishore Sinha. |
| 32 Shri Harinarayan Barua. | 54 Shri Narendra Nath Sarma. |
| 33 Shri Hem Chandra Chakrabarty. | 55 Maulavi Nurul Islam. |
| 34 Shri Indreswar Khaund. | 56 Shri Omco Kumar Das. |
| 35 Shri Jogakanta Barua. | 57 Shrimati Padma Kumari Gohain. |
| 36 Mrs. Jyotsna Chanda. | 58 Shri Radha Charan Chaudhury. |
| 37 Shri Kamala Prasad Agarwala. | 59 Shri Radha Kishan Khemka. |
| 38 Shri Karko Chandra Doley. | 60 Maulavi Rahimuddin Ahmed. |
| 39 Shri Khagendra Nath Nath. | 61 Shri Ramnath Das. |
| 40 Maulavi Kobad Hussain Ahmed. | 62 Shri Ramnath Sarma. |
| 41 Shrimati Komol Kumari Barua. | 63 Dr. Ram Prasad Chaubey. |
| 42 Shri Lila Kanta Bora. | 64 Shri Sarat Chandra Goswami. |
| 43 Shrimati Lily Sengupta. | 65 Shri Sarbeswar Bordoloi. |
| 44 Shri Mahadev Das. | 66 Shri Siddhinath Sarma. |
| 45 Shri Mahendra Mohan Chaudhury. | 67 Shri Surendra Nath Das. |
| 46 Maulavi Mahammad Idrish. | 68 Shri Tajammul Ali Barlaskar. |
| 47. Shri Manik Chandra Das. | 69 Shri Tamijuddin Prodhani. |
| 48 Shri Mahananda Bora. | 70 Shri Tankeswar Chetia. |
| | 71 Mrs. Usha Barthakur. |

(The question was negatived).

Mr. DEPUTY SPEAKER: Now I put the original motion. The question is that the Assam Shramik Bahini Bill, 1959 be taken into consideration.

(The question was adopted).

The Assam Board of Revenue Bill, 1959

Shri RADHIKA RAM DAS (Deputy Minister, Revenue): Mr. Deputy Speaker Sir, I beg leave to introduce the Assam Board of Revenue Bill, 1959.

Mr. DEPUTY SPEAKER: I have got a message from the Governor.

"I recommend under Article 271 of the Constitution of India, that the Assam Board of Revenue Bill, 1959, be introduced and moved in the Assam Legislative Assembly.

Shri RADHIKA RAM DAS: I beg to move that the Assam Board of Revenue Bill, 1959 be taken into consideration. Sir, the main purpose of bringing this bill has been clearly mentioned in the Statement and Object of the Bill. Now in 1937 there was a Revenue Tribunal and that was abolished in 1948 and the powers and functions of this Tribunal were distributed to the Hon'ble High Court as well as to various authorities. This Board has got a Revenue and a Judicial side. So far as the Judicial side is concerned, it is quite independent of the Government. But this Board has got an administrative side also and in this side the Board has got to advise the Government in certain revenue matters so that the revenue administration may be improved. In all the States of our country there are Revenue Boards excepting the State of Bombay where there is a Revenue Tribunal. So this Bill is long due and I request the hon Members during this Session. The functions of the Bill with regard to the Judicial and administrative sides have been stated in Schedule "A" They are—The Assam Land and Revenue Regulation, 1886, the Opium Act, 1878, The Assam Local Rates Regulation, 1879, The Assam Forest Regulation 1891, The Eastern Bengal and Assam Excise Act, 1910, The Bengal Public Demands Recovery Act, 1913, The Assam (Temporarily Settled Districts) Tenancy Act, 1935, The Assam Motor Vehicles Taxation Act, 1936, The Motor Vehicles Act, 1939, The Assam Agricultural Income-tax Act, 1939 and The Assam Sales Tax Act, 1947. In the Assam Agricultural Sales Tax, the Secretary, Finance is the administrative Head and this function of the Secretary has been taken away and vested in the Revenue Board and in this it has got both Judicial and Administrative functions. Therefore I request the hon. Members to have the bill passed during this session.

Mr. DEPUTY SPEAKER: The motion moved is that the Assam Board of Revenue Bill, 1959 - be taken into consideration.

***Shri GAURISANKAR BHATTACHARYA (Gauhati):** Mr. Deputy Speaker Sir, I beg to move that the Assam Board of Revenue Bill, 1959 be referred to a Select Committee consisting of the following members with the direction that the report of the Committee be submitted before the 15th February, 1960.

- (1) Minister in-charge of Revenue.
- (2) Deputy Minister of Revenue.
- (3) Shri Jahanuddin Ahmed,
- (4) Shri M. M. Chaudhury and
- (5) The Mover of this amendment.

Sir, while moving this Motion for sending this Bill to a Select Committee I am not contesting at all the theme that has been propounded by the Deputy Minister piloting this Bill. He has said that the bill is long due. I rather go a step forward and say that the bill is long over due. I am also in full agreement that the bill is essential. While agreeing with these two principal propositions I feel that it is so important a measure that it requires a little more careful scrutiny and I think a small select Committee within short specified time will be able to do proper justice to the cause that sought to be served through this bill. The Deputy Minister has referred to the Statement of Objects and Reason as annexed in the body of the bill. Now this statement of reasons if we read carefully will show the importance and far reaching consequence that the bill proposes to bring, it has been said that after the establishment of High Court in Assam 1948 most of the power exercise by the then Revenue Tribunal were transferred to thereunder the Assam Revenue Tribunal (Transferred of Powers) Act, 1948. Some of the powers were transferred to other authorities appointed by general or special orders of Government. The Deputy Minister said that for a long period of about 11 years from 1937-48 certain judicial or *quasi* judicial matters were being dealt with by a Tribunal. Now this term "Tribunal" has got a special significance which is different from the term "Board" and when the Deputy Minister has referred that there is one State in the country, *viz.* Bombay where the functions as proposed under our bill are done through a Revenue Tribunal.

Here in Assam it is proposed to be done through a Board. We should see what is the difference between the two and what are the legal and administrative sequences and consequences. Now, so far as the Tribunal is concerned, though they may not be dealing purely with judicial matters, and though they be dealing also with *quasi*-judicial matters and though there may be certain administrative matters also intermingled therewith, the principal factor there is the judicial aspect and the administrative aspect which comes as an adjunct. The main thing is the judicial approach and the administrative convenience that only follows; but in a Board that is not necessarily so. Rather in a Board it is the aspect of administrative convenience which dominates, and the judicial function comes rather as an adjunct, and this Legislature is to decide as to whether the powers and functions as enumerated in Schedules A and B of this Bill they are to be dealt with primarily from the judicial aspect or from the administrative aspect. This matter requires a careful and close scrutiny. I do not think it will be possible to do justice to the cause only through certain amendments here and there. The entire matter requires a little more intimate study.

In the second para of the Statements of Objects and Reasons it has been said and admitted that the arrangement which was made after the Assam Revenue Tribunal (Transfer of Powers) Act of 1948 did not act satisfactorily, and it has been said that the cases which are disposed of by the High Court are of *quasi*-administrative as well as of *quasi*-judicial nature. Now in this, I beg humbly to differ because so far as the matters disposed of by the High Court are concerned it is our common experience that whenever a matter is, by and large, administrative or *quasi*-administrative, the High Court does not interfere and it is always referred back to the Government to administer according to law or according to procedure. I, therefore, am constrained to submit that this has been rather loosely stated that the High Court also disposes of *quasi*-administrative matters, and when it is said that in the other States except Bombay it is certain Board of Revenue

which tackle this problem and discharges this issues ; whereas in Bombay it is done through Tribunal. There is no cogent reason as to why the Bombay experiment or Bombay experience should be discarded in favour of the other ones. What is the special advantage, say for example, Madhya Pradesh experience has rather than the Bombay experience ? We are still to be convinced as to why the Bombay experience should not be followed. So far as our information goes we may be entirely wrong. We do not know. But so far as our information goes we know that in Bombay matters are done much better—at least much more expeditiously and judiciously than many other parts of the country, and because there has been a Revenue Tribunal, neither the Government has suffered nor anybody else has suffered. I do not understand why in our State also, when we are taking up the matter long after, we should not go to give a little more weight towards the judicial side rather than the administrative side ? Another aspect of the matter is very intimately connected with the provisions of the Constitution of India. It is no doubt true that the Constitution of India gives out only as the directive principle that there should be separation of the judiciary from the Executive. But even when it finds place as a directive principle of State policy after about 10 years of the coming into existence of Constitution of India we ought to see that this directive principle is really put in action as the State policy when we go to see the provisions as enunciated in this bill. We shall see that the weight is rather on the administrative aspect than the judicial, and this matter, therefore, also needs closer scrutiny by a small Select Committee. It is also said in the Statements of Objects and Reasons that it has considered that the *quasi-administrative* and *quasi-judicial* nature cases in this State should be dealt with by a Board of Revenue. If the matters would have been only those coming under the category of *quasi-administrative* then perhaps this proposition would have been acceptable. But as along with *quasi-administrative quasi-judicial* matters are also brought, I think more competent and natural thing would have been if it would have been a Revenue Tribunal rather than a Board of Revenue; and when it is said that this arrangement is expected to result expeditious disposal of cases where Government revenue is involved what we propose is this that not only this disposal should be expeditious but it should also be judiciously done, and it should also appear that it has been so done.

Therefore though the purpose which has been sought to be made out by the Deputy Minister piloting the Bill is very welcomed, we find that the Bill as it stands perhaps will not further that purpose. I do not propose to go into all the details just at this stage. I shall only elucidate a few points from the provisions of the Bill as they stand.

Now in the very first instance we find that in the constitution powers and functions of the Board it has done more from the point of administrative convenience and other reasons but there will remain room for favouritism or even party consideration rather than judicial considerations. Let me come to Section 3(3) which states that a member of the Board shall either be a person who, in the opinion of the State Government, is by reason of his wide administrative or judicial experience is fitted to serve on the Board or a person who is qualified to be appointed to as judge of High Court. Now we find that though some of the matter which were or ought to be dealt and decided by the High Court or by

the Tribunal or which used to be decided by a Tribunal constituted by a person who was competent to be a High Court Judge. Those matters will now be decided or are proposed to be decided by a person who, in the opinion of the State Government, have got wide administrative experience.

Adjournment

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

After Lunch

***Shri GAURISANKAR BHATTACHARYYA (Gauhati):** Mr. Deputy Speaker Sir, I was referring to sub-clause (3) of clause 3 of the Bill. Here in clause 3 it has been said—"A member of the Board shall either be a person who, in the opinion of the State Government, is by reason of his wide administrative or judicial experience is fitted to serve on the Board or a person who is qualified to be appointed as Judge of the High Court". Now, the criterion which the State Government may take into consideration at the time of appointing a person to the Board might be either administrative or judicial experience of the person and we find that the number of the Board will be two. There is no provision in the Bill that at least one of these will be a person who is qualified to be appointed as a Judge of the High Court, that is to say, who is qualified from the judicial point of view, to tackle such judiciary matters. There is, however, one provision that if a particular subject on an enactment specified in Schedule 'A' comes for decision then one more member might be taken from that Department which is under discussion, and thus we find in sub-clause (5) of clause 3: "In hearing appeals under Section 4 or in case of review of orders of the Board under Section 7, the Board shall co-opt according to the nature of the case, an additional member from amongst the officers appertaining to the Department administering the enactment specified in Schedule 'A' to be nominated in this behalf by the State Government by a notification in 'the Official Gazette'". From this we see that the provision is compulsory or obligatory. In addition to the two members to be appointed by the State Government for administrative or any other experience, the State Government also shall appoint one more administrator of that Department about which a decision is to be taken and here the reference has been to Schedule 'A'. You will see Sir, what are the matters that come under Schedule 'A'. First comes the Assam Land and Revenue Regulation, that is to say, the revenue matters. These matters under the existing circumstances are being looked into and are being discussed and decided by the High Court and this has been in accordance with the Assam Revenue Tribunal (Transfer of Powers) Act, 1948. That is to say, while by the Act of 1937 a person who was qualified to be a District Judge was given authority of deciding these matters as a Tribunal, those matters were thought necessary to be transferred the High Court because it is considered that those matters are so important that a judicial authority even higher than that of a district Judge should be the authority to decide those matters. It is on this assumption and due to experience gathered in the previous 11 years that this

Transfer of Powers Act, 1948 was passed and those powers which used to be exercised by a Tribunal of the calibre of District judge are transferred to the High Court. Naturally under the Directive principles of the Constitution it has been said that the State Government should do more and more to transfer the judiciary from the Executive. It was expected and quite legitimately too, that the Government would take steps to give more powers of a judicial or quasi-judicial nature of the Executive to transfer to the High Court or Judicial service. But here we find just the contrary. If we come to sub-clause (2) of clause 4 we will find that the matter will be quite clear: On and from the commencement of this Act, the powers and jurisdiction to entertain appeals and revise decisions in revenue cases arising under the provisions of the enactments specified in sub-section (1) as was vested in the Assam High Court under the Assam Revenue Tribunal (Transfer of Powers) Act, 1948 or in the authority appointed by general or special order of the State Government referred to in the said Act shall cease and shall be transferred to the Board and on such transfer the Board shall have the powers and jurisdiction to entertain appeals and revise decisions". Could there be a more reactionary provision than this? That already the High Court was exercising jurisdiction in certain revenue matters were those which prior to that were taken by the Tribunal, those matters are now being taken away from the High Court to the hands of two or three officers selected by the State Government that is to say, the State Executive for their administrative experience. Administration or administrative experience is an executive matter, that is the executive branch of the State Government thus the decisions and interpretation of law is a matter pertaining to the judiciary. Even in the case of the appointment of personnel to the State Judicial Service concurrence of the High Court is necessary. It is on the recommendation of the Chief Justice of the High Court that the Government appoints a District Judge or a Regional District Judge or a Subordinate Judge or even the Legal Remembrancer. But here in this case the powers that used to be vested in the High Court, the powers that used to be exercised by the High Court are going to be taken away to the hands of an authority in whose appointment the High Court has not even a voice but whose appointments the sweet will of the Ministry, is the final voice and nothing more is necessary. So this is exactly opposite to what the people had been glamouring for.

When we were urging upon the Government here on the floor of this House that so far as Ministers are concerned, they should not take unto themselves the judicial functions, when we also heard from more than one Minister that they themselves were eager to divest themselves of the powers of a tribunal and all judicial functions, we thought that when a Bill would come before the House that Bill would be one which would divest the executive authority of judicial functions. We expected not only the Ministers but all other executives also would free themselves from the onerous and specialised judicial functions and they would be giving more attention executive work and the judicial affairs would be handed over to the judiciary in conformity with Article 50 of the Constitution of India which says the State shall take steps to separate the judiciary from the executive in the public services of the State". I beg to submit that this particular provision of appointment of this Board is contrary to the spirit of Article 50 of the Constitution of India. This matter, therefore, should be gone into by a Selected Committee, which will, I think, be able to see how these matters can be met, how these can be fitted in with the spirit of

Constitution and how they can make certain adjustments. Sir, I am not downright rejecting the very idea of the Bill. I feel that whatever may be the loopholes and weaknesses of the Bill, there is scope for taking this as the structure, the bare skeleton, on the basis of which an acceptable Bill can be prepared. This will, I think, take not much time. Therefore, when I am presenting my motion for the consideration of the Government, and for consideration in particular of the Deputy Minister who has been piloting the Bill, I am offering only my helpful and co-operative suggestion. Let there be a joint effort by the Select Committee to see that it is improved and modified in that regard.

Then, again, in clause 5 (I am only giving a few illustrations), it has been said that the duties and functions of the Board shall be the following :

(a) to take over certain functions of the administrative and superintending nature as may be prescribed from the existing Boards of Sales Tax and Agricultural Income Tax ;

(b) the general superintendence of the revenues of the State of Assam from whatever source they may arise, and the recommendations of such proposition of the State Government as in the judgment of the Board may be calculated to augment or improve these revenues ;

(c) superintendence and control of all persons employed in the executive administration of the public revenue and ;

(d) such superintendence and control over the acquisition of land under the law for the time being in force as are now exercised by the State Government."

Now except clause (c), the other clauses read with clause 4, are essentially of a judicial or quasi-judicial nature. So far as clause (c) is concerned, this can also be properly adjusted if a Select Committee goes into these matters and this particular becomes important and imperative in view of the facts that against the decision of the Board there shall lie neither any appeal nor revision. In clause 6, it is stated "no appeal or revision shall lie against any order passed by the Board in the exercise of its powers or appeal or revision under this Act". Now, take one example, the Assam Land and Revenue Regulation, 1886. The matters sought to be brought under the Board's jurisdiction :

"1. Applications against sale of estates for arrears of revenue under section 81.

2. Appeal against the original or appellate order passed by the Deputy Commissioner under section 147 (a).

3. Revision under section 151.

4. Appeal against annulment order passed by the Commissioner under provision to rule 149 of the Regulation.

5. Appeal against orders passed by the Deputy Commissioner and the Subdivisional Officers under fishery rule 11 of the Regulation and the Indian Fisheries Act, 1897.

6. Appellate or revisionary powers under note 3 of Instruction 88 issued under the Regulation."

All these functions are at present done by the High Court. These are now sought to be brought under this Board and against the decisions of the Board there shall lie neither appeal nor revision. Is this really in accordance with the spirit of Article 50 of the Constitution of India? Interpretation of law is a very important matter. Take for example, decisions under fishery rules read with the Indian Fisheries Act. This is a matter on which the largest number of cases come before the High Court. Even when the Minister administers these things a large number of cases are going to the High Court. When an executive authority subordinate to, and appointed by, the State Government will be administering these things, can we expect that there will be really judicial and judicious decisions? Can the legislature without further scrutinising the matter in all its aspects simply pass this Bill hurriedly on the basis of these provisions? Then the other enactments also which have been enumerated in Schedule Area of a very important nature. For example, the Opium Act (Act I of 1878), the Assam Local Rates Regulation, 1879, the Assam Forest Regulation, 1891, the Eastern Bengal and Assam Excise Act, 1910, the Bengal Public Demands Recovery Act, 1913, the Assam (Temporarily Settled Districts) Tenancy Act, 1935, the Assam Motor Vehicles Taxation Act, 1936, the Motor Vehicles Act, 1939, the Assam Agricultural Income-tax Act, 1939 and the Assam Sales Tax Act, 1941. All these are important pieces of legislation. We shall find in some of these there is already a great deal of power, rather arbitrary power, in the hands of the executive. For example, the Assam Forest Regulation. If the hon. Members of this House go through the provisions of that Regulation, they will find that there are extra-ordinary powers, discretionary and sweeping, in the hands of the executive, so much so that the burden of proof lies not on the prosecutor but on those who are prosecuted. The prosecuted person should prove his innocence. Already a piece of legislation is there where unlike the British jurisprudence and like the French jurisprudence the burden is heavily on the accused and if that again comes for decision not before a judicial authority but before administrative officials, could the rights and liberties of private citizens be said to be quite safe? Or at least will they appear to be safe, because, as I have said at the very outset, not only justice should be done but it should also appear that justice is being done. Similarly The Assam (Temporarily-Settled Districts) Tenancy Act, 1935 is a very important piece of legislation for most of our people, the peasantry. So far as the rights and liberties of the tenants, the occupancy rights, etc., are concerned, it is this piece of legislation which give them the guarantee. Now if this piece of legislation is left at the hands of the administration for interpretation rather than in the hands of the judiciary, may we expect that the citizen will feel that he will get even justice—that justice will be weighed in his favour? Similarly we have seen in the matter of assessment of income-tax, sales-tax or amusement tax, the allegation is always there that the officers who are charged with the assessment and realisation of these taxes are also the authority to judge matters of appeal. Therefore on the floor of this House and from all sides there has been always this demand so far as the appellate jurisdiction is concerned, so far as the legal side and legal interpretation of these matters are concerned, these ought to be left not at the hands of the executive but in the hands of the judiciary. While this was the general demand this particular bill puts the hands of the clock back by wanting to give judicial power to the executive body. Not only in Clause 4 but also in clause 7 this Board has been given the power of review and revision and that review may be done either on its own motion or on the

application of any party interested and we have found that no such application made by any party shall be entertained unless the Board is satisfied that there has been a discovery of new and important matter or evidence which after the exercise of due diligence was not within the knowledge of such party. In the matter of revision petition also, it has been left to the discretion of this Board. In all these aspects we find that the Board's function will be judicial and not executive. If the function of this Board be judicial by and large I do not see any reason why the recommendations of the High Court should not be provided in the matter of appointment.

We have also found that many matters have been left undefined, e.g. it might be suggested that the Government is not prepared to wait till a later date to accept the proposition for a Select Committee because they are keen to get the bill passed. Sub-clause 3(1) sets that argument at rest because they have not actually decided as to when the bill will come into force. It states that "With effect from such date as the State Government may, by notification in the Official Gazette appoint, there shall be constituted for the State of Assam a Board to be known as "The Assam Board of Revenue."

So it is not envisaged in this bill that the matter will be completed within the year 1959-60 or even in 1960. Our experience shows that certain acts are passed hurriedly and their rules do not come out. I think the memory of this House is quite fresh with regard to the Panchayat Act. When we were suggesting in this House that there should be more time for consideration of this Act in the Select Committee stage, they said that they would not be able to wait. The matter was urgent. Now the Select Committee had to take much longer time than it was originally proposed. Several extensions were taken and even when the bill was ultimately passed, the rules were not framed. Till now these had not been put into force. The same was the fate with regard to the Assam Slum Areas (Improvement and Clearance) Bill, The Assam Weights and Measures Bill and such examples galore. I, therefore, most humbly but most firmly submit that this is not a matter to be rushed through. In the matter of studying the provisions of this important piece of legislation there should not be any unnecessary hurry, though I said at the outset that the bill is overdue. It should be very comprehensive and therefore the provisions should be studiously gone into. We have seen that good results are obtained from consideration at the Select Committee stage. May I refer to the Panchayat Act in this connection? The Select Committee made very important suggestions in this case. So has been the case with regard to the Assam State Acquisition of Lands belonging to Religious or Charitable Institutions. I can, therefore, safely say that if the bill goes to Select Committee, in no way the purpose of the bill will be defeated.

Then we have seen in clause 12 that certain enactments are being repeated and this has been shown in Schedule 'B'. I submit that we are to give more attentive study as to whether this is exactly in order, whether this is quite in the fitness of things. Just at this moment I personally am not very clear whether this has been quite proper. There are many things again which have been left for the rule making authority of the Government. Many a thing has been left to be decided by the State Government. While the age-limit has been fixed in sub-clause 6 of clause 3 of the bill, the salary of the officers has been left to the discretion of the Government.

Now in fixing the age at 65, apparently Government has in mind that those persons who will be holding office as though they were High Court Judges—that being the age allowed for High Court Judges and not for administrators. Without throwing any aspersion to the present Government I may say that it may happen that some particular administrator may be a favourite, and so when the date of superannuation of that administrator goes, he may simply be placed there in the Board and thereby he gets a lease in the service up to 65 years, otherwise he would have retired by 58 years of age. Therefore this very provision of sub-clause (6), while it leaves scope for favouritism it also gives indication that the function is one of nature judgment and of judicial nature. If the latter be the case, why should the appointment be not of the same standard? Why should the tenure be on the judicial standard. Sir, at least I have not been able to understand the implication of this anomaly.

I have also seen that in Clause 3 of the Bill all proceedings pending before the Assam High Court or the authority referred to in sub-clause (2) of Section 4, as the case may be, immediately before the commencement of this Act shall be deemed to have instituted before the Board and shall be decided as if they were instituted before the Board. This also leads to the conclusion that if the Board is co-terminus with the judicial authority of the High Court and if that is the implication of that provision and if that be really in the mind of the Government, then the appointment ought to be in the same manner as the appointment of the High Court Judges or at least, the District Judges, and not on any other standard. Then we have seen, for example, in the matter of cases coming up under the Motor Vehicles Act, the appeals at present lie from the Regional Transport Authority to the State Transport Authority and as against the order of the State Transport Authority to the Revenue Minister according to the rules made under the Motor Vehicles Act, 1939 which has not been brought up to date in the State. That power will now go to the administrators. Sir that is a step not forward but backward. Because, so far as the State Transport Authority is concerned, that is not a one man's function, that an authority constituted under a statute and when an appeal or revision against that comes, the appropriate authority ought to be a proper judicial, if not the High Court then at least a Tribunal. From that aspect also I find if the Board be really a Board rather than a Tribunal, then in the matter of disposal of these cases there will be more inclination towards the executive rather than the judiciary. So, from whatever angle it is examined, in spite of all the sympathy for the purpose of the Bill, we find that it is not an ideal piece of draftmanship. The drafting requires a great deal of improvement, and quite a large amount of recasting and re-adjustment have to be made. In certain provisions certain drastic changes shall have to be made if the Bill is to be brought up to expectation of all sections of the House. I beg, therefore, to submit that let the sponsor of the Bill agree that the Bill goes for consideration to a small Select Committee as I have suggested, let the Select Committee finish its study and deliberations by the 15th of February and let the Select Committee Report comes in the early part of the Budget Session, let the Bill be passed in the Budget Session and also in no time let the rules thereunder be framed within March itself and let Act come into force from the first of April, 1960. I am as keen as the sponsor of the Bill that the provision be given effect to as quickly as possible, and I think that in the scheme of things as I have suggested, it will not be impracticable to have the Bill passed into an Act if there be sincere co-operation from all sides. I do not think that even if

my motion is not accepted by the sponsor of the Bill, I do not think it will be possible to bring the Bill into effect before the first of April. We are almost sure not to have the Bill before the 1st of April. I hope, therefore that the sponsors of the Bill will be pleased enough to accept my suggestion.

Mr. DEPUTY SPEAKER : The amendment moved is that the Assam Board of Revenue Bill, 1959 be referred to a Select Committee consisting of the following Members with direction that the report of the Committee be submitted before the 15th February, 1960.—

1. Minister-in-charge of Revenue.
2. Deputy Minister, Revenue.
3. Maulavi Jahanuddin Ahmed.
4. Shri Mahendra Mohan Choudhury and
5. The Mover of the amendment.

***Shri MOHI KANTA DAS (Barchalla) :** Mr. Deputy Speaker, Sir, I have heard Shri Bhattacharyya and the arguments put forward by him in a lengthy speech for the purpose of sending this Bill to a Select Committee, and in his lengthy speech I did not find any reason or ground why this Bill should be sent to a Select Committee. As a matter of fact, if I sum up his arguments, it will mean to show that this Bill should not have been brought at all. Because, it covers in a wide range some legalistic and judicial matters which should be adjudged by the Hon. High Court. If that is so, there is no use for sending the Bill to a Select Committee and this matter may be better discussed here by way of bringing in amendment in due course. From a perusal of the Bill, the hon. Members will find that this Bill is an important Bill which has sought to minimise the trouble of giving relief in various matters mentioned in Schedule A under different Acts from the different authorities. As for instance the Forest Regulation and other Regulations have provided different authorities which should be approached by way of revision or by way of appeal. This Bill has sought by clause 4(1) that the "Board shall have the powers and jurisdiction to entertain appeals and revise decision in revenue cases arising under the provisions of the enactment as are specified in the Schedule A". Clauses 1, 2 and 3 have cut short the different ways, different parts and different methods by which people who wanted to seek relief under different acts have been brought together into one channel and it will be very much appreciated by the people who seek relief to come to this Board of Revenue for the purpose of getting relief. My Friend, Shri Bhattacharyya, has said that these matters are judicial matters and, therefore, he has referred to Article 50 of the Constitution (Interruption). He meant to say that this Bill may be declared *ultra vires* or something like that. My Friend said that this matter cannot be decided except by the High Court or any other higher judicial authority. The Government in sponsoring the Bill has taken extra precaution in defining the qualifications of the Members to be selected for this

Board. But my hon. Friend does not think that the Government is not competent enough to select the Members. In his opinion the selection authority should be the High Court. (Interruption). It is clearly stated in sub-clause 3 of clause 3 that "A member of the Board shall either be a person who, in the opinion of the State Government, is by reason of his wide administrative or judicial experience is fitted to serve on the Board or a person who is qualified to be appointed as Judge of a High Court." Therefore, Government have considered carefully both the administrative aspect as also the judicial aspect while prescribing the qualifications of the Members to be appointed to this Board. So, Sir, there is nothing to complain about the sub-clause 3 of clause 3, so far as the appointment of these members are concerned. Now, Sir, what I mean to submit is that the hon. Member has criticised the Bill and also he has given some thought for consideration. These things can be discussed by way of amendment instead of sending the Bill to a Select Committee. Therefore, I oppose the amendment proposing that this Bill should be submitted to a Select Committee. Whatever the hon. Member has brought before the House may well be discussed when these are put in proper time by way of amendment.

With these few words, Sir, I oppose the amendment.

Shri RADHIKA RAM DAS (Deputy Minister, Revenue): Mr. Deputy Speaker, Sir, I am thankful to Shri Bhattacharyya for accepting the principle of the Bill. He has, however, mentioned that the Bill should have been brought long ago. What I can gather from his statement in this House is that in the beginning he has said that he had accepted the principle of the Bill but at the end of his speech I find that he speaks about separation of the judiciary from the Executive and to make it a judicial body only. Even if his amendment is accepted, the Select Committee cannot make it a judicial body. I am at a loss to understand how it can change the character of Bill, because he wants that it should be a judicial body and not an administrative body and the Select Committee has no right to change the character of the Bill. So, I am sorry, I am not in a position to accept his amendment.

Maulavi JAHANUDDIN AHMED (Bilasipara). Can the character of the Bill be changed by amendment?

Shri RADHIKA RAM DAS: But Shri Bhattacharyya has accepted the principle of the Bill. What I gather from his speech that he requires some time to scrutinise the provision of the Bill. This Bill was submitted in this House in the September Session. Now this is the month of December. So, sufficient time has been given to the hon. Members to scrutinise the provisions of the Bill. Moreover, Sir, he is an experienced lawyer and so it will not at all be difficult for him to move any amendment he likes and if his amendments are found suitable then the Government will accept these. He has got the right to do so. So, Sir, my hon. Member will appreciate the difficulty as to why his amendment cannot be accepted and I would request him not to press his amendment. He himself said that this Bill should have been brought long ago and so let us agree to pass the Bill as early as possible and give us an opportunity to have the Bill passed and put it in action as early as possible.

With these few words, Sir, I request my hon. Friend not to press his amendment.

Mr. DEPUTY SPEAKER: The question is that the Assam Board of Revenue Bill, 1959 be referred to a Select Committee with the following Members:—

1. The Minister-in-charge, Revenue.
2. The Deputy Minister, Revenue.
3. Maulavi Jahanuddin Ahmed.
4. Shri Mahendra Mohan Choudhury and
5. The Mover of the Amendment.

The committee is to submit its report by 15th February, 1960.

House Divided

Ayes—12

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|---|--|
| 1. Shri Bishwanath Upadhyaya. | 7. Shri Khogendra Nath Barba-
ruah. |
| 2. Shri Phani Borah. | 8. Shri Nilmoney Borthakur. |
| 3. Shri Gaurisankar Bhattachar-
yya. | 9. Shri Kumar Prokritish Chandra
Barua. |
| 4. Shri Ghanashyam Talukdar. | 10. Dr. Shihari Das. |
| 5. Shri Hareswar Goswami. | 11. Maulavi Tajuddin Ahmed. |
| 6. Maulavi Jahanuddin Ahmed. | 12. Shri Tarun Sen Deka. |

Noes—67

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| 1. Shri Bimala Prasad Chaliha. | 8. M. Moinul Haque Choudhury. |
| 2. Capt. Williamson A. Sangma. | 9. Shri Mahendra Nath Hazarika. |
| 3. Shri Fakhruddin Ali Ahmed. | 10. Shri Biswadev Sarma. |
| 4. Shri Rup Nath Brahma. | 11. Shri Radhika Ram Das. |
| 5. Shri Debeswar Sarmah. | 12. Shri Larsingh Khyriem. |
| 6. Shri Kamakhya Prasad Tripa-
thi. | 13. Shri Girindra Nath Gogoi. |
| 7. Shri Hareswar Das. | 14. Shri A. Thanglura. |

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| 15. Pu Lalmawia. | 41. Shri Mahadev Das. |
| 16. Shri Lalit Kumar Doley. | 42. Maulavi Mahammad Indris. |
| 17. Shri Sai Sai Terang. | 43. Shri Manik Chandra Das. |
| 18. Shri Chatrasing Teron. | 44. Shri Mody K. Marak. |
| 19. Shri Baikuntha Nath Das. | 45. Shri Mahananda Bora. |
| 20. Shri Bhuban Chandra Pradhani. | 46. Shri Mohidar Pegoo. |
| 21. Shri Bishnu Lal Upadhyaya. | 47. Shri Mohi Kanta Das. |
| 22. Shri C. Chhunga. | 48. Shri Molia Tati. |
| 23. Shri Dandeswar Hazarika. | 49. Shri Nallindra Sangma. |
| 24. Shri Dandi Ram Datta. | 50. Shri Narendra Nath Sarma. |
| 25. Shri Devendra Nath Hazarika. | 51. Maulavi Nurul Islam. |
| 26. Shri Durgeswar Saikia. | 52. Shri Omeo Kumar Das. |
| 27. Shri Dwijesh Chandra Deb Sarma. | 53. Shrimati Padma Kumari Gohain. |
| 28. Dr. Ghanashyam Das. | 54. Shri Radha Charan Choudhury. |
| 29. Shri Gouri Shankar Roy. | 55. Shri Radha Kishan Khemka. |
| 30. Shri Hakim Chandra Rabha. | 56. Maulavi Rahimuddin Ahmed. |
| 31. Shri Harinarayan Baruah. | 57. Shri Ramnath Das. |
| 32. Shri Hem Chandra Chakravarty. | 58. Shri Ramnath Sarma. |
| 33. Shri Indreswar Khaund. | 59. Dr. Ram Prasad Chaubey. |
| 34. Shri Joga Kanta Barua. | 60. Shri Sarat Chandra Goswami. |
| 35. Mrs. Jyotsna Chanda. | 61. Shri Sarbeswar Bordoloi. |
| 36. Shri Kamala Prasad Agarwala. | 62. Shri Siddhi Nath Sarma. |
| 37. Maulavi Kobad Hussain Ahmed. | 63. Shri Surendra Nath Das. |
| 38. Prof. (Shrimati) Komol Kumari Barua. | 64. Shri Tajammul Ali Barlasakar. |
| 39. Shri Lila Kanta Borah. | 65. Shri Tamijuddin Prodhan. |
| 40. Shrimati Lily Sen Gupta. | 66. Shri Tankeswar Chetia. |
| | 67. Mrs. Usha Bashtakur. |

(The question was negatived).

The amendment motion is lost. The question is that the Assam Board of Revenue Bill, 1959 be taken into consideration.

(The question was adopted).

The Assam Ganja and Bhang Prohibition (Amendment) Bill, 1959

Shri HARESWAR DAS (Minister, Excise): Sir, I beg leave to introduce the Assam Ganja and Bhang Prohibition (Amendment) Bill, 1959.

Mr. DEPUTY SPEAKER: The motion moved is that leave be granted to introduce the Assam Ganja and Bhang Prohibition (Amendment) Bill, 1959.

(Leave was granted).

Shri HARESWAR DAS: Sir, I beg to move the Assam Ganja and Bhang Prohibition (Amendment) Bill, 1959, be introduced.

Mr. DEPUTY SPEAKER: The question is that the Assam Ganja and Bhang Prohibition (Amendment) Bill, 1959, be introduced.

(The question was adopted).

Shri HARESWAR DAS: Sir, I beg to move that the Assam Ganja and Bhang Prohibition (Amendment) Bill, 1959, be taken in consideration.

Mr. DEPUTY SPEAKER: The question is that the Assam Ganja and Bhang Prohibition (Amendment) Bill, 1959 be taken into consideration.

Shri NILMONEY BORTHAKUR (Dibrugarh): Mr. Deputy Speaker, Sir, under Rule 72 of the Rules of procedure and Conduct of Business of this House, a bill may be moved in the House after the copies of the bill are made available to the Members.

Shri HARESWAR DAS: Mr. Deputy Speaker, Sir, we have already circulated the copies of the bill to the honourable Members in the last session. So Sir, I beg to move that the Bill be taken into consideration.

Mr. DEPUTY SPEAKER: The question is that the Assam Ganja and Bhang Prohibition (Amendment) Bill, 1959 be taken into consideration.

(The question was adopted).

(The Secretary, Legislative Assembly read the title of the Bill).

(At this stage the Deputy Speaker vacated the Chair and Mrs. Jyotsna Chanda, Chairman occupied it).

The Agricultural Produce Market Registration Bill, 1959 (Old Bill)

Shri KAMALA PRASAD AGARWALA (Tezpur): Madam Chairman, I, the Chairman of the Select Committee to which the Assam Agricultural Produce Market Registration Bill, 1958 was referred having been authorised by the Committee as its meeting held on the 18th September, 1959 present the following final Report of the Committee.

The Committee considered the motion of the Minister-in-charge for withdrawal of the Bill during the current session of the Assembly under rule 92 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly and accepted it.

The Committee then authorised the Minister-in-charge to move the motion asking for leave of the House to withdraw the Bill.

M. MOINUL HAQUE CHOUDHURY (Minister, Agriculture): Madam, Chairman, I beg leave, Madam, to withdraw the Assam Agricultural Produce Market Bill, 1958 under rule 92 of the Rules of Procedure and Conduct of Business of this House in view of the recent developments such as the introduction of Service Co-operatives, State Trading and the passing of the Assam Panchayat Act, etc., which have a direct bearing on the Bill under consideration. Madam, the motion itself is self explanatory. After the introduction of this bill, this was referred to a Select Committee. In the meantime a new policy decision was taken in the country. Namely, we decided to organise Service Co-operatives in each village. We have also taken to State Trading in the Country. This august House also passed an Act, viz., Assam Panchayat Act. Government now considers that in the light of developments, if at all such a bill is to be brought before the House it should be a new bill. So I seek the permission of the House to withdraw this bill.

***Shri GAURISANKAR BHATTACHARYYA (Gauhati):** May I get a clarification from the Minister? At the time when the Bill was introduced was it not in the view of the Government? Was the Government not aware that this far-reaching legislation and measures would be coming?

***M. MOINUL HAQUE CHOUDHURY:** Madam, Government had no knowledge that these type of things would be coming. But the shape of each one of the items were not known then. It was also not known as to what would be the legislation, so far as the Panchayat Act was concerned, because the Panchayat Act was referred to a Select Committee. It was a Select Committee within the Select Committee to which we are included so far as this Bill was concerned. That Select Committee brought certain far-reaching changes in the Act itself, as a result of which we find that there are certain conflicting provisions, or some of the provisions are such which require thorough re-drafting. As such this is the position.

***Shri GAURISANKAR BHATTACHARYYA:** In view of the fact that a meeting of this House or a meeting of the Select Committee or Committees meaning not only some spending of the time of the Hon. Members but also huge expenditure of public money, may we get the assurance

that in future the Government will be more careful in bringing any Bills so that public money may not be unnecessarily wasted in considering the Bills which ultimately become withdrawn, or in spending time in session and in Select Committees over Bills which would be withdrawn.

The CHAIRMAN : The question is that the Assam Agricultural Produce Market Registration Bill, 1958 be withdrawn.

(The question was adopted.)

The Assam Agricultural Produce Markets Bill, 1958

Shri CHATRA SING TERON [Mikir Hills-West (Reserved for Scheduled Tribes)] : I beg to move Madam :—

I, the Chairman of the Select Committee to which the Assam Agricultural Produce Market Bill, 1958 was referred, having been authorised by the Committee at its meeting held on the 16th September, 1959, present the following final Report of the Committee.

The committee considered the motion of the Minister-in-charge for withdrawal of the Bill during the current Session of the Assembly under rule 92 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly and accepted it.

The Committee then authorised the Minister-in-charge to move the motion asking for leave of the House to withdraw the Bill.

M. MOINUL HAQUE CHOUDHURY (Minister, Agriculture) : I beg leave Madam to withdraw the Assam Agricultural Produce Bill, 1958 under Rule 92 of the Rules of Procedure and Conduct of Business of this House in view of the recent developments such as the introduction of the Service Co-operatives, State Trading and the passing of the Assam Panchayat Act, etc. which have a direct bearing on the Bill under consideration.

The CHAIRMAN : The question is that the Assam Agricultural Produce Markets Bill, 1958 be withdrawn.

(The question was adopted).

The Assam Slum Areas (Improvement and Clearance) Bill, 1959

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Town and Country Planning) : Madam, I move that the Assam Slum Areas (Improvement and Clearance) Bill, 1959 as reported by the Select Committee be taken into consideration.

The CHAIRMAN : The motion is moved.

The question is that the Assam Slum Areas (Improvement and Clearance) Bill, 1959 as reported by the Select Committee be taken into consideration.

(The question was adopted).

**The Assam State Acquisition of Lands Belonging to
 Religious or Charitable Institution of Public
 Nature Bill, 1959**

Shri HARESWAR DAS (Minister, Revenue). Madam, I beg to move that the Assam State Acquisition of Lands Belonging to Religious or Charitable Institution of Public Nature Bill, 1959 as reported by the Select Committee be taken into consideration.

The CHAIRMAN. There is a message from the Governor :—

“I recommend under Article 207(3) of the Constitution of India that the Assam State Acquisition of Lands Belonging to Religious or Charitable Institution of Public Nature Bill, 1959, be taken into consideration by the Assam Legislative Assembly”.

Shri HARESWAR DAS : I beg to move that the Assam State Acquisition of Lands Belonging to Religious or Charitable Institution of Public Nature Bill, 1959 as reported by the Select Committee be taken into consideration.

The CHAIRMAN : The question is that the Assam State Acquisition of Lands Belonging to Religious or Charitable Institution of Public Nature Bill, 1959 be taken into consideration.

(The question was adopted).

The Assam Regulated and Licensed Warehouses Bill, 1959

M. MOINUL HAQUE CHOUDHURY (Minister, Agriculture): Madam, I beg to move that the Assam Regulated and Licensed Warehouses Bill, 1959, as reported by the Select Committee, be taken into consideration.

The CHAIRMAN : The question is that the Assam Regulated and Licensed Warehouses Bill, 1959 be taken into consideration.

(The question was adopted).

The Assam Acquisition of Land for Flood Control and Prevention of Erosion (Validation) Bill, 1959

The CHAIRMAN : There is a message from the Governor.—

“I recommend under Article 271 of the Constitution of India that the Assam Acquisition of Land for Flood Control and Prevention of Erosion (Validation) Bill, 1959 be taken into consideration by the Assam Legislative Assembly.

S. M. SRINAGESH,
Governor of Assam.

Shri HARESWAR DAS (Minister, Revenue) : Madam Chairman, I beg to move that the Assam Acquisition of Land for Flood Control and Prevention of Erosion (Validation) Bill, 1959 be taken into consideration.

The CHAIRMAN : The question is that the Assam Acquisition of Land for Flood Control and Prevention of Erosion (Validation) Bill, 1959 be taken into consideration.

(The question was adopted).

The Assam Adhiars Protection and Regulation (Amendment) Bill, 1959

Shri HARESWAR DAS (Minister, Revenue) Madam, I beg to move that the Assam Adhiars Protection and Regulation (Amendment) Bill, 1959 be taken into consideration.

The CHAIRMAN : The question is that the Assam Adhiars Protection and Regulation (Amendment) Bill, 1959 be taken into consideration.

(The question was adopted)

The Assam Panchayat (Amendment) Bill, 1959

Shri MAHENDRA NATH HAZARIKA (Minister, Panchayat) : Madam, I beg leave to introduce the Assam Panchayat (Amendment) Bill, 1959.

The CHAIRMAN : The question is that leave be granted to introduce the Assam Panchayat (Amendment) Bill, 1959.

(The question was adopted)

Shri MAHENDRA NATH HAZARIKA : Madam, I beg to introduce the Assam Panchayat (Amendment) Bill, 1959.

The CHAIRMAN : The question is that the Assam Panchayat (Amendment) Bill, 1959 be introduced.

Maulavi JAHANUDDIN AHMED (Bilasipara): Madam, I rise to oppose the introduction of this Bill because I find that the power that is sought to be given to the villagers, that is, to the people is being usurped under this amending Bill. Madam, under Section 164 (a) (1) (2) (3) and Section 164 (b) (1) (2) (3) (v) etc., Government want to nominate an *Ad-hoc* Anchalik Panchayat. It is also surprising that Government is not satisfied with the nomination of the members only, but they want to nominate the Presidents and the Vice-Presidents of all the *Ad-hoc* Anchalik Panchayats also. It is really deplorable on the part of the Government whether they consider that the members whom they are going to nominate as *ad-hoc* Anchalik Panchayats will be able to elect their own Chairman and Vice-Chairman. It is really a matter of great regret that Government should not allow those members whom they are going to nominate to.

The CHAIRMAN: Has the hon. Member objection to the introduction of this Bill?

Maulavi JAHANUDDIN AHMED: Yes, Madam. My point is that the Bill should not have been introduced in this way. We cannot allow our electorate.

The CHAIRMAN: I think these are the points for amendments to the Bill at a later stage and not now.

Shri GAURISANKAR BHATTACHARYA (Gauhati): On a point of clarification Madam, there are certain factors to be considered. If the Bill be so bad as it cannot be touched with a pair of prongs then we may oppose the very introduction of that Bill. If a Bill is bad but not bad enough or is not so bad as it can be touch, as I said, with a pair of prongs, then only we can consider it. But here my friend is saying that this Bill is so very bad that this House should not have allowed it even to be introduced.

Maulavi JAHANUDDIN AHMED: Yes, my idea is like that Madam. Madam, by the Panchayat Act we have given power to our villagers to elect their representatives to the Panchayats, but by this Bill Government is usurping the power which was once given under the Panchayat Act. What is the necessity of nominating these *Ad-hoc* Anchalik Panchayats or Committees. If Government thinks that they are not in a position to hold elections, why did they enforce the Panchayat Act. My objection is that by this Bill Government is trying to take away the power given to the people by the Panchayat Act. In other words, by the main Act you gave some powers to the people but by this Bill you are taking those powers to yourselves. So I say that this Bill should not have been introduced.

Shri FAKHRUDDIN ALI AHMED (Minister, Local Self-Government): Madam. Chairman, my friend, Shri Jahan Uddin Ahmed, has opposed the introduction of this Bill on the ground that the Government is seeking to usurp the power which was given to the people under the Panchayat Act which this Hon'ble House had passed only a few months back. May I assure him that there is no such desire on the part of the Government to usurp the power that has much been given to the rural people. If such has been the intention of the Government, the Panchayat Bill would not have been introduced by the Government and that Bill would not have continued revisions aiming at decentralisation of power. After the Act has been enforced we have to go through a process of election. As the hon. Member may have noticed, so far as the Primary Panchayats are concerned, this amending bill now seeks to extend the life of those Primary Panchayats

which were elected under the old Act. Under the old Act these were not nominated bodies but were elected by the people. By this amending Bill we first seek to extend the life of those elected primary panchayats. Secondly, the hon. Member will agree with me that it will take some time before the elections of Anchalik Panchayat are held and completed. If these months preceding the elections are wasted not placing by these receipts from Local rates, portion of land revenue and their contribution at the disposal of these panchayat activities can be no by the Panchayats. To avoid the wastage of working season of four or five months till the elections are completed it is considered that constitution of *ad-hoc* Anchalik Panchayat is necessary. I submit that the bill period is a harmless one intended to overcome difficulties for the interim period. The hon. member would have no fear that this bill intends to assure the power of instituting *ad-hoc* bodies for all time to come. It is, as I have said, only for the transitional period till these bodies are elected.

Maulavi JAHANUDDIN AHMED (Bilasipara) : May I know from what date these bodies will start functioning?

Shri FAKHRUDDIN ALI AHMED (Minister, Local Self-Government) : These bodies will start functioning from the date they are nominated. As the hon. Member may have seen we have notified the constitution of various Anchalik Panchayats in Golaghat, Jorhat subdivisions, and other area the constitution of *ad-hoc* Panchayat in Darrang and Cachar will also be issued in a day or two. These bodies will start functioning immediately they are nominated. The Government will also try that the elections are held and completed as early as possible.

I hope after this assurance, my friend will not raise any further objections and will allow the bill to be introduced.

Maulavi JAHANUDDIN AHMED : May I know from the hon'ble Minister when they expect to complete the election?

Shri FAKHRUDDIN ALI AHMED : My idea is that election should be completed before the financial year.

Maulavi JAHANUDDIN AHMED : In view of the Minister's assurance, Sir, I do not want to press the matter any more.

The CHAIRMAN : The question is that the Assam Panchayat (Amendment) Bill, 1959 be introduced.

(The question was adopted)

Laying out copies of the Assam Panchayat (Amendment) Ordinance (Ordinance No. V) of 1959.

Shri MAHENDRA NATH HAZARIKA : Madam, I beg to lay out the copies of the Assam Panchayat (Amendment) Ordinance (Ordinance No. V) of 1959 under Article 213 (2) (a) of the Constitution of India.

Adjournment

The Assembly was then adjourned till 2 p.m. on Wednesday, the 9th December, 1959

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

APPENDIX I

LIST OF SUPPLEMENTARY DEMANDS FOR GRANTS FOR 1959

No.1

Shri HARESWAR DAS to move:

On the recommendation of the Governor of Assam, I beg, Sir, to move that an additional amount of Rs.9,57,182 be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending 31st March, 1960, for the administration of the head "10—Forests".

I.—Grant originally voted by the Assembly ... Rs. 1,26,34,400

II.—Additional grant voted by the Assembly during the year. 6,04,231

Additional amount required ... 9,57,182

III.—Sub-heads under which the Supplementary Demand will be accounted for—

Minor and sub-heads	Grant originally voted by the Assembly		Supplementary grant voted by the Assembly during the year		Additional amount now required		
	General	Sixth Schedule	General	Sixth Schedule	General	Sixth Schedule	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Rs,	Rs.	Rs.	Rs.	Rs.	Rs.	Rs,
NORMAL							
B. (a) Conservancy and works—							
VII. Organisation improvement and extension of Forests.	3,71,000	1,28,500	..	..	..	1,20,182	1,20,182
Development Schemes Second Five Year Plan—(Article 275)—							
B.2.—Conservancy and works—							
VI.—Communications and buildings.	15,000	1,20,000	..	..	20,000	2,25,000	2,45,000
VII.—Organisation and improvement etc.	..	15,10,000	..	..	..	4,00,000	4,00,000
VII.—Miscellaneous Development Schemes (Second Five Year Plan—General.	28,000	30,000	..	..	25,000	15,000	40,000
B.3.—Conservancy and Works.							
VIII.—Miscellaneous	3,67,000	..	..	..	..	1,52,000	1,52,000
Total	..	..	..	..	45,000	9,12,182	9,57,182

EXPLANATORY NOTES

B.(a)—VII. A provision of Rs.55,000 only has been made in the current year's budget but this amount has been found to be too inadequate to meet the cost of maintenance of the existing Cinchona plantations, cost of despatch of the bark to Mangpoo Factory, West Bengal, cost of processing of the bark at Mangpoo Factory, godown charges and cost of repacking of the drugs received into 11b. container. Adequate amount could not be provided in the current year's budget as the exact cost of processing, godown charges, etc., was not known before hand. Hence the demand.

B.2—VI. The amount of Rs.2,45,000 is additionally required to meet the expenditure in connection with implementation of Forest Communication Scheme in the Plains Tribal Areas as well as in the Autonomous Hills Districts. The original provision has proved insufficient. The additional grant now asked for is adjustable within the ceiling of Plan expenditure under Article 275 of the Constitution for the current year.

VII. The Soil Conservation Department has come into being with effect from March, 1959. Prior to this the Jhum Control Division of the Forest Department was carrying out the functions of Soil Conservation under the Jhum Control Scheme under Article 275 of the Constitution. The provision of Rs.12,00,000 for the Jhum Control Scheme in the Forest budget has been made available to the Soil Conservation Department for implementation of their scheme since sanctioned by the Government. But the amount fails short of requirement of the Soil Conservation Department for their new scheme. Hence the demand. The amount is however adjustable within the ceiling of plan expenditure under Article 275 of the Constitution for the current year.

VIII. The amount of Rs.40,000 is additionally required to meet the expenditure in connection with implementation of the scheme of improvement of forest villages in the Plains Tribal Areas as well as in the Autonomous Hill Districts. The original provision has proved inadequate. The amount is adjustable within the ceiling of Plan expenditure under Article 275 of the Constitution for the current year.

B.3—VIII. The amount is required for completion of certain arena and houses for the birds and animals of the State Zoo at Gauhati and also for meeting the cost of land additionally acquired for the Zoo.

No.2

Shri MOINUL HAQUE CHOUDHURY to move:

On the recommendation of the Governor of Assam, I beg, Sir, to move that an additional amount of Rs.35,57,100 be granted to the Minister-in-charge to defray certain charge which will come in the course of payment during the year ending 31st March, 1960 for the administration of the head "18-B. and 68-A—Navigation, Embankments and Drainage works".

	Rs.
I.—Grant originally voted by the Assembly	2,61,62,500
II.—Additional grant voted by the Assembly during the year.	Nil
Additional amount now required	35,57,100
III.— Sub-head under which the Supplementary Demand will be accounted for—	

Minor and sub-heads	Grant originally voted by the Assembly		Supplementary grant voted by the Assembly during the year		Additional amount now required		Total
	General	Sixth Schedule	General	Sixth Schedule	General	Sixth Schedule	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
18.-B.—Navigation Embankments and Drainage Works financed from ordinary Revenues— —Normal—	..	..	..	..	..	..	..
C.—Maintenance and Repairs.—Restoration of flood damage.	12,00,000	4,500	..	..	35,46,000	11,000	35,57,000
68.-A.—Construction of Irrigation, Navigation, Embankments, and Drainage Works—(Non-Commercial)—Normal—							
Flood Control— Works—	2,30,000	..	..	..	100	..	100
Total	..	..	..	..	35,46,100	11,000	35,57,100

EXPLANATORY NOTES

18-B-C.—Due to severe floods during this year, especially in the Kamrup and Cachar Districts, many embankments have been breached and very badly damaged and required to be restored to their proper conditions immediately so that they may withstand the on slaught in the next monsoon period. So the sum of Rs 22,69,000 is required for the purpose.

During last year many bunds and embankments were badly damaged by the floods especially in Kamrup, Lakhimpur and Sibsagar Districts, which were restored to proper shape, but additional funds were not available till the end of the year. So a liability to the extent of Rs.12,88,000 remained unpaid. The expenditure being unforeseen, funds could not be provided in the current year's budget. Hence the Supplementary Demand.

68-A.—For details please see Schedule at Appendix 'A'.

No. 3

Shri BIMALA PRASAD CHALIHA to move:

On the recommendation of the Governor of Assam, I beg, Sir, to move that an additional amount of Rs 31,429 be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending 31st March, 1960, for the administration of the head "25.—General Administration".

Rs.

I.—Grant originally voted by the Assembly	...	..	1,63,90,600
II.—Additional grant voted by Assembly during the year.			6,56,212
Additional amount now required	..	..	31,429
III.—Sub-head under which Supplementary Demand will be accounted for—			

Minor and sub-heads	Grant originally voted by the Assembly		Supplementary grant voted by the Assembly during the year		Additional amount now required		Total
	General	Sixth Schedule Areas	General	Sixth Schedule Areas	General	Sixth Schedule Areas	
	(1)	(2)	(3)	(4)	(5)	(6)		(7)	(8)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
A—Heads of States and Ministers—							
A—8—							
Ministers ..	6,94,500	..	50,600	..	7,950	...	7,950
B—State Legislature							
B. 2—State Legisla- ture Secretariat—							
1. Pay of Officer ..	40,000	..	10,730	..	3,615	..	3,615
3. Allowances and Honoraria.	71,300	..	8,000	..	1,035	...	1,035
4. Contingencies ..	71,100	..	4,225	..	18,829	..	18,829
Total ...	...	...	...	...	31,429	..	31,429

EXPLANATORY NOTE

A-8—The amount of Rs.7,950 is required to meet the amount to be spent during the year 1959-60 under "24.—G.A.—A-8—Ministers—4.—Allowances and Honoraria—Service Allowance," being the re-immurement of charges to the Minister concerned under the provisions of Rules 6 and 8 of the Assam Ministers' and Deputy Minister' (Allowances and Privileges) Rules, 1958. When a Minister or Deputy Minister is not provided with a free furnished residence under Section 3 (1) of the Act, he shall be entitled, in addition to the amount of house rent allowance provided under Section 3 (ii) of the Act, to privileges under Rule 6 (i), (ii), (iii) and (iv) of the Rules as contemplated in Rule 8. The Rules were notified on 1st July 1959 and take effect from 1st April 1958. As there was no provision in the current year's Budget to meet the expenditure involved, necessary funds are required to be provided through Supplementary Demand.

B—State Legislature Secretariat

Pay of officers—An additional amount of Rs.3,615 is required to meet the increased expenditure on pay of Officers due to the appointment of a Chief Reporter and Gazetted Stenographer Grade I (Senior).

Allowances and Honoraria.—An additional amount of Rs.1,035 is required for payment of Medical Treatment of one Officer of the Assembly Secretariat, which is an unforeseen one.

Contingencies—(a) An additional amount of Rs.5,834 is required for payment of Municipal Taxes bills of the Assembly Building and Members Hostel due to revision of assessment.

(b) An additional amount of Rs.2,135 is required for purchase of one electric gestetner machine to cope with the increased Assembly work.

(c) An additional amount of Rs.6,000 is required to meet the expenditure due to—

(i) purchase of additional furniture in the Assembly Building for the newly sanctioned staff for the Assembly Secretariat and for purchase of some furniture for the Library as approved by the Library Committee ; and

(ii) purchase and replacement of certain carpets and furniture in the Assembly Building.

(d) An additional amount of Rs.550 is required to meet cost of service stamps in issuing increased number of correspondences, telegrams etc.

(e) An additional amount of Rs.4,310 is required to meet the excess expenditure for payment of pay, D. A., etc., to the newly sanctioned staff of casual employees and entertainment of temporary casual employees during Sessions.

No. 4

Shri DEBESWAR SARMAH to move:

On the recommendation of the Governor of Assam, I beg, Sir to move that an additional amount of Rs.1,11,000, be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending 31st March, 1960, for the administration of the head "28.—Jails".

	Rs.
I.—Grant originally voted by the Assembly ...	26,10,400
II.—Additional grant voted by the Assembly during the year.	Nil
Additional amount now required ...	1,11,000
III.—Sub-head under which the Supplementary Demand will be accounted for—	

Minor and sub-head	Grant originally voted by the Assembly		Supplementary grant voted by the Assembly during the year		Additional amount now required		Total
	General	Sixth Schedule	General	Sixth Schedule	General	Sixth Schedule	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
A—District— Jails—							
5. Contingencies	13,83,500	94,250	..	..	86,000	..	86,000
D.—Jail Manufactures	2,63,865	2,100	..	..	25,000	..	25,000
Total	..	..	..	..	1,11,000	..	1,11,000

EXPLANATORY NOTES

A-5. The amount is required under Ration, Hospital charges and other detailed heads due to increase in Jail population and rise in prices of the articles.

D.—The amount is required for purchase of more raw materials to meet the demand of the Jail-made articles and rise of the price of raw materials.

No. 5

Shri WILLIAMSON A. SANGMA to move :

On the recommendation of the Governor of Assam, I beg, Sir, to move that an additional amount of Rs 3,00,000 be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending 31st March, 1960, for the administration of the head "30.—Ports and Pilotage."

							Rs.
I.—Grant originally voted by the Assembly	...						2,64,000
II.—Additional grant voted by the Assembly during the year.							10,000
Additional amount now required	...	...					3,00,000
III.—Sub-head under which the Supplementary Demand will be accounted for :—							

Minor and sub-heads	Grant originally voted by the Assembly		Supplementary grant voted by the Assembly during the year		Additional amount now required		Total
	General	Sixth Schedule	General	Sixth Schedule	General	Sixth Schedule	
	(1)	(2)	(3)	(4)	(5)	(6)	
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Second Five Year Plan— 2.—Other charges— Miscellaneous—							
Inland Water Transport Wing.	64,000	..	10,000	..	3,00,000	..	3,00,000
Total	..	..	..	..	3,00,000	..	3,00,000

EXPLANATORY NOTE

A provision of Rs 64,000 was made under the above head in the budget for the year 1959-60. When the question of surveying the Dholeswari river came up, another sum of Rs.10,000 was taken during the last session of the Assembly by Supplementary Demand. Now the Government of India have advised to undertake the construction of Inland Port at Pandu, at Rs.28.87 lakhs, which will be executed by the Public Works Department (Flood Control). The whole amount of Rs.28.87 lakhs will be grant-in-aid from the Government of India. On their advice we have already sent our requirement of Rs.3 lakhs for the current year on this account. This amount of Rs.3 lakhs is essentially necessary during the current financial year. Hence the Supplementary Demand.

No. 6

Shri DEBESWAR SARMAH to move :

On the recommendation of the Governor of Assam, I beg, Sir, to move that an additional amount of Rs.18,10,830, be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending 31st March, 1960, for the administration of the head "37.—I—Education".

	Rs.
I.—Grant originally voted by the Assembly ...	5,00,99,700
II.—Additional grant voted by the Assembly during the year.	12,59,300
Additional amount now required ...	18,10,830
III.—Sub-head under which the Supplementary Demand will be accounted for—	

Minor and sub-heads	Grant originally voted by the Assembly		Supplementary grant voted by the Assembly during the year		Additional amount now required		
	General	Sixth Schedule Areas	General	Sixth Schedule Areas	General	Sixth Schedule Areas	Total
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
NORMAL—							
1. F.—Govern m e n t Secondary Schools (a) Secondary Schools for boys.	18,47,400	9,33,600	..	...	39,480	690	40,170
2. I.—Govern m e n t Primary Schools.	1,51,500	9,05,800	...	...	85,860	1,34,800	2,20,660
3. R.—Scholarships— Central Post Ma- tric Scholarships for Backward Classes; Deduct— Recovery—R.— Scholarships— Deduct—Amount re- coverable from Government of India.	..	..	..	..	15,00,000	...	15,00,000
4. Development Schemes— Second Five Year Plan (Art. 275)—R.—2 Scholarships—Se- condary schools.	1,00,000	1,00,000	...	..	...	50,000	50,000
Total	..	...	...	..	16,25,340	1,85,490	18,10,830
Deduct—Recovery from Government of India.	..	..	..	...	(—)15,00,000	..	(—)15,00,000

EXPLANATORY NOTE

1. The additional amount is required for extending the benefit of revised scale of pay 1954 to Government M. V. Schools teachers with retrospective effect from 1st July, 1954 which was kept pending so long in view of the fact that Government M. V. Schools were likely to be transferred to the Basic Board.

2. The additional amount is required for extending benefit of revised scales of pay 1954 to teachers of Government Primary Schools with retrospective effect from 1st July, 1954 which was kept pending so long in view of the fact that Government Primary Schools were likely to be transferred to the Basic Board.

3. It has since been recently decided that Central Post-Matric Scholarships for Scheduled Castes, Scheduled Tribes and Other Backward Classes of Assam will be implemented by the State Government as an agent of the Government of India from the current financial year. The entire expenditure involved in the implementation of the scheme will be borne by the Government of India. Accordingly, to implement the scheme an amount of Rs.15,00,000 has been taken as advance from the contingency fund. The whole amount will be spent during the current year. Hence, this supplementary demand to regularise the advance from the contingency fund.

4. The additional amount of Rs.50,000 is required for award of scholarships to students reading in secondary schools in the autonomous districts. The original provision has proved insufficient. The additional amount required will be adjusted later in the overall savings under Article 275 programme during the current financial year. Hence the Supplementary Demand.

No. 7

Shri RUPNATH BRAHMA to move:

On the recommendation of the Governor of Assam, I beg, Sir, to move that an additional amount of Rs.5,42,000, be granted to the Minister-in-charge to defray certain charges which will come in course of payment during the year ending 31st March, 1960 for the administration of the head "38—Medical".

I.—Grant originally voted by the Assembly	...	...	Rs. 4,46,24,700
II.—Additional grant voted by the Assembly during the year.			Nil
Additional amount now required	...	...	5,42,000
III.—Sub-head under which the supplementary demand will be accounted for.			...

Minor and Sub-head	Grant Originally voted by the Assembly		Supplementary grant voted by the Assembly during the year		Additional amount now required		Total
	General	Sixth Schedule	General	Sixth Schedule	General	Sixth Schedule	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
NORMAL—							
A.—Medical Establishment—							
(a) Superintendence—							
1. Pay of Officers	58,800	...	...	...	14,000	...	14,000
3. Allowance and Honoraria.	63,500	...	...	...	10,000	...	10,000
4. Contingencies ..	25,000	...	...	...	10,000	...	10,000
B.—Hospital and Dispensaries—							
(a) Ordinary Dispensaries—							
1. Pay of Officers	1,82,475	73,126	...	...	3,000	6,000	9,000
2. Pay of Establishment.	4,54,510	2,15,600	...	...	25,000	11,000	36,000
3. Allowance and Honoraria.	2,52,701	1,91,400	...	...	16,000	12,000	28,000
4. Contingencies ..	13,19,218	5,14,000	...	...	65,000	50,000	1,15,000

Minor and Sub-heads	Grant originally voted by the Assembly		Supplementary grant voted by the Assembly during the year		Additional amount now required			
	General	Sixth Schedule	General	Sixth Schedule	General	Sixth Schedule	Total	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
D.—Medical Colleges and Schools—								
(d) Assam Medical College Hos- pital, Dibru- garh.	...	...	..	...	...	...	..
4. Contingencies ...	7,78,100		3,00,000	..	3,00,000
G.—Works—								
(a) Repairs	..	4,000	5,000	20,000	...	20,080
Total	4,63,000	79,000	5,42,000

EXPLANATORY NOTES

A (a)—1. The provision for pay and allowances of Deputy Director of Health Services (HQ) was made under; '39—public Health,' in the Budget as in the past. It has since been decided that the pay and allowance is to be debited to "38—Medical". Hence the Supplementary Demand".

3. The grant is required to meet the usual allowances of Deputy Director of Health Services (HQ) for Public Health side as shown at (1) above and more grant required to meet Travelling Allowances of Officers, viz., Director of Health Services, four Deputy Directors of Health Services for Headquarter and Regional as the budget grant is found to be inadequate. Hence, Supplementary Demand.

4. The grant is required to the fact that more expenditure is required for service postage stamps, local purchase of stationery and maintenance of staff vehicle. Hence, Supplementary Demand.

B.—(a)—1, 2, 3 and 4. Medical Department have taken over seven dispensaries in Community Development Block previously maintained by Community Project Department. These were taken over from 1st April, 1959 and provision under "38—Medical" could not be made in the current year's budget, as decision for taking over these dispensaries was made after the current year's budget was prepared. Hence Supplementary Demand.

D.—(d)—4. The additional amount is required to meet the Expenditure required for Medical College Hospital due to the fact that more expenditure is required for medical stores than anticipated for payment of bills for last year from Medical Store Depot, and also purchase of more quantities of costly Drugs. Hence, Supplementary Demand.

G.—(b). The additional amount is required for repairing the building of Community Development Block Dispensaries taken over by Medical Department. Hence, Supplementary Demand.

No. 8

Shri RUPNATH BRAHMA to move :

On the recommendation of the Governor of Assam, I beg, Sir, to move that an additional amount of Rs 2,23,000 be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending 31st March, 1960, for the administration of the head "42.—Co-operative—II—Rural Development."

I.—Grant originally voted by the Assembly ...	Rs. 1,27,47,900
II.—Additional grant voted by the Assembly during the year.	Nil
Additional amount now required ...	2,23,000
III.—Sub-head under which the Supplementary demand will be accounted for—	

Minor and Sub-head (1)	Grant originally voted by the Assembly		Supplementary grant voted by the Assembly during the year		Additional amount now required		Total (8)
	General Sixth Schedule		General Sixth Schedule		General Sixth Schedule		
	(2)	(3)	(4)	(5)	(6)	(7)	
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1. E.—Pasture Insti- tutes—							
4—Contingencies ..	1,97,000		..	..	...	48,000	...
2.—Development Schemes under Art. 275—B.— 2—							
Grants for Public Health pur- poses Rural Water Supply.	1,25,000	51,9000	...	...	..	1,25,000	1,25,000
3.—Centrally spon- sored schemes—							
B—4—grants for Public Health purposes.							
1. Grant for water	1,55,000		..	...	..	50,000	..
Total ..	..	...	..	...	...	98,000	1,25,000
							2,23,000

EXPLANATORY NOTES

1. The amount is required for installation of an additional high pressure gas-holder in the Pasture Institute, Shillong during the year 1959-60 to supplement the supply of the existing gas-holder, which is insufficient to meet the demand due to tremendous increase of work in the institute.

2. Due to increase of general population and also for posting of Assam Rifles Battalions and Assam Police Battalions, the old water supply project at Haflong Town cannot adequately meet the needs of the town. With a view to remove the scarcity of drinking water, scheme costing an amount of Rs.5,37,000 has since been accepted by Government for implementation and the present demand of Rs.1,25,000 is part of the total cost of the scheme required for the current year. As the scheme was finalised only recently no provision could be made in the current year's budget.

3. The Ministry of Home Affairs, Government of India has sanctioned a sum of Rs.50,000 for improvement of Water-Supply in the areas predominantly inhabited by the people of other backward classes throughout the State. This is a Centrally Sponsored Scheme and the entire cost is borne by Government of India, since the sanction was received in June last i.e., after the State budget was passed, the amount is now required to be provided. Hence the Supplementary Demand.

No.9

Shri DEBESWAR SARMAH to move :

On the recommendation of the Governor of Assam, I beg, Sir, to move that an additional amount of Rs.2,73,997, be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending 31st March, 1960 for the administration of the head "50.—Civil Works (Establishment and Tools and Plant)."

							Rs.
I.—Grant originally voted by the Assembly	...	...	...	...	...	...	92,12,000
II.—Additional grant voted by the Assembly during the year.							Nil.
Additional amount now required	...	...	...	...	...	...	2,73,997
III.—Sub-head under which the Supplementary Demand will be accounted for:—							

Minor and Sub-heads	Grant originally voted by the Assembly		Supplementary grant voted by the Assembly during the year		Additional amount now required		
	General	Sixth Schedule Areas	General	Sixth Schedule Areas	General	Sixth Schedule Areas	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.

ESTABLISHMENT—

(I). State —A—Direction—	..	..	..	..	2,220	..	2,220
(a) Chief Engineer and Secretary, P. W. D.							
2.—Pay of establishment—Expenditure in connection with Border areas.							
“3 —Allowances and Honoraria—Expenditure in connection with Border Areas.	..	..	..	..	1,165	..	1,165

Minor and Sub-head	Grant originally voted by the Assembly		Supplementary grant voted by the Assembly during the year		Additional amount now required		Total
	General	Sixth Schedule	General	Sixth Schedule	General	Sixth Schedule	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
(II) B.—Charges on Construction—(a)—executive—							
1. Pay of Officers—Expenditure in connection with Border Areas.	..	..	..	..	5,880	9,362	15,425
2. Pay of Establishment—Expenditure in connection with Border Areas.	..	..	..	..	2,744	5,141	7,885
3. Allowances and Honoraria—Expenditure in connection with Border Areas.	...	..	..	..	5,930	13,210	19,140
4. Contingencies—Expenditure in connection with Border Areas.	...	...	..	..	38,235	65,765	1,04,000
(III) E.—Tools and Plant—Expenditure in connection with Border Areas.	...	..	...	...	12,450	21,470	33,920
(IV) Development Schemes (Second Five Year Plan)—B.—3.—Charges on Construction—4.—Contingencies.	1,00,000	..	..	..	90,425	..	90,425
Total ..	..	..	..	..	1,59,049	1,14,948	2,73,997

EXPLANATORY NOTES

Items.—(I)—(IV). The amount of Rs.2,73,997 is required for opening up new Subdivisions and for entertainment of additional Staff and purchase and maintenance of Government Vehicles in connection with the construction of Border Roads and out-post for which a decision has been arrived at on 2nd April, 1959 between the high Military Officers and the Officers of the Assam Government. The existing Budget Provision under Establishment and Tools and Plant and Contingencies for the current year is inadequate to meet this additional expenditure and hence the Demand.

For details please see Appendix 'A'.

No.10

Shri HARESWAR DAS to move:

On the recommendation of the Governor of Assam, I beg, Sir, to move that an additional amount of Rs.2,10,000 be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending 31st March 1960, for the administration of the head "54.—Famine Relief".

	Rs.
I.—Grant originally voted by the Assembly ...	46,92,000
II.—Additional grant voted by the Assembly during the year.	9,90,000
Additional amount now required ...	2,10,000
III.—Sub-head under which the Supplementary Demand will be accounted for.	

Minor and sub-head	Grant originally voted by the Assembly		Supplementary grant voted by the Assembly		Additional amount now required		Total
	General	Sixth Schedule	General	Sixth Schedule	General	Sixth Schedule	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
A.—Famine Relief—							
(a) Relief works—							
(i) Ordinary ...	2,50,000	6,25,000	2,00,000	..	..	50,000	50,000
(ii) Expenditure in connection with Border Relief.	..	6,00,000	..	5,40,000	..	1,60,000	1,60,000
Total ..	..	..	..	..	..	2,10,000	2,10,000

EXPLANATORY NOTES

The additional amount is required urgently to render relief in form of test relief works to the people of Mizo district affected by scarcity of foodcrops destroyed by rats which have multiplied as a result of mautam-flowering of the bamboos throughout the district.

The amount was provided from C. F. as there was no saving in the current years budget. Hence, to regularise the advance it becomes necessary to move the Supplementary Demand.

No.11

Shri FAKHRUDDIN ALI AHMED to move:

On the recommendation of the Governor of Assam, I beg, Sir, to move that an additional amount of Rs.64,000 be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending 31st March, 1960 for the administration of the head "54.—A—Territorial and Political Pensions,—55.—Superannuation Allowances and Pensions and 83.—Payment of commuted value of Pensions".

	Rs.
I.—Grant originally voted* by the Assembly ...	43,10,600
II.—Additional grant voted by the Assembly during the year.	Nil
Additional amount now required ...	64,000
III.—Sub-head under which the supplementary Demand will be accounted for—	

Minor and Sub-head	Grant originally voted by the Assembly		Supplementary grant voted by the Assembly during the year		Additional amount now required		Total
	General	Sixth Schedule	General	Sixth Schedule	General	Sixth Schedule	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
83.—I.—Payment of 1,25,000 Commuted value of Pensions.	64,000	..	64,000
Total	64,000	..	64,000

EXPLANATORY NOTES

The additional amount is required to meet the charges on account of commuted value of pensions in respect of certain pensioners who will have to be granted commutation before expiry of their next birth dates which fall within the current financial year. As the requirement was not foreseen, it could not be provided in the original budget. Hence the Supplementary Demand.

No. 12

Shri BIMALA PRASAD CHALIHA to move:

On the recommendation of the Governor of Assam, I beg, Sir, to move that an additional amount of Rs.17,000 be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending the 31st March, 1960 for the administration of the head "57.—Misc.—[I.—Expenditure on account of State Prisoner and Detenus, etc.]"

I.—Grant originally voted by the Assembly Rs.
... .. 20,19,500

II.—Additional grant voted by the Assembly during 33,000
the year.

Additional amount now required 17,000

III.—Sub-head under which the Supplementary Demand will be accounted for—

Minor and Sub-head	Grant originally voted by the Assembly		Supplementary grant voted by the Assembly during the year		Additional amount now required		
	Sixth Schedule		Sixth Schedule		Sixth Schedule		Total
	General	Schedule	General	Schedule	General	Schedule	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
A—Expenditure on account of State Prisoners and detenus.	2,000	..	..	..	1,000	..	1,000
Development Scheme—under Art. 275 (2nd Plan)—C-2.—Contribution.							
(2) Miscellaneous contributions.	1,50,000	5,00,000	..	..	..	16,000	16,000
Total	..	..	..	..	1,000	16,000	17,000

EXPLANATORY NOTES

A.—The amounts is required to meet excess expenditure during the current financial year on account of payments of arrear allowances to a security prisoner and remuneration to a member of the Advisory Board.

C-2(2) The amount is required for payment as grant-in-aid to the Ram Krishna Mission, Cherrapunjee for welfare of Schedule tribes in Assam.

It could not be anticipated if Government of India would be sanctioning the amount during the current financial year. And hence the provision could not be made earlier. The Ram Krishna Mission authorities are very eager to complete the schemes very early. Hence the demand.

No. 13

Shri F. A. AHMED to move :

On the recommendation of the Governor of Assam, I beg, Sir, to move that an additional amount of Rs.1 75,484 be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending 31st March, 1960, for the administration of the head "57.—Miscellaneous—[II—Donation for charitable purposes, etc.]"

Rs.

I.—Grant originally voted by the Assembly ... 11,70,200

II.—Additional grant voted by the Assembly during the year. 16,72,119

Additional amount now required ... 1,75,484

III.—Sub-head under which the Supplementary Demand will be accounted for—

Minor and sub-head (1)	Grant originally voted by the Assembly		Supplementary grant voted by the Assembly		Additional amount now required		Total (8)
	General	Sixth Schedule Areas	General	Sixth Schedule Areas	General	Sixth Schedule Areas	
	(2)	(3)	(4)	(5)	(6)	(7)	
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
H.—Contributions—III.— Miscellaneous—							
Contribution	2,45,000	..	66,000	1,24,000	38,325	90,000	1,28,325
J.—Miscellaneous and un- foreseen charges—							
Miscellaneous charges ..	19,100	1,250	14,77,969	4,150	47,159	..	47,159
Total .. ..	..	..	..	..	85,484	90,000	1,75,484

EXPLANATORY NOTES

H.—(i) The amount of Rs. 90,000 was required for payment of a grant-in-aid to the Mizo District Council to enable it to tide over its financial difficulties in running its day to day administration. This being an unforeseen expenditure, funds could not be provided in the current year's budget. So necessary advance was obtained from the Contingencies Fund. Hence the demand to regularise the same.

(ii) An Amount of Rs.25,000 was required for contribution to some State Governments for extending relief to the flood-stricken people of those States. This being an unforeseen expenditure, necessary provision of fund could not be made in the current year's budget. Provision was made by taking advance from Contingencies Fund. Hence the demand to regularise the advance.

(iii) The State Government have decided to pay a grant of Rs.13,325 to the producer of 'KESA-SONE' film as a help to the industry. The grant is equivalent to the amount collected on account of entertainment tax in respect of this film upto 31st July, 1959. The film is of educative value to the Tea Garden labourers.

As there is no provision in the current year's budget for the purpose an amount of Rs.13,325 is proposed to be provided through Supplementary Demand.

J.—(i) It has been decided to acquire the property of Dr. B. Dey at Shillong for accommodation of a part of the Assembly Secretariat for which a sum of Rs.32,001 as cost of acquisition is urgently necessary for payment during the year ending 31st March 1960. There is no provision in the current year's budget for purpose. Hence the Supplementary Demand.

(ii) In view of the dearth of office accommodation for different Departments of Government demand for land for construction of office buildings in Silchar town is a crying necessity. As there is also dearth of suitable Government land, the Church authorities in Silchar were approached by the Deputy Commissioner, Cachar to spare a portion of their holding. They have now agreed to relinquish 3B 13K 1 lecha of their land. The Deputy Commissioner, Cachar has estimated the value of the land at Rs.15,158. This proposal was finalised recently. The Church authorities require the amount now. As there is no provision for such purpose in the original budget, it is proposed to provide the amount by Supplementary Demand.

No.14

Shri KAMAKHYA PRASAD TRIPATHY to move :

On the recommendation of the Governor of Assam. I beg, Sir, to move that an additional amount of Rs. 4,850, be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending 31st March, 1961 for the administration of the head "63-B—I.—Community Development Project, National Extension Service and Local Development Works".

Rs.

I.—Grant originally voted by the Assembly... 13,50,000

II.—Additional grant voted by the Assembly during the year. Nil.

Additional amount now required ... 4,850

III.—Sub-head under which the Supplementary Demand will be accounted for—

Minor and sub-heads	Grant originally voted by the Assembly		Supplementary grant voted by the Assembly during the year		Additional amount now required		
	General	Sixth Schedule	General	Sixth Schedule	General	Sixth Schedule	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
C.—Local Development Works.	..	..	..	..	...	..	...
5.—Roads and buildings including small bridges and culverts—Grant-in-aid.	1,55,000	1,11,000	...	...	4,850	..	4,850
Total	..	..	..	..	4,850	..	4,850

EXPLANATORY NOTES

In the current year's budget a sum of Rs.13,50,000 for the implementation of Local Development Works Programme has been provided, out of which Government of India's grant is Rs.8.99 lakhs and the State's contribution is Rs.4.51 lakhs. The Government of India decided that the Local Development Work Programme for 1959-60 should be confined entirely to schemes relating to drinking water supply individual villagers and no other works should be assisted from the current year's allocation. Therefore the whole amounts provided in the current year's budget for other categories of works under the different Sub-heads have since been re-appropriated to the Sub-head 'Water Supply-grant-in-aid'. Besides the Central allocation of Rs. 8.99 lakhs, the Government of India have also sanctioned Rs.4,850 to the Secretary, Bharat Sevak Samaj, Bajali Branch, Pathsala for construction of one Children's and Public Park at Ratadhar village Kamrup District. In case of Local Works Schemes directly approved by the Government of India the procedure is that the State Government should arrange payment of the grant, in the first instance, only after the work has duly been completed. An equivalent amount actually paid by the State Government will be reimbursed by the Government of India as a specific grant. It has been reported that the above work has duly been completed. Hence the demand Note. This has no extra financial implication.

No. 15

Shri HARESWAR DAS :to move :

On the recommendation of the Governor of Assam, I beg, Sir, to move that an additional amount of Rs.29,000, be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending 31st March 19 0, for the administration of the head "65-A-2.—Capital Outlay on Forests".

	Rs.
I.—Grant originally voted by the Assembly ...	7,05,000
II.—Additional grant voted by Assembly during the year—	1,81,000
III.—Additional amount now required ...	29,000
IV.—Sub-head under which the Supplementary Demand will be accounted for—	

Minor and Sub-head	Grant originally voted by the Assembly		Supplementary grant voted by the Assembly during the year		Additional amount now required		Total	
	General	Sixth Schedule	General	Sixth Schedule	General	Sixth Schedule		
	(1)	(2)	(3)	(4)	(5)	(6)		(7)	(8)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Development Schemes (Second Five Year Plan—General).								
National Parks and Wild Life Sanctuary.								
B-3.—Conservancy and Works—								
VI.—Communication and buildings.	95,000	...	1,00,000	..	...	29,000	29,000	
Total	..	..	...	..	..	..	29,000	29,000

EXPLANATORY NOTES

Owing to the inability of Public Works Department the works of Low Income Group Lodges at Kaziranga and Monas, etc., have been entrusted to the Forest Department who have agreed to take up the work and accordingly a provision of Rs.1,81,000 for work has been made in the Forest budget by obtaining a supplementary grant in the last September Session of the Assembly. But according to revised plan and estimate for the work now prepared in consultation with the Transport and Commerce Department under whose initiative the work is being taken up, the grant last obtained has fallen short by Rs.29,000. Hence the demand. The original provision for the work in the Public Works Department budget will be surrendered.

No. 16

Shri KAMAKHYA PRASAD TRIPATHY to move:

On the recommendation of the Governor of Assam, I beg, Sir, to move that an additional amount of Rs.12,20,000, be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending 31st March 1960, for the administration of the head "72.—Capital Outlay on Industrial Development—[I—Investment in other Commercial concerns]".

I.—Grant originally voted by the Assembly	Rs. Nil.
II.—Additional grant voted by the Assembly during the year.	30,00,000
Additional amount now required	12,20,000

III—Sub-head under which the Supplementary Demand will be accounted for—

Minor and Sub-head	Grant originally voted by the Assembly		Supplementary grant voted by the Assembly during the year		Additional amount now required		
	General	Sixth Schedule	General	Sixth Schedule	General	Sixth Schedule	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Normal—(A)—Investment in other Commercial concerns.	Nil	Nil	30,00,000	Nil	12,20,000	Nil	12,20,000

EXPLANATORY NOTES

A sum of Rs.12,20,000 (Approximately) will be required during the current financial year for the payment of cost of acquisition of land required at Noonmati for the Indian Refineries Ltd. (Gauhati). The Government of India has agreed to convert the value of land that would be acquired by the State Government for the Indian Refineries (Gauhati) as equity shares of the State Government in the Indian Refineries Ltd., No provision for this amount could be made in the current years' budget estimates as the Government of India's decision in this respect was received only recently.

The Supplementary demand is proposed to meet the above expenditure.

Also please see Appendix 'A'

No.17

Shri MOINUL HAQUE CHOUDHURY to move:

On the recommendation of the Governor of Assam. I beg, Sir, to move that an additional amount of Rs.2,24,84,000, be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending 31st March, 1960 for the administration of the head "35-A.—Capital Outlay on Schemes of Government Trading".

							Rs.
I.—Grant originally voted by the Assembly	...						4,91,14,100
II.—Additional grant voted by the Assembly during the year.							Nil
Additional amount now required	...	...					2,24,84,000
III.—Sub-head under which the Supplementary Demand will be accounted for—							

Minor and Sub-heads	Grant originally voted by the Assembly		Supplementary grant voted by the Assembly during the year		Additional amount now required		
	Sixth Schedule		Sixth Schedule		Sixth Schedule		Total
	General	Sixth Schedule	General	Sixth Schedule	General	Sixth Schedule	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
A.—Grain Storage Scheme.							
Section I—Expenditure on Establishment and purchase of food stuffs etc.	3,06,800	..	..	..	2,13,000	..	2,13,000
Section II—Expenditure on Directorate Establishment and purchase of Rice Paddy, etc.	3,88,86,867	85,833	...	..	2,22,71,000	..	2,22,71,000
Total	..	..	..	..	2,24,84,000	..	2,24,84,000

EXPLANATORY NOTES

Section I:—The additional amount of Rs.2,13,000 under Section I will be necessary to meet the additional Expenditure on account of pay and allowances of Establishment and for purchase of wheat products on Government account. The original estimate of Rs 2,61,700 under detailed heads day of Officers, and allowances and honoraria has to be increased by an amount of Rs.13,100 due to the fact that the pay of the Assistant Director of Supply Shillong, unlike previous years, is being drawn from Section I instead of "E.—Consumer Goods Scheme". Besides, leave salary for 2 months of ex-Joint Director of Supply who retired in the month of May, 1959 had also to be drawn during this year.

A sum of Rs.1,99,900 is required to meet the expenditure in connection with purchase of wheat products on Government account during the year for despatching the same to flood affected areas of the State as an emergency measure.

Section II :—The additional Demand for Rs.2,22,71,000 under this minor-head comprises the amounts under different detailed heads as indicated below:—

(i) Rs.1,13,000 for pay of Directorate, Inspectorate and other establishment staff. During last part of the last financial year several additional posts of Deputy Director of Supply, Assistant Director of Supply, Superintendent of Supply, and Inspectors of Supply were created to cope with the increased volume of work in connection with the procurement Scheme. Moreover, a number of Sub-Inspectors of Supply, Godown Chowkidars and Ministerial Staff had to be appointed in connection with procurement, storage and distribution of Rice/paddy and for checking smuggling in the border areas.

(ii) Rs.68,000 (Rupees sixtyeight thousand) :—Allowances and Honoraria :—The additional Demand is in proportion to the increased demand under pay of Officers, Inspectorate and Establishment Staff. Intensified tours required to be undertaken by the Executive Staff for supervising the procurement and distribution work have also considerably contributed towards increase in the Demand.

(iii) Rs.2,20,63,000 (Contingencies) :—The original provision under this Sub-head was made with the understanding that the total procurement during the financial year would not exceed 15 lakhs maunds out of the total target of 22 lakhs maunds of paddy for the whole Kharif year from December, 1959 to November 1960. But recently the target of procurement for the Kharif year has been raised to 35 lakhs maunds of Paddy and it is expected that at least 23 lakhs maunds will be purchased and paid for during this financial year.

This will involve about a sum of Rs 2,47,25,000 including the value of gunny bags. In addition to this, about 19,000 tons of Government of India's rice worth Rs.82,08,000 are being lifted for distribution in various places of the State during the financial year. The total expenditure under these two items, minus the present balance amount in hand comes to Rs.2,12,66,000 which is the net additional Demand on account of purchase of Rice, Paddy and bags.

In addition to this amount a sum of Rs.7,97,000 will be necessary to meet the additional expenditure towards Freight charges for import of Government of India-rice, handling and transport cost, office Contingencies etc.

(iv) Rs.27,000 (Works) :—The additional amount under this Sub-head is necessary in order to meet the Expenditure in connection with special repair works of Government Grain Godowns to be undertaken by P. W. D.

The circumstances stated above could not be foreseen at the time of submission of budget, and also for want of dependable data. This is why the position of Expenditure could not be accurately estimated and hence the additional Demand.

No.18

Shri FAKHRUDDIN ALI AHMED to move:

On the recommendation of the Governor of Assam, I beg, Sir, to move that an additional amount of Rs.100, be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending 31st March, 1960, for the administration of the head "Loans and advances, etc".

	Rs.
I.—Grant originally voted by the Assembly ...	3,44,62,000
II.—Supplementary grant voted by the Assembly during the year.	1,05,03,329
Additional amount now required ...	100
III.—Sub-head under which the Supplementaey Demand will be accounted for:—	

Minor and Sub-heads	Grant originally voted by the Assembly		Supplementary Grant voted by the Assembly during the year		Additional amount now required		Total
	Sixth Schedule Areas		Sixth Schedule Areas		Sixth Schedule Areas		
	General	Schedule Areas	General	Schedule Areas	General	Schedule Areas	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Dev.—Schemes—Second Five Year Plan—C—Loans to Local Funds, Private Parties, etc.,—							
Loans to Assam Co-operative Sugar Mills Ltd.	100	..	100
TOTAL	100	..	100

EXPLANATORY NOTES

After overcoming the initial difficulties, the Assam Co-operative Sugar Mill could start crushing sugar-cane from December, 1958. The total quantity of sugar produced during that crushing season was 47,071.75 maunds. The State Government granted an additional share capital of Rs.7 lakhs last year, when the Mill authority approached for financial assistance. Recently, the State Government granted a further loan of Rs.2½ lakhs to meet its immediate liabilities and another sum of Rs.10,57,678.28 nP was given to pay the 4th instalment to M/s Skoda India (Private) Ltd. towards the price of machinery.

The above amounts could not solve the financial difficulties of the society. The Mill authorities approached Government again, for further assistance; after considering the various problems of the Mill, a loan of Rs.4½ lakhs was advanced from the Contingency Fund. Now it require to be regularised by Supplementary Demand. Hence, the token demand to regularise the advance and the balance is being re-appropriated from the savings of other Sub-heads within the grant.

STATEMENT 'A'

Statement showing by the Major Heads the amount of Supplementary Grants which the Assembly are asked to vote in the present Session

Grant No.	Major Heads	Grant originally voted by the Assembly	Additional amount voted by the Assembly during the year	Additional Grant as asked for in the present Session of the Assembly	Grant as it will finally stand	No. of S/D.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
		Rs.	Rs.	Rs.	Rs.	
1	Charges on account of Taxes on Income other than Corporation Tax.	1,12,800	..	..	1,12,800	..
2	Charges on account of Land Revenue.	1,54,59,300	..	..	1,54,59,300	..
3	Charges on account of Excise	20,14,900	..	..	20,14,900	..
4	Charges on account of Stamps	1,05,200	..	..	1,05,200	..
5	Charges on account of Forests	1,26,34,400	6,04,231	9,57,182	1,41,95,813	1
6	Charges on account of Registration.	3,47,600	..	..	3,47,600	..
7	Charges on account of Taxes on Vehicles.	7,30,000	..	..	7,30,000	..
8	Charges on account of Sales tax and other Taxes and Duties.	9,41,100	1,112	..	9,42,212	..
9	Charges on account of Navigation, Embankments and Drainage Works.	2,61,62,500	..	35,57,100	2,97,19,600	2
10	Charges on account of construction of irrigation, Navigation, etc.	..	..	..	..	..
11	Charges on account of General Administration.	1,63,90,600	6,56,212	31,429	1,70,78,871	3
12	Charges on account of Administration of Justice.	18,66,400	..	..	18,66,400	..

Grant No.	Major Heads	Grant originally voted by the Assembly	Additional amount voted by the Assembly during the year	Additional Grant as asked for in the present Session of the Assembly	Grant as it will finally stand	No. of S/D.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
		Rs.	Rs.	Rs.	Rs.	
13	Charges on account of Jails	26,10,400	..	1,11,000	27,21,400	4
14	Charges on account of Police	2,96,94,900	60,87,536	..	3,57,82,436	..
15	Charges on account of Ports and Pilotage.	2,64,000	10,000	3,00,000	5,74,000	5
16	Charges on account of Scientific Department.	48,000	..	..	48,000	..
17	Charges on account of Education.	5,00,99,700	12,59,300	18,10,830	5,31,69,830	6
17A.	Charges on account of Technical Education.	43,32,500	6,218	..	43,38,718	..
18	Charges on account of Medical	1,46,24,700	..	5,42,000	1,51,66,700	7
19	Charges on account of Public Health.	1,27,47,900	..	2,23,000	1,29,70,900	8
20	Charges on account of Agriculture.	1,58,63,400	3,92,700	..	1,62,56,100	..
21	Charges on account of Fisheries.	15,05,400	—	..	15,05,400	..
22	Charges on account of Veterinary.	46,08,100	3,28,900	—	49,37,000	..
23	Charges on account of Co-operation.	46,05,300	2,03,000	—	48,08,300	..
24	Charges on account of Co-operation—II.—Rural Development.	26,90,400	1,30,550	..	28,20,950	..
25	Charges on account of Industries and Supplies—I.—Sericulture and Weaving.	40,38,900	2,64,745	..	43,03,645	..
26	Charges on account of Industries and Supplies—II.—Cottage Industries.	46,39,700	..	..	46,39,700	..

Grant No.	Major Head	Grant originally voted by the Assembly	Additional amount voted by the Assembly during the year	Additional Grant asked for in the present Session of the Assembly	Grant as it will finally stand	No. of S/D.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
		Rs.	Rs.	Rs.	Rs.	
27	Charges on account of Major Industries.	4,16,000	5,500	..	4,21,500	..
28	Charges on account of Miscellaneous Department.	11,03,300	..	..	11,03,300	..
29	Charges on account of Civil Works (excluding Tools and Plans and Establishment).	6,46,23,500	2,82,140	...	6,49,05,640	..
30	Charges on account of Tools and Plant and establishment.	92,12,000	..	2,73,997	94,85,997	9
31	Charges on account of Revenue Expenditure other connected with Electricity Scheme.	..	..	..	..	..
32	Charges on account of Electricity Schemes—Working expenses.	...	..	...	...	..
33	Charges on account of Famine Relief.	46,92,000	9,90,000	2,10,000	58,92,000	10
34	Charges on account of Superannuation Allowances and Pensions.	43,10,600	..	64,000	43,74,600	11
35	Charges on account of Stationery and Printing.	23,17,000	..	..	23,17,000	..
36	Charges on account of 57.—Miscellaneous—I.—Expenditure on State Prisoners and Detenus, etc.	20,19,500	33,000	17,000	20,69,500	12
37	Charges on account of 57.—Miscellaneous—II.—Donations for charitable purposes,	11,70,200	16,72,119	1,75,484	30,17,803	13

Grant No.	Major Heads	Grant originally voted by the Assembly	Additional amount voted by the Assembly during the year	Additional Grant asked for in the present Session of the Assembly	Grant as it will finally stand	No. of S/D
(1)	(2)	(3)	(4)	(5)	(6)	(7)
		Rs.	Rs.	Rs.	Rs.	
38	Charges on account of 57.—Miscellaneous—III.—Contributions.	40,89,400	11,04,300	...	51,93,700	..
39	Charges on account of 57.—Miscellaneous—IV.—Expenditure on issue of Free Ration.	41,83,000	...	..	41,83,000	..
40	Charges on account of 57.—Miscellaneous—V.—Pooled Transport and Contribution, etc.	1,45,000	...	..	1,45,000	..
41	Charges on account of 57.—Miscellaneous—VI.—Expenditure on Displaced persons.	39,80,000	...	..	39,80,000	...
42	Charges on account of 57.—Miscellaneous—VII.—Advance Technical Training and Scholarships.	11,500	..	..	11,500	..
43	Charges on account of 57.—Miscellaneous—VIII.—Scheme for control of cloth and yarn.	1,07,900	..	...	1,07,900	..
44	Charges on account of Road Transport Schemes—Working Expenses.	1,02,69,900	..	..	1,02,69,900	..
45	Charges on account of Extraordinary charges.	1,000	..	..	1,000	..
46	Charges on account of Community Development Projects.	1,30,44,000	..	..	1,30,44,000	...

Grant No.	Major Head	Grant originally voted by the Assembly	Additional amount voted by the Assembly during the year	Additional Grant asked for in the present Session of the Assembly	Grant as it will finally stand	No. of S/D.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
		Rs.	Rs.	Rs.	Rs.	
47	Charges on account of Community Development Projects, N.E.S., and Local Development Works.	13,50,000	..	4,850	13,58,850	14
48	Charges on account of repatriation payments.	11,000	..	..	11,000	..
49	Charges on account of 65—A2.—Capital Outlay on Forests.	7,05,000	1,81,000	29,000	9,15,000	15
49A.	Charges on account of Zamindery abolition system.	12,50,000	..	..	12,50,000	..
50	Charges on account of Capital Outlay on Schemes of Agricultural Improvement and Research.	41,000	..	..	41,000	..
51	Charges on account of Capital Outlay on Industrial Development.	..	..	..	..	..
52	Capital Outlay—I—Investment in other commercial concerns.	..	30,00,000	12,20,000	42,20,000	16
53	Capital Outlay—II—Development of Co-operatives.	30,50,000	..	..	30,50,000	..
54	Capital Outlay—III—Development of Sericulture and Weaving and Cottage Industries.	20,99,500	5,00,000	..	25,99,500	..

Grant No.	Major Head	Grant originally voted by the Assembly	Additional amount voted by the Assembly during the year	Additional Grant asked for in the present Session of the Assembly	Grant as it will finally stand	No. of S/D.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
		Rs.	Rs.	Rs.	Rs.	
55	Charges on account of Capital account of Civil Works outside the Revenue Account.	3,79,13,300	..	..	3,79,13,300	..
56	Charges on account of Capital Outlay on Electricity Schemes.	..	..	..	..	..
57	Charges on account of Capital Account of other State Works outside the other Revenue Accounts.	19,92,200	..	..	19,92,200	..
58	Charges on account of Capital Outlay on Road and Water Transport Schemes outside the Revenue Accounts.	38,46,200	..	..	38,46,200	..
59	Charges on account of Capital Outlay on State Government Trading.	4,91,14,100	...	2,24,84,000	7,15,98,100	17
60	Charges on account of Loans and Advances, etc.	3,44,62,000	1,05,03,329	100	4,49,65,429	..
Total		.. 49,06,68,200	2,82,15,892	3,20,10,972	55,08,95,064	..

Supplementary Statement of Expenditure charged on the Consolidated Fund of the State during 1959-60 laid before the Assembly (to be discussed by the Assembly during September, 1959 Session)

No. 1

25.—GENERAL ADMINISTRATION

I.—Amount originally included in the Appropriation Act	Rs. 5,58,700
II.—Additional amount now required	16,746
III.—Sub-heads under which the Supplementary appropriation will be accounted for—	

Minor and Sub-heads	Amount originally included in the Appropriation		Additional amount new required		Total
	General	Sixth Schedule	General	Sixth Schedule	
(1)	(2)	(3)	(4)	(5)	(6)
	Rs.	Rs.	Rs.	Rs.	Rs.
A—Head of State and Minister.					
A—1. Emoluments of the Governor.	48,600	..	...	7,171	7,171
A—5. Tour Expenses ..	84,500	..	..	9,575	9,575
Total ..	..	..	..	16,746	16,746

EXPLANATORY NOTES

A—1. Emoluments of the Governor.

An additional sum of Rs.3,071 has become necessary on account of the appointments of the Acting Governor and the new permanent Governor.

An additional sum of Rs.2,500 has become necessary for "Travelling on Appointments". This is admissible to the new Governor *vide* para 4(1) of the Government of India (Governors' Allowances and Privileges) Order, 1950.

An additional sum of Rs.1,600 has become necessary for "Equipment Allowance of the Governor." This is admissible to the new Governor *vide* sub-paragraph (2) (i) to paragraph 4 of the Government of India (Governors' Allowances and Privileges) Order, 1950.

A—5. Tour Expenses ...

An additional sum of Rs.4,500 has become necessary for "Purchase of lorry" because of the increase in price.

An additional sum of Rs.2,075 is required for payment of arrear *ad-hoc* increase in Dearness Allowances of the Casual employees.

All additional sum of Rs.3,000 has become necessary for "Maintenance of State Saloon" on account of the Railway authorities raising the maintenance charges.

No. 2

85—A—Capital outlay on Schemes of Government Trading—

Rs.

I.—Amount originally included in the Appropriation Act Nil

II.—Additional amount now required 4,176

III.—Sub-head under which the Supplementary Appropriation will be accounted for.—

Minor and Sub-heads	Amount originally included in the Appropriation Act		Additional amount now required		Total
	General	Sixth Schedule Areas	General	Sixth Schedule Areas	
(1)	(2)	(3)	(4)	(5)	(6)
	Rs.	Rs.	Rs.	Rs.	Rs.
A—Grain Storage Scheme 1. Expenditure on Directorate Establishment and Purchase of Rice, Paddy, etc.	Nil	Nil	4,176	Nil	4,176
Total ..	Nil	Nil	4,176	Nil	4,176

EXPLANATORY NOTES

The additional amount is required for payment of decretal amount ordered by the Additional District Judge, Dibrugarh on account of courts cost and repairing charges of the godown claimed by the decree holder Shri Banawarilal Chowkhani. The probable expenditure on this account was not known and as such no provision in the budget could be made. Hence the additional Demand.

STATEMENT 'B'

Statement showing by the Major heads the amount of Supplementary statement of expenditure charged on the Consolidated Fund of the State during 1959-60

Major heads	Amount originally included in the Appropriation Act	Additional amount provided during the year	Amount now required	Amount as it will finally stand	Number of Supplementary Appropriation
(1)	(2)	(3)	(4)	(5)	(6)
1. 7.—Land Revenue ..	Rs. 19,500	Rs. ..	Rs. ..	Rs. 19,500	..
2. 8.—Excise ..	..	..	..	..	..
3. 12—A.—Sales Tax and 13.—Other Taxes and Duties.	..	..	..	..	..
4. 22.—Interest on debt and other obligations.	85,38,300	8,59,120	..	93,97,420	..
5. 23.—Appropriation for reduction or avoidance of debt.	..	11,50,000	..	11,50,000	2
6. 25.—General Administration.	5,58,700	..	16,746	5,75,446	1
7. 27.—Administration of Justice.	5,64,000	..	..	5,64,000	..
8. 29.—Police ..	..	917	..	917	..
9. 40.—Agriculture ..	..	..	..	..	..
10. 50.—Civil Works ..	55,000	100	..	55,100	..
11. 55.—Superannuation Allowances and pension.	10,000	..	..	10,000	..
12. 56.—Printing and Stationery.	2,500	..	..	2,500	..
13. 57.—Miscellaneous— II.—Donations for charitable purposes.	24,62,200	..	..	24,62,200	..
14. 64.—Preparation payment.	..	..	..	..	..
15. 85.—A—Capital outlay on Schemes of Government Trading.	..	..	4,176	4,176	2
16. Repayment of Debt ..	3,28,79,000	..	..	3,28,79,000	..
17. Loans and Advances..	1,50,000	..	..	1,50,000	..
Total—	4,52,39,200	20,10,137	20,922	4,72,70,259	..

APPENDIX "A"

Schedule of New Schemes proposed to be included in the Budget for 1959-60

Major, Minor and Sub-head under which the provision should be made	Nature of scheme	Estimate of ultimate cost			Estimate of expenditure during 1959-60			Remarks (Explanatory Notes.)
		Non-recurring	Recurring	Total	Non-recurring	Recurring	Total	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
"68.—A Construction of Irrigation N.E.D. Works (Non-Commercial) Normal Flood Control—General—Voted."	Construction of marginal embankment along the right bank of the Bailia river from Brahmaputra Dyke to Damda-ma Village and over Nalkholajan.	52,000	...	52,000	100	...	100	The implementation of the scheme is necessary to prevent a large area on the right bank of the Bailia river from being inundated by the spill of the river. An area of about 3,000 acres of cultivable and home-stead lands will be benefitted on completion of the work. No provision could be made in the current year's Budget for the purpose as the work is unforeseen.

A sum of Rs 52,000 was sanctioned for the purpose. Out of this amount a sum of Rs 35,000 was advanced from Contingency Fund but subsequently the amount is being met by reappropriation from the savings and a Token grant of Rs.100 only is proposed to regularise the advance of Rs.35,000 taken from Contingency Fund.

APPENDIX 'A'—contd.

Major, Minor and Sub-head under which provision should be made	Nature of the Scheme	Estimate of ultimate cost			Estimate of expenditure in the current financial year (1959-60)			Remarks
		Non-recurring	Recurring	Total	Non-recurring	Recurring	Total	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
(A) "50.—Civil Works—A.—Direction—(a)—Chief Engineer and Secretary, Public Works Department—2—Pay of Establishment—2—Expenditure in connection with Border Areas—Voted".	Additional Staff in connection with BORDER ROAD WORKS.							
2.—Pay of Establishment	Do.	3,120	—	3,120	2,220	—	2,220	
3.—Allowance and Honoraria.	Do.	1,252	—	1,252	1,165	—	1,165	
Total		4,372	—	4,372	3,385	—	3,385	

It was decided in a meeting held on 2nd April 1959 between the Army Officers and the Officers of the Assam Government to construct some Border Outpost and Roads and other accommodations for Security Forces, but as the existing staff of the Assam Public Works Department could not be made available for such works the Government has decided to enter in additional staff for the purpose.

Details	Estimate of ultimate cost				Estimate for 1959-60		
	Recurring		Non-recurring		Recurring		Total
	(2) Rs.	(3) Rs.	(4) Rs.	(5) Rs.	(6) Rs.	(7) Rs.	
2. Pay of Establishment—							
(i) One Upper Division Assistant (Rs.200—325)	..	..	2,400	1,800	..	..	1,800
(ii) One Typist (Rs.60—125)	..	..	720	420	..	..	420
Total—2.—Pay of Establishment	..	..	3,120	2,220	..	..	2,220
3. Allowance and Honoraria—							
(1) Dearness Allowance	..	..	..	..	..	..	1,165
(2) Cash Allowance in lieu of Free Ration and Rice Concession	1,252	—	1,252	1,165	..	..	1,165
(3) Winter Allowance	..	..	..	..	..	..	..
Total—3.—Allowance and Honoraria	1,252	..	1,252	1,165	..	..	1,165

Major, Minor and Sub-head under which provision should be made	Nature of Schemes	Estimate of ultimate cost		Estimate of expenditure in the current financial year (1959-60)		Remarks		
		Non-recur- ring	Recurring	Non-recur- ring	Recurring			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
(B) "50.—Civil Works--B--Char- ges on Construc- tion (a) Execu- tive--1--Pay of Officers--Expendi- ture in connection with Border Areas --General"--								
1. Pay of Officers	Additional staff in con- nection with BORDER ROAD WORKS.	10,500	..	10,500	5,880	..	5,880	
2. Pay of Establish- ment.	....	4,284	..	4,284	2,744	..	2,744	
3. Allowance and Honoraria.	....	8,550	..	8,550	5,930	..	5,930	
4. Contingencies ..	....	42,285	..	42,285	38,235	..	38,235	
Total	..	65,619	..	65,619	52,789	..	52,789	

Details	Estimate of ultimate cost			Estimate for 1959-60		
	Non-recurring	Recurring	Total	Non-recurring	Recurring	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
50.—Civil Works—B—Charges on construction—(a) Executive—1—Pay of Officers—Expenditure in connection with Border Areas—General.						
1. Pay of Officers—						
1. No. of Executive Engineer (Rs. 600—900)	7,200	..	7,200	3,680	..	3,680
1. No. of Subdivisional Officer (Rs. 225—600)	3,300	..	3,300	2,200	..	2,200
Total—1—Pay of Officers	10,500	..	10,500	5,880	..	5,880
2. Pay of Establishment—						
1. No. of Upper Division Assistant (Rs. 125—175)	1,500	..	1,500	1,000	..	1,000
2. Nos. of Lower Division Assistant (Rs. 60—125)	1,449	..	1,440	960	..	960
1. Nos. of Grade IV (Rs. 28—40)	1,344	..	1,344	784	..	784
Total—2—Pay of Establishment	4,284	..	4,284	2,744	..	2,744

Details	Estimate of ultimate cost			Estimate for 1959-60		
	Non-recurring	Recurring	Total	Non-recurring	Recurring	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
3. Allowance and Honoraria—						
(1) Travelling Allowance of Officers ..	..	..	..	..	..	..
(2) Travelling Allowance of Establishment ..	..	..	..	..	..	..
(3) Cost of Living allowance ..	..	..	..	..	..	..
(4) Dearness allowance ..	..	..	..	..	..	..
(5) Cash allowance ..	..	..	..	..	..	..
(6) <i>Ad hoc</i> increase in D. A. ..	..	..	..	..	..	..
Total—3—Allowance and Honoraria	8,550	..	8,550	5,930	..	5,930
4. Contingencies—						
Non-contract ..	..	..	..	..	..	..
Purchase and Maintenance of Government Vehicles, etc.	..	..	..	..	..	..
Telephone Charges ..	42,285	..	42,285	38,235	..	38,235
Books and Maps ..	..	..	..	..	..	..
Purchase of Typewriter ..	..	..	..	..	..	..
Total—4—Contingencies	42,285	..	42,285	38,235	..	38,235

* Includes the cost of 2 Jeeps.

APPENDIX 'A'—*contd.*

Major, Minor and Sub-head under which provision should be made	Nature of Scheme	Estimate of ultimate cost			Estimate of expenditure in 1959-60			Remarks
		Non-Recur- ring	Recur- ring	Total	Non-Recur- ring	Recur- ring	Total	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Do.								
“50—C.W.—B— Charges on Con- struction—(a)— Executive 1:—Pay of Officers—Ex- penditure incur- red in connection with BORDER AREAS— Sixth Schedule (Part A) Areas —								
1. Pay of officers	13,800	..	13,800	9,362	..	9,362	
2. Pay of Establish- ment.	7,896	..	7,896	5,141	..	5,141	
3. Allowance and Honoraria.	19,460	..	19,460	13,210	..	13,210	
4. Contingencies	70,465	..	70,465	65,765	..	65,765	
Total		1,11,441	..	1,11,441	93,478	..	93,478	

Details	Estimate of ultimate cost			Estimate of expenditure for 1959-60		
	Non-recurring	Recurring	Total	Non-recurring	Recurring	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1. Pay of Officers—						
1. No. Executive Engineer (Rs. 600—900) ..	7,500	..	7,500	5,100	..	5,100
1. No. Subdivisional Officer (Rs. 225—600) ..	3,300	..	3,300	2,062	..	2,062
1. No. Subdivisional Officers (Rs. 225—600) ..	3,300	..	3,300	2,200	..	2,202
Total—1—Pay of Officers ..	13,800	..	13,800	9,362	..	9,362
2. Pay of Establishment—						
2 Nos. Upper Division Assistant (Rs. 125—175) ..	3,000	..	3,000	1,937	..	1,937
4 Nos. Lower Division Assistant (Rs. 60—125) ..	2,880	..	2,880	1,860	..	1,860
6 Nos. Grade IV (Rs. 28—40) ..	2,016	..	2,016	1,344	..	1,344
Total—2—Pay of Establishment ..	7,896	..	7,896	5,141	..	5,141

*50.—C.W.—State—B—Charges on Construction—(a)—Executive—1.—
Pay of Officers—Expenditure in connection with BORDER
AREAS—Sixth Schedule (Part A) Areas—Voted.

1. Pay of Officers—

- 1. No. Executive Engineer (Rs. 600—900) ..
- 1. No. Subdivisional Officer (Rs. 225—600) ..
- 1. No. Subdivisional Officers (Rs. 225—600) ..

Total—1—Pay of Officers

2. Pay of Establishment—

- 2 Nos. Upper Division Assistant (Rs. 125—175) ..
- 4 Nos. Lower Division Assistant (Rs. 60—125) ..
- 6 Nos. Grade IV (Rs. 28—40) ..

Total—2—Pay of Establishment

3. Allowance and Honoraria—

1. Travelling Allowance of Officers ..	..	..	..	..	..
2. Travelling Allowance of Establishment ..	..	..	..	..	..
3. Cost of living allowance ..	..	..	..	..	..
4. Dearness allowance ..	..	..	19,460	13,210	13,210
5. Cash allowance in lieu of F. R. and R. C. ..	..	..	..	..	..
6. <i>Ad-hoc</i> increase in D. A. ..	..	..	..	..	..
7. Hill Allowance ...	..	..	..	..	..
Total—3—Allowance ..	..	19,460	..	19,460	13,210

4. Contingencies—

1. Non-contract ..	..	..	..	..	..
2. Purchase and Maintenance of Government Vehicles ..	..	..	..	..	..
3. Telephone Charges ..	..	..	70,464	65,765	..
4. Books and Maps ..	..	..	..	..	..
5. Purchase of Type-writer ..	..	..	..	..	..
Total—4—Contingencies ..	..	70,464	..	70,464	65,765

*65,765
Includes the
cost of 4
Nos. of
Jeeps.

Major, Minor and Sub-head under which provision should be made	Nature of Scheme	Estimate of ultimate cost		Estimate of expenditure in 1959-60		Remarks
		Non-recurring	Recurring	Non-recurring	Recurring	
(1)	(2)	(3)	(4)	(5)	(6)	(7)
		Rs.	Rs.	Rs.	Rs.	Rs.
	do.	12,450	..	12,450	12,450	..
						(8)
						Rs. 12,450
	Total	..	12,450	12,450	12,450	..
	do.	21,470	..	21,470	21,470	..
	Total	..	21,470	21,470	21,470	..
	do.	6,04,500	..	6,04,500	90,425	..
	Total	..	6,04,500	6,04,500	90,425	..
	Total	..	6,04,500	6,04,500	90,425	..

“50.—Civil Works and E-Tools and Plant—Expenditure incurred in connection with Border Areas—General”.

“50.—Civil Works and E-Tools and Plant—Expenditure in connection with Border Areas—Sixth Schedule (Part A) Areas”.

“50.—Civil Works Development Schemes—(2nd Five Year Plan) B—Charges on Construction—4—Contingencies—Purchase and Maintenance of Government Vehicles—General.”

Details	Estimate of ultimate cost			Estimate for 1959-60		
	Non-recur- ring	Recurring	Total	Non-recur- ring	Recurring	Total
(1)	(1)	(2)	(3)	(4)	(5)	(6)
Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
.....	12,450	..	12,450	12,450	..	12,450
.....	12,450	..	12,450	12,450	..	12,450
.....	21,470	..	21,470	21,470	..	21,470
.....	21,470	..	21,470	21,470	..	21,470
E.—TOOLS AND PLANT						
50.—C.W.—Revenue Schemes—(2nd Five Year Plan)—B—Charges on construction—4—Contingencies—Purchase and maintenance of Government vehicle—General.	6,04,500	..	6,04,500	90,425	..	90,425
	6,04,500	..	6,04,500	90,425	..	90,425

Major, Minor and Sub-head under which provision should be made	Nature of Scheme	Estimate of ultimate cost		Estimate of immediate cost		Remarks
		Non-recurring	Recurring Total	Non-recurring	Recurring Total	
(1)	(2)	(3)	(4)	(5)	(6)	(7) (8) (9)
		Rs.	Rs.	Rs.	Rs.	Rs.
72. Capital outlay on Industrial Development	Indian Refineries Ltd.	50 lakhs (approx)	..	50 lakhs (approx)	12,20,000	..
(1—Investment in other commercial concerns.)	Purchase of stores					
Normal—A—Investment in other commercial concerns.						
						Government of India was requested to convert the value of land that would be acquired at Noonmati by the State Government for the Indian Refineries, Ltd. as equity investment in the State Government in the aforesaid Company. The Government of India has agreed to the proposal. This will yield extra income for the State in the nature of dividends on the amount invested.
Total	..	50,00,000	..	50,00,000	12,20,000	..
						12,20,000

APPENDIX 'B'

Statement showing the advances granted from the Contingency Fund during 1959-60 under Rule 9 of the Assam Contingency Fund Rules and subsequent authorisation thereof by the Assembly.

Serial No. in the Register	Major, Minor and Sub-head, etc.	Amount of advance sanctioned	No. and date of sanction	Amount of Supplymentary provision	Reference to Supplymentary Demand list authorising expenditure against the advance	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)
		Rs.		Rs.	No.	
52	"37.—I—Education—General—R.—Scholarships—Central Post-Matric Scholarships for Backward classes— <i>Deduct Recovery—k.</i> —Scholarships— <i>Deduct</i> —Amount recoverable from Government of India.	15,00,000	Memo. No. FC(1)Edn./5140/59 (Dy), dated 15th October 1959.	15,00,000	6	
49	"68.—A.—Navigation, Embankment and Drainage Works—Flood Control Works."	35,000	Memo. No. FC(III)/2178/59 Dy. dated 20th August 1959.	100	2	
58	"54.—Famine Relief—A—(a)—(ii) Expenditure in connection with Border Relief, Sixth Schedule (Part A) Areas.	1,60,000	Memo. No. BB(II)CF 20/59, dated 18th November 1959.	1,60,000	10	
59	"54.—Famine Relief—A—(a)—Relief Works—(i) Ordinary."	50,000	Memo. No. BB(II)CF.19/59, dated 18th November 1959.	50,000	10	
55	"57.—Miscellaneous—II.—Donation for charitable purposes, etc.—H.—Contributions."	25,000	Memo. No. BB.(II)33/58/4, dated 21st October 1959.	25,000	13	
55	"Loans and Advances, etc.—Development Scheme—Second Five Year Plan—C—Loans to Local Funds Private Parties, etc.—Loans to Assam Co-operative Sugar Mills, Ltd.	90,000	Memo. No. BB(II)293/59, dated 14th November 1959	90,000	18	
		4,50,000	Memo No. FFC(II)560/59-60 dated 24th October, 1959.	100		

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

The Assembly met in the Assembly Chamber, Shillong, at 2 P.M. on Wednesday, the 9th December, 1959.

PRESENT

Shri Rajendra Nath Barua, B.L., Deputy Speaker, in the Chair,
nine Ministers, four Deputy Ministers and eighty five Members.

Election of Speaker

Mr. DEPUTY SPEAKER: To-day the only item is the Election of the Speaker of the House.

As regards the election of Speaker of the House four nomination papers were received by the Secretary under sub-rule (2) of Rule 7 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly and I shall read out the particulars of these nomination papers as required by sub-rule (3) of Rule 7 thereof.

Nomination paper No.1 in favour of Shri Hiralal Patwari—Proposed by Shri Khogendra Nath Barbaruah and seconded by Shri Ghanashyam Talukdar and received on 8th December 1959.

Nomination paper No.2 in favour of Shri Mahendra Mohan Choudhury proposed by Shri Siddhinath Sarma and seconded by Shri Bimala Prasad Chaliha and received on 8th December 1959.

Nomination Paper No.3. in favour of Mr. Jor Manik Siem proposed by Shri Hareswar Goswami and seconded by Shri Gourisankar Bhattacharyya and received on 8th December 1959.

Nomination paper No.4 in favour of Shri Hiralal Patwari proposed by Shri Tajuddin Ahmed and seconded by Shri Pakhirai Deka and received at 12.12 P.M. on 8th December 1959.

This nomination paper has been held invalid as it was received after the due time and was not dated.

As regards nomination papers Nos.1 and 3 which are in favour of Shri Hiralal Patwari and Mr. Jor Manik Siem respectively their respective proposers having withdrawn the same yesterday, Shri Mahendra Mohan Choudhury being the only candidate duly nominated, I declare him to have been elected unopposed as Speaker of this august House.

Friends, it is great pleasure to me, to repeat again, it is indeed a very happy occasion for me to-day to declare to the House that Shri Choudhury has been elected unopposed as Speaker of this House, and I have no doubt

that we will have in Shri Choudhury an august person to be the Speaker of this House, and I now request the Leader of the House and the Leader of the Opposition to conduct him to the Chair.

(Shri Mohendra Mohan Choudhury was conducted to the Chair by the Leader of the House, Shri Bimala Prasad Chaliha accompanied by Shri Gaurisankar Bhattacharyya on behalf of the Opposition.)

Shri BIMALA PRASAD CHALIHA (Chief Minister): Mr. Speaker, Sir, I take this opportunity to convey to you my greetings and felicitations on your being elected as the Speaker of this august House. I am very glad, Sir, that the election has been unanimous. This itself shows the amount of confidence which you command not only from this side of the House but also of the Members sitting opposite. I have no doubt in my mind that this honour has gone to a worthy person. I feel grateful to all the Members of this House, more particularly, the Members of the Opposition, for setting up a healthy convention in electing the Speaker of the House unanimously.

You are a man of vast experience in various fields of public life. Besides your experience as a Member of this House for more than one term and working for some time as a Parliamentary Secretary and also as a Minister of the Government of Assam, you held the high post in the State as the President of the Assam Pradesh Congress Committee and also as the General Secretary of the All India Congress Committee. The nature of your present responsibility will be to some extent different but nevertheless with all your past honours, achievements and experiences I have no doubt that this House will always get the best guidance from you. In fairness to your predecessor I must say that in spite of his young age, he conducted the proceedings of this House in so dignified and just manner that it received wide appreciation. Sir, you as the Speaker, the guardian of the rights and privileges of this House, have a very onerous duty. I need hardly mention the necessity of proper and effective functioning of the Legislature for the success of democracy. For democracy, Legislature is a sacred institution. For Assam, the Assam Legislative Assembly is an institution where representatives of about a crore of people meet to discuss the burning problems of the State to find out ways and means for solving them for the best interest of the people.

With you, Sir, in this august Chair we all hope and believe that the rights and privileges of every Member of this House will be safeguarded and you will maintain an even balance and uphold the prestige and dignity of the House.

On behalf of the Party which I represent and also as the Leader of the House and myself, I offer you full co-operation in the discharge of your onerous and responsible duties of the Speaker of this House and I hope that the same co-operation would be forthcoming from all parties and every individual Member of this House.

With these words, Sir, I again convey to you our greetings and felicitations on your assumption of the office of the Speaker of this House and we wish you all success.

***Shri GAURISANKAR BHATTACHARYYA (Gauhati):** Mr. Speaker, Sir, I offer you my respectful congratulations on your being unanimously elected to this exalted, responsible and delicate position. I do hope and trust that you will carry forward the high traditions that

have been established by your predecessors. Those of us who have seen your work inside and outside this House know your cool judgment, serenity of disposition, extraordinary spirit of accommodation, strong sense of humour and remarkable contribution to the evolution of rule by Committees, especially as the Chairman of several Select Committees. I have no doubt whatsoever that you will give able guidance to this House.

You are the custodian not only of the rights and liberties of this House, but of the whole country. Rights and liberties of the common man are safe as long as the rights and liberties of this House remain in tact. The executive by its very nature is prone to be impatient. You shall have to see that your authority and the authority of the House is respective by the Executive.

While I do not support blind imitation of all the conventions of the British Parliament, I do feel that there is a healthy convention in England that whenever a Speaker is chosen, he ceases to belong to any party. This convention was introduced in India by the great Indian Speaker, late Vithalbhai Patel. When he was elected Speaker of the Indian Legislative Assembly, he asked his erstwhile leader Pandit Motilal Nehru, to erase his name from the Congress Party. Unfortunately, this convention has fallen into disuse. I am, however, not suggesting that you should abandon your ideology or political conviction. But I hope that you will henceforward detach yourself from participation in Congress Party proceedings and campaigns though you had once occupied the exalted position of a General Secretary of that great organisation. From today you shall cease to be a party man in the general sense of the term. I shall expect you rather to be more solicitous of the rights of the Opposition particularly in view of the mammoth majority of the Government party. I have no doubt that you will do so according to your lights, but I have laid particular stress on this because it is the essence of parliamentary work that people who differ even strongly should have full opportunity to express their opinions fully, and at the same time to bear no malice or ill-will against each other.

I wish you a very glorious career as Speaker of this House and I assure you that you will have our willing, spontaneous and loving co-operation in the discharge of your onerous duties.

Maulavi JAHANUDDIN AHMED (Bilasipara): Sir, I, on behalf of the Leader of the Opposition, congratulate you and through me the Leader of the Opposition has expressed his profound regret for not being able to congratulate you personally as he is very ill, on your being elected as the Speaker on this august House unanimously. We are glad at long last a convention has been created for electing a Speaker without any contest through mutual discussion between the party leaders. This is what it ought to be. For the office of the Speaker is a most responsible one and the person elected to this office should enjoy everyone's confidence.

Sir, from today you do not belong to any party and you will have to treat every Member of this august House on equal footing irrespective of his or her party affiliation or creed. The dignity of the House mainly rests on you and you are the custodian of the rights and privileges of this House. This high position can only be upheld if the occupant does not

care for anybody's favour however highly placed he may be. In this House there is none who is higher than you.

Secondly, Sir, our democracy is still in its infancy. We have a great task before us in making everybody feel that our democracy is not at all formal but very real. For that we shall have to create healthy democratic conventions so that people may feel the real taste and essence of democracy. This task becomes very difficult when the House is not equally poised and the opposition's numerical strength is not considerable and its just demands are likely to be drowned by the chorus sound of an overwhelming majority. It is then, Sir, it will be your sacred duty to uphold the right of those who are numerically weak but just in their demands.

Sir, you are a tried soldier of the freedom's struggle and you have gone through various and varied experiences in your political life. You have been able to prove your merit in various fields of activity and I have no doubt under your stewardship we shall be able to continue to develop the democratic traditions which this House has set up up till now. We wish you all the best in this great endeavour and assure our full co-operation.

Shri KHAGENDRA NATH BARBARUAH (Amguri): Sir, I also would like to offer my congratulations to you on your being elected unopposed to this exalted and delicacy and highly honourable position.—a position of great responsibility in democratic countries different parties with different ideologies grow in the hands of the people. Though the ruling party commanding the confidence of the major section of the people rules, still other parties should also be allowed to grow. At a time, Sir, when military dictatorship is raising head in different parts of the world we should endeavour to uphold the democratic traditions in India. So, Sir, I hope that all the political parties whatever their strength might be here will get equal opportunity and as well as the independent Members will get the same consideration at your hand in this central institution.

Shri HIRALAL PATWARY (Panery):

माननीय अध्यक्ष महोदय !

आपके अप्रतिद्वंद्वित रूप से इस विधानसभा के अध्यक्ष निर्वाचित होने से हमें अपार प्रसन्नता है। इसके लिये हम आप को हार्दिक वधाई देते हैं। जहाँतक इस प्रान्त के सवाल हैं, मेरे कहने का मतलब यह है कि यहाँ किस्म किस्म के संप्रदाय हैं, विभिन्न भाषा और धर्म के लोगों का यहाँ बसवास है। इसलिये हमारी जिम्मेदारी भी बहुत है। अलावा इसके, एक ओर पाकिस्तान और दूसरी ओर चीनीओं की समस्याएँ हमारे सिरपर मंडा रही हैं। इस हाल में आप के चुने जाना हमारे लिये गौरव की बात है। हमें पूरी आशा है कि आप की देखरेख में हमारी सारी समस्याओं के समाधान होने में बहुत बड़ी सहायता होगी।

आप की विचार धारा से हम भली-भाँति परिचित हैं। हमें आशा ही नहीं बल्कि पूरा विश्वास है कि आप अपनी शासन-पद्धति और उदार विचारधारा से सदन की प्रत्येक पार्टी और व्यक्ति को प्रसन्न कर सकेंगे। साथ ही आप हरेक के हकों की रक्षा कर सकेंगे।