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**Proceeding of the Seventh Session of the Assam Legislative Assembly
assembled after the Fourth General Elections under the Sovereign
Democratic Republican Constitution of India**

The Assembly met in the Assembly Chamber, Shillong at 9 A. M. on Friday, the 8th August 1969.

PRESENT

Shri Mohi Kanta Das, M.A. B.L., Speaker, in the Chair, Nine Ministers Three Ministers of State, Three Deputy Ministers and fifty-nine Members.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(To which oral answers were given)

Re: Nowgong-Dhing-Bhuragaon Road

M. SHAMSUL HUDA asked:

*82. Will the Minister-in-charge of Public Works Department (Roads and Buildings) be pleased to state, whether the Government has regularly and properly been maintaining the Nowgong-Dhing-Bhuragaon Road.

Shri ALTAF HOSSAIN MAZUMDER [Minister of State, P. W. D. (R & B.)] replied:

82.—Yes.

M. Shamsul Huda: Sir, whether there has been regular collection and spreading of metals every year?

Shri Altaf Hossain Mazumder: Yes. Gravelled portion of that road is maintained regularly.

M. Shamsul Huda: May I know whether the bridges on that road are repaired annually?

Shri Altaf Hossain Mazumder: Whenever it is found necessary it is done.

M. Shamsul Huda: Whether the levelling of that road has been done properly?

Shri Altaf Hossain Mazumder: According to our information it is done.

M. Shamsul Huda: What is the maximum load bearing capacity of the road?

Shri Altaf Hossain Mazumder: Certain portion of that road is black-topped and certain portion is gravelled. So, naturally the load capacity of black-topped portion is higher than the gravelled portion.

M. Shamsul Huda: Whether the Government is aware of the fact that the State Transport is taking the plea that the road is not fit for nationalisation?

Shri Altaf Hossain Mazumder: We have no information about this.

M. Shamsul Huda: Whether the bridges on that road are strong enough to allow heavy vehicles to cross?

Shri Altaf Hossain Mazumder: Well, there is scope for improvement of the bridges.

Re: Black-topped Road in Mankachar

Shri ZAHIRUL ISLAM asked:

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

- (a) Whether it is a fact that there exists not a single black-topped road in the Mankachar Constituency?
- (b) Whether Government propose to take necessary steps to get the Hallidaygunj-Mankachar Road black-topped during the current financial year to remove the regional imbalance and also to satisfy the demand of the Public?

Shri ALTAF HOSSAIN MAZUMDER [Minister of State, P. W. D. (R. & B.)] replied:

83. (a)—Yes.

(b)—There is no such proposal at present.

Shri Dulal Chandra Barua: Sir, may I know from the hon. Minister whether Government has any specific proposal for the construction of this border road and whether any fund has been placed by the Government of India?

Shri Altaf Hossain Mazumder: Sir, about the border roads the Government of India has got their own selection of roads.....

(Interruption)

Shri Atul Chandra Goswami: অধ্যক্ষ মহোদয়, এই বাস্তাটোৰ লগত মানকাছাৰ আৰু অসমৰ বিভিন্ন অঞ্চলত যোগাযোগৰ বহুখিনি কথা নিৰ্ভৰ কৰে। গতিকে সীমান্তৰ বাস্তাৰ যি আঁচনি আছে, এই আঁচনিৰ ভিতৰত এই বাস্তাটো সুমুৱাই ল'বৰ কাৰণে চৰকাৰে হেচা দিব নোৱাৰেনে?

Shri Altaf Hossain Mazumder: Yes, I agree this is an important link, that is why we have been giving much attention to it. Actually the road is not stabilized enough for black-topping.

Shri Dulal Chandra Barua: Sir, as this particular road is a border road and is close to East Pakistan and the road communication there is very deplorable, do the Government consider it proper to give special attention to this border road and take up the matter with the Government of India for its proper development?

Shri Altaf Hossain Mazumder: Sir, I have already said that has considering the strategic importance of this road, we have been giving much attention to it for its improvement.

Shri Kandarpa Narayan Banikya: May I know the amount that has been sanctioned for border roads in Cachar district alone?

Shri Altaf Hossain Mazumder: Sir, this question does not relate to Cachar and the improvement of border roads is not done on the basis of any district. It is being done on the recommendation of the Political Department.

Re: Transfer of Police Sub-Inspector

শ্ৰীভদ্রকান্ত গগৈয়ে সুধিছে:

*৮৪। মাননীয় মুখ্যমন্ত্রী মহোদয়ে অনুগ্রহ কৰি জনাব নে—

- (ক) ডিব্ৰুগড় পুলিচ থানাৰ পৰা পুলিচ চাব-ইন্সপেক্টৰ শ্ৰীমুন্সীল কুমাৰ চৌধুৰীক কেতিয়া আৰু ক'লৈ বদলি কৰা হৈছিল?
- (খ) য'লৈ বদলি কৰিছিল তাত গৈ তেওঁ কামত যোগ দিলে নে?
- (গ) যদি দিলে, কোন তাৰিখে আৰু যদি যোগ দিব নোৱাৰিলে তাৰ কাৰণ?

মুখ্যমন্ত্রী শ্রীবিমলা প্রসাদ চলিহাই উত্তর
দিচ্ছে:

১৪। (ক)—চাব-ই-সাপেক্ষে শ্রীমুনি
কুমার চৌধুরীক যোরা মে মাহত নাহবকটিয়া
পেট্রিল পেট্রিলৈ বদলি কবা হৈছিল।

(খ) আক (গ)—হয়, সেই কামত তেওঁ
মে মাহব ২ তাবিচে যোগ দিছিল, কিন্তু
তেওঁক আকৌ ডিব্ৰুগড়লৈ ১২ জুলাই ১৯৬৯
তাবিখে বদলি কৰিব লগা হ'ল।

Shri Bhadra Kanta Gogoi: অধ্যক্ষ মহোদয়, মাননীয় মুখ্য
মন্ত্রী মহোদয়ে কৈছে যে মানুহজনক
মে'মাহতে বদলি কৰা হৈছে; কথাটো সঁচা
হিন্দু মানুহ জন তাৰ পৰা আহি ইয়াত
join কৰিবলৈ নেপালে কাৰণ সেই খানার
অফিচাৰ জনে তেওঁক charge নিদিলে
মানুহ জনে মোক আহি কৈছিলহি যে মোক
charge দিয়া নাই গতিকে মই কি কাম
কৰো। সেই সময় চোৱাতে মই এই প্ৰশ্নটো
দিছিলো। এনেকৈ যদি S. I. বিলাকক
১ মাহৰ ভিতৰতে বহু বাৰ বদলি কৰা হয়
তাৰ পৰা কি কাম হব এই কথা মুখ্য মন্ত্রীয়ে
বিবেচনা কৰিবনে?

***Shri Bimala Prasad Chaliha:** এই S. I. জনক বদলি
কৰা হৈছিল চন্দ্ৰ কান্ত বড়া বোলা S. I.
জনক Anti Corruption Branch লৈ
বদলি কৰাৰ ঠাইত। কিন্তু পিচত চন্দ্ৰকান্ত
বড়ার Anti Corruption লৈ বদলি কৰা
order টো cancel হ'ল, সেই কাৰণে
এই S. I. জনক আকৌ আগৰ ঠাইলৈ
বদলি কৰা হ'ল।

***Shri Atul Chandra Goswami:** মুখ্য মন্ত্রী ভাঙৰীয়াই
কৈছিল যে তেওঁ এটা নিৰ্দিষ্ট তাৰিখত
charge ললে। কিন্তু মাননীয় সদস্য
শ্রীভদ্র কান্ত গগৈক প্ৰশ্ন হৈছে যে তেওঁক
charge দিয়া নহ'ল। এই দুটা কথাৰ
পার্থক্যৰ অৰ্থ কি?

***Shri Bimala Prasad Chaliha:** চার্জ লৈছিল বুলি মই
কোৱা নাই। মে'মাহত বদলি কৰা হৈছিল,
আকৌ পিচত তেওঁৰ আগৰ ঠাইলৈ আনিব
লগা হ'ল। চার্জ লৈছিল নে নাই সেই
কথা মোৰ হাতত নাই।

***Shri Bhubaneswar Barman:**
মুখ্য মন্ত্রী মহোদয়ে, এই চৌধুৰী নামৰ S. I.
জনক ডিব্ৰুগড় পুলিচ খানার পৰা যে বদলি
কৰিলে বদলি কৰাৰ ঠিক সময়ত কৰা
হৈছিল নে নাই? যদি হৈছিল আকৌ
কিয় তেওঁক সেই ঠাইলৈ লৈ যোৱা হ'ল?

***Shri Bimala Prasad Chaliha:** মই কৈছিলো যে শ্ৰীচন্দ্ৰকান্ত
বড়া বোলা জনক Anti Corruption
লৈ বদলি কৰা হৈছিল কিন্তু পিচত তেওঁৰ
বদলিৰ হুকুম cancel কৰাত এই মানুহ
জনক আকৌ আগৰ ঠাইলৈ আনিব লগা
হ'ল।

[Starred question Nos 85 and 86
were not put as the Questioners were
absent]

Re: Inspection Bungalow

Shri ATAUR RAHMAN asked :

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

- Whether in Mauzas Jaria, Rupasie, Titapa i, Bagbor and Mandia of Barpeta Sub-division there is any Inspection Bungalow for convenience of touring Government officials and others?
- Whether it is a fact that for want of lodging and boarding facilities officers generally avoid touring in these Mauzas and listening to their grievances?
- Whether it is also a fact that for the same reasons many of the crime go undetected in these Mouzas?

- (d) If so, whether Government propose to construct some Inspection Bungalows, say at Kalgachia in Rupasi, at Langla in Titapani, Mayenbari in Bagbor or at Mandia?

Shri ALTAF HOSSAIN MAZUMDER [Minister of State, Public Works Department (R. & B)]. replied :

78. (a)—No.

(b)—There is no such information with the Government.

(c)—It is not a fact that for want of boarding/lodging facilities officers avoid investigation of cases reported from Mouza; Jania, Rupasi, Titapani, Bagbor and Mandia in Barpeta Subdivision and crimes go undetected.

(d)—There is no such proposal now.

Shri Ataur Rahman : Sir, may I know whether these mouzas with a population of more than two lakhs constitute a solid mass of land in the south west of this low-lying subdivision ?

Shri Altaf Hossain Mazumder : Well, Sir, I am not aware of the exact position of population.

Shri Azizur Rahman Chaudhury : What is the distance between Roha-Bangla and Kalgachia village ?

Shri Altaf Hossain Mazumder : I have no information.

Shri Ataur Rahman : Which are the Inspection Bungalows nearest to these mouzas and what are their distances from the furthest limits of the mouzas ?

Shri Altaf Hossain Mazumder : That information is not with me.

Shri Ataur Rahman : Considering all aspects of the matter and the communication difficulties, do Government feel the necessity of having some Inspection Bungalows in these areas ?

Shri Altaf Hossain Mazumder : Sir, I agree that if more inspection bungalows are constructed there will be more convenience. But the whole question is about funds.

Shri Azizur Rahman Choudhury : সেই তিনিখন P. W.-D. থকা মৌজাত যাদী অহা-যোৱা কৰিবলৈ কোনো সা-সবিধা অছেনে নাই জানেনে ?

Shri Altaf Hossain Mazumder : If a separate question is put I shall certainly furnish the information wanted.

Shri Azizur Rahman Choudhury : আপুনি কৈছে যে যাদীৰ সুবিধা আছে। কিন্তু মণ্ডল বিলাকে মাটি জুৰিবলৈ গৈ ৰাস্তা নাপাই যে ঘূৰি ফুৰিব লগা হয় সেইটো মন্ত্ৰী মহোদয়ে জানেনে ?

Shri Altaf Hossain Mazumder : Sir, as I have said, there is no report of inconvenience caused, but if more inspection bungalows could be provided, there would certainly be more convenience. It is naturally a question of funds, which we cannot provide at the moment.

[Starred question No.88 was not put and answered as the Questioner was absent]

Re : Industrial Loan

*১৭. Will the Minister-in-charge of Industries be pleased to state—

- (a) Whether it is a fact that Prof. Md. Syed Abdul Malik applied for an Industrial loan to instal a printing press ?
- (b) If so, the date of his application.
- (c) Whether it is a fact that the loan petition of Prof. Malik has been rejected ?
- (d) If so, the reasons therefor ?

Shri BISWADEV SARMA (Minister, Industries) replied :

৪৭. (a)—Yes,
 (b)—17th January 1968.
 (c)—Yes.
 (d)—Due to adverse Police Report.

M. Shamsul Huda : May I know what is the nature of "adverse Police Report" ?

Shri Biswadev Sarma : About anti-national activities.

M. Shamsul Huda : May I know whether Prof. Syed Abdul Malik had ever been brought to book for his anti-national activities ? I ask this question because the Industries Department has rejected his petition for industrial loan due to "adverse Police Report".

Shri Biswadev Sarma : If the hon. Member is interested I can give the report of the Police with regard to this gentleman.

Shri Dulal Chandra Barua : May I know from the Hon'ble Minister what is the nature of anti-national activities for which this gentleman has been refused industrial loan ? We hear that he is a renowned literary man and the General Secretary of the Assam Sahitya Sabha.

Shri Biswadev Sarma : May be, Sir, but this is the report of Police.

Shri Gaurisankar Bhattachary : Is this Prof. Syed Abdul Malik the General Secretary of the Assam Sahitya Sabha ? Is this the gentleman whom Mr. Chaliha's Police has dubbed anti-national ? The General Secretary of the Assam Sahitya Sabha, a Professor who has now been selected by the Government's Selection Board for the post of Principal of the Golaghat College. Is this Prof. Syed Abdul Malik dubbed anti-national by the Chaliha Ministry ?

Shri Biswadev Sarma : The question was about Syed Abdul Malik

Shri Gaurisankar Bhattacharyya : Is he Prof. Syed Abdul Malik of Jorhat, who is the General Secretary of the Assam Sahitya Sabha ?

Shri Biswadev Sarma : I think the questioner will be able to tell him.

Shri Gaurisankar Bhattacharyya : Whether this Prof. Syed Abdul Malik is that Abdul Malik who is the General Secretary of the Assam Sahitya Sabha who is a gentleman of Jorhat or somebody else ?

Shri Biswadev Sarma : Sir, I cannot help in this matter.

Shri Dulal Chandra Barua : This gentleman is a very renowned man in the State. We want to know what sort of anti-national activities was indulged in by him.

(Several other Members stood up and started asking questions simultaneously).

Mr. Speaker : The Hon'ble Minister has not been able to reply to the question asked by Mr. Bhattacharyya.

Shri Gaurisankar Bhattacharyya : Who is that Prof. Syed Abdul Malik who has been considered so anti-national as to be ineligible for an industrial loan ? Who is that Prof. Syed Abdul Malik ?

Shri Biswadev Sarma : How can I say that ? The question is with regard to Prof. Syed Abdul Malik and I have replied to this question. I do not know whether he is the Secretary, Assam Sahitya Sabha.

Shri Gaurisankar Bhattacharyya : Is he the same person as Prof. Syed Abdul Malik who is residing in Jorhat ? If he is anti-national then every citizen, every patriot of Assam should know who are considered anti-national. Their place should not be in any college, their place should be in prison. Therefore we want to know who has anti-natio-

nal professor is. We want to know particularly whether he is the General Secretary of the Assam Sahitya Sabha, the renowned literature of Assam Syed Abdul Malik of Jorhat? We want to know whether this Government consider him to be anti-national.

Shri Biswadev Sarma: I can give the name of the father of the gentleman.

Shri Gaurisankar Bhattacharyya: And also his place of residence.

Shri Biswadev Sarma: He is the son of Syed Rehamat Ali, P. O. Barua Bamungaon, Sibsagar District.

Shri Gaurisankar Bhattacharyya: Is there any doubt now that this Prof. Syed Abdul Malik is the General Secretary of the Assam Sahitya Sabha who has been considered anti-national? Is there any doubt about it? I want to ask is there anybody in Assam who is more national than the General Secretary of the Assam Sahitya Sabha? Does the Member consider himself to be more national than him?

(Cries of Shame! Shame! from Opposition).

Shri Biswadev Sarma: This is matter of opinion.

(Uproar and interruptions from the Opposition).

Shri Gaurisankar Bhattacharyya: This is an insult to the whole State.

(Uproar again)

(Several Members stood up and started speaking simultaneously).

Shri Dulal Chandra Barua: We want to know the report. Please read it out. Who has given the concocted report? We want to know whether it is a concocted report or a real report based on facts.

Shri Bhubaneswar Barman: সমগ্র অসমতে যি জন অতি সজ্ঞ লোক, সাহিত্য সভাৰ Secretary, এনে এজন লোকৰ প্ৰতি গুৰুত্বপূৰ্ণ অভিযোগ এটা আনি কৈছে যে তেওঁ Anti-national আৰু এইটোৰ ওপৰত এটা পুলিচ Report দিছে বেতিয়া সেই পুলিচ Report টো পঢ়ি শুনাৰ লাগে।

Shri Gaurisankar Bhattacharyya: This is a conspiracy against the whole Assamese nationality? (Voices—It is an insult to the whole Assamese nationality).

Mr. Speaker: Let the matter be discussed and considered in a calm atmosphere. (Voices from the Opposition: We cannot tolerate this kind of thing).

Shri Biswadev Sarma: I shall make further enquiry in this matter and let the House know.

Shri Gaurisankar Bhattacharyya: If there is to be an enquiry, it should be either against this police man or against the present Ministry.

Mr. Speaker: Have you the police report with you?

Shri Biswadev Sarma: No, Sir, I shall place it on the Table of the House.

Shri Bimala Prasad Chaliha, Chief Minister: Mr. Speaker, the police reports are not placed on the Library Table in the public interest. In any case, it is on the basis of this report the loan was rejected and what we can do now is to re-examine the matter.

Shri Gaurisankar Bhattacharyya: The question is not of loan. We want to know what right this Government has to insult the entire Assamese nationality. This gentleman is the General Secretary of the Assam Sahitya Sabha; he is no less respectable than any other member of

any other citizen in this country. What right this Government has to insult the Assam Sahitya Sabha through its General Secretary to insult the entire Assamese people by this sort of assertion in this House ?

Shri Bimala Prasad Chaliha (Chief Minister): The question of the Assam Sahitya Sabha does not arise here. It is an individual who applied for a loan and the police report was not favourable. That is why the loan has not been sanctioned.

Shri Gaurisankar Bhattacharyya: We want that police report, of that police officer. Because on this report this Ministry is depending, either this police must be brought to book or this Ministry must resign, if the allegation against Professor Syed Abdul Malik is proved fake.

Shri Bimala Prasad Chaliha (Chief Minister): It is not only this Ministry but every Government is dependent on the police.

Shri Debeswar Sarmah: Mr. Speaker, Sir, if you will permit me, I want to make a submission but not on this question ?

Voices from Opposition: We are interested in this particular question.

Shri Gaurisankar Bhattacharyya: We want to hear the police report. Ask him to sit down. We shall not tolerate it, there is a limit. The Assamese people is being insulted.

Shri Dulal Chandra Bara
The Chief Minister must tell us.

Shri Debeswar Sarmah: Mr. Speaker, Sir,.....

Shri Gaurisankar Bhattacharyya: Mr. Speaker, Sir, you are allowing him to speak on some thing else ?

Shri Debeswar Sarmah: I have a submission to make. (Voices from Opposition).

Shri Bimala Prasad Chaliha (Chief Minister): What the Chief Minister has got to say. I am sorry that the police reports are not placed on the Library Table.

Shri Phasi Bora: Sir, the House is the highest body in the country. Sir, the report said that the man is anti-national and because of his anti-national activities his loan petition was not granted. This is the statement made in this august House. Therefore, an insinuation is made against the gentleman who is the General Secretary of the Assam Sahitya Sabha. As the Assamese people have got faith in this Assam Sahitya Sabha, an insult to this Sabha is an insult to the entire Assamese people. Therefore, when this sort of allegation is made, this House has got every right to know what is that police report ? The police report is not above the House ; it is this House which is the supreme body and there is no question of not giving out that report.

Shri Debeswar Sarmah: Sir, there are so many.....

(Voices from Opposition: No, No.)

Mr. Speaker: I have allowed him to speak.

Shri Dulal Chandra Barua: As the Chief Minister has said that he cannot disclose this police report which has been referred to by the Minister for Industries that the police

report is there. He was about to read the report but this gentleman has given some hint and he dropped it. Sir, when the report was referred to inside the House, it has become the property of the House, and I hope that the Chief Minister who is a man of democratic principle, must disclose the report. As this is a serious question where there is a serious allegation against the Assamese nationality, we must know it.

Shri Promode Chandra Gogoi :

অধ্যক্ষ মহোদয়.....

Shri Debeswar Sarmah : I rise on a point of order. I have two points of order. First is when a member of this House catches the Hon'ble Speaker's eye, is it in order for other members to shout him down? (Voices from Opposition) That is the first point of order. I am not seeking a ruling from my right side; I am seeking a ruling from the Chair. Sir, my point of order is this: When an hon. Member of whatever party he may belong to catches the Hon'ble Speaker's eye, is it in order for other members to shout him down? This is the first point of order. The second point of order, I shall raise after your ruling on this first point of order.

Shri Gaurisankar Bhattacharyya : On the first point of order, I have got to say that whether my eye is green or blue or red can be seen by somebody else. I cannot see unless I go before the glass. Therefore, whether somebody has been able to catch the attention of the Speaker is known only to the Speaker, and if somebody catches the eye of the Speaker, the Speaker calls him. Therefore, where is the point of order? This is a sheer wastage of the time of the House, and, I should say, it is a loose claim for indulgence. There is no point of order. Sir, if I

catch your eye, you call me. If somebody else catches your eye, you call him. If the Speaker calls somebody and if somebody else does not allow him, it is for the Speaker to take appropriate step. That is why if anybody catches your eye and if somebody in the meantime obstructed him, you might have to pull somebody up. So, where is the point of order? What clarification of rule is necessary? It is as clear as water. Why should anybody take advantage either of his age or experience?

Mr. Speaker : As regards that point Mr. Sarmah stood up, and I asked Mr. Sarmah. Then there were other members who rose and also the Chief wanted to speak. Therefore, Shri Sarmah was standing there and could not speak. Therefore, I now ask him to speak what he has got to speak.

Shri Debeswar Sarmah : Thank you, Sir. That amounts to a ruling and I can only hope that people who are respected.....(voice: He is giving a lecture).

Mr. Speaker : Let me hear him fully.....

Shri Gaurisankar Bhattacharyya : What is the question?

Shri Debeswar Sarmah : অধ্যক্ষ মহোদয়, মই ভালি পাওঁ বেয়া পাওঁ কৰলৈওঁ যোৱা নাই। মোৰ মুখত সোপা দিব লগীয়াহে হৈছে।

An hon. Member : Will it be within the four corners of the jurisdiction of the Speaker?

Shri Gaurisankar Bhattacharyya: মুখত সোপা দিব নালাগে, মুখেৰে বমি কৰিছে যদি বাহিবত থাকিব পাৰে।

Shri Debeswar Sarmah: বাহিবলৈ নিব পাৰে যদি বমি কৰিছে। যি সকলে বমি কৰিব খুজিছে তেখেত সকলক বাহিবলৈ নিয়ক।

Mr. Speaker: About placing of the Report, the point is whether the Report can be placed before the House.

Shri Promode Chandra Gogoi: অধ্যক্ষ মহোদয়, মন্ত্ৰী গবাকীয়ে 'D' প্ৰশ্নৰ উত্তৰত দৰ্শান্ত নাকছ কৰা কথা কৈছে। পুলিচ ৰিপোর্টৰ ওপৰত ভিত্তি কৰি যি জনৰ কাম-কাজ Anti-National বুলি পুলিচ ৰিপোর্টত প্ৰকাশ কৰিছে, সেই ৰিপোর্ট সদনত দাঙি ধৰিব লাগে।

Maulana Abdul Jalil Chowdhury: অধ্যক্ষ মহোদয়, মাননীয় মুখ্য মন্ত্ৰীৰ নিকট ধেকে একটা কথা জানতে চাই। যে বিষয় আজ এখানে উপস্থিত হয়েছে তাতে আমাৰে সৎ নাগৰিকের জীবন বিপন্ন হয়েচে এবং এক বিশেষ শ্ৰেণীৰ লোকের মনে ইহাৱারা অনেক দিন ধৰং ভয় ও সংশয়ের সঞ্চার করেছে। সৌভাগ্য-বশতঃ যখন আজ বিধান সভায় এই বিষয় উপাৰ্জন করা হয়েছে তখন সেই বিষয়ের Report টেবিলে প্ৰকাশ করলে anti-national activities সমূহে লোকের অভিজ্ঞতা লাভ হবে ফলে ইহা হইতে বিরত থাকবে তাই প্ৰকাশ কৰাই প্ৰয়োজনীয়। তাতে বহু সৎ নাগৰিকের জীবন পুলিশের হাত হইতে রক্ষা পাইবে এবং সংশয় বহুলাংশে দূৰ হবে। ইহা কি গভৰ্নমেণ্টের পক্ষে সম্ভব নয় যে, এই ব্যাপাৰের প্ৰকৃত Police Report এৰ নকল আমাৰেৰ সন্মুখে পেশ করা হয়?

Shri Kamini Mohan Sarma: অধ্যক্ষ মহোদয়, মোৰ এটা খু-দুৱনী আছে। কথাটো মই পৰিষ্কাৰ হব খুজিছো। মাননীয় সদস্য শ্ৰীদেবেশ্বৰ শৰ্ম্মাই বাবে বাবে পশ্চিম বঙ্গৰ বিধান সভাৰ উদাহৰণ টানি আনিছে, পশ্চিম বঙ্গৰ বিধান

সভাত যি ধৰণৰ অৰ্ঘটন ঘটছে, গণতন্ত্ৰৰ ওপৰত কুঠাৰাঘাত কৰিছে, সেই ধৰণৰ Conspiracy ইয়াতো কৰিবলৈ ধৰা বুলি মোক খু-দুৱনী আছে। মোক এই কথাটোৰ এটা পৰিষ্কাৰ উত্তৰ লাগে।

Shri Rothindra Nath Sen: Sir, with my humble submission to the Hon'ble Chief Minister and to any hon'ble Member of this side, I want to say that much heat has been generated on this issue and definitely it is a very serious issue. It is unfortunate that the hon'ble Minister in the course of his reply expressing about the Police Report went so far in saying that that gentleman is an anti-national. Sir, the first question is according to the hon'ble Members from this side it appears that he is nonetheless more national than anybody else in this House. On the face of it we must get a clarification here not only for our safety but to render our service to that particular gentleman who is so much respectable but who has been coloured as anti-national. If he is really anti-national, our demand to the Chief Minister is that he should give an explanation to this House as to why anti-national people are still allowed to remain in the State of Assam instead of his being booked in the Court of Justice. So this issue should not be taken piecemeal. To say that he is anti-national and at the same time not to take any action against him is a contradiction of fact. We are not prepared to take this sort of things and we will not allow it to go on in the State. The word "anti-national" is a serious one. It would not have been so serious if a man is bad or a dacoit, a thief, etc., but to be anti-national whoever it may be is a very serious thing. Anti-nationals are not supposed to stay in the State at large in the very interest of the State. So since an injustice has been done against that gentleman on the floor of the House who is the General Secretary of the Assam Sahitya Sabha, equally great injustice has been done against the

whole of the people of Assam. The people, therefore, through their representatives in this House naturally demand that either Government should come forward regretting for the wrong Police Report, or Government establish that this is a correct and genuine report and if that gentleman is found to be an anti-national, the usual course of law should be applied. No work of this House can continue unless and until this issue is decided first. I hope, Sir, with all purpose of sincerity, Government will clarify this position and save that gentleman who is outside and who cannot defend himself on the floor of this House and save his prestige and integrity so that he will also feel that there are people in this State who can shield people from such onslaught.

Shri Bimala Prasad Chaliha: The correct reply would have been "because of the adverse police report" and as I said before, this matter will be re-examined.

Shri Gaurisankar Bhattacharyya: Sir, while expressing my individual deep gratitude to the Minister-in-charge of Industries for his very frank and truthful presentation to the House and while denouncing hypocrisy that many a time we see in hypocrites, may I know, Sir, by when this re-examination will be completed and by when this will be reported to this House?

Shri Bimala Prasad Chaliha: This will be done as soon as possible.

Shri Gaurisankar Bhattacharyya: May I know from the Government—I do not say the Chief Minister individually I have no faith in him, may I know from the Government whether they propose to re-investigate the matter and if so, by which date they propose to finish this re-investigation and whether Government will punish that police-man who has insulted the entire Assamese nationality

by insulting the General Secretary of the Assam Sahitya Sabha by giving this sort of adverse remark against that gentleman.

Shri Bimala Prasad Chaliha: Sir, the Assam Sahitya Sabha do not come in here.

Shri Gaurisankar Bhattacharyya: Mr. Chaliha comes in as Chief Minister of the Congress Government, Md. Syed Abdul Malik comes in as the General Secretary of the Assam Sahitya Sabha.

Shri Bimala Prasad Chaliha: Sir, I expected that in the course of about a month this re-investigation will be completed.

Shri Atul Chandra Goswami: চাৰ, এইটো কথা সঁচা নেকি যে Police ৰ adverse report ৰ কাৰণে শ্ৰীচেয়দ জব্দুল মালিকক গোলা-ঘাট কলেজৰ Principal হোৱাৰ পৰা বঞ্চিত কৰিছে।

Mr. Speaker: The Chief Minister has assured the House that the matter will be completely re-investigated within a month.

Shri Dulal Chandra Barua: We want to have it right now. We say that the report or the letter which has been referred to here becomes the property of the House. We want your ruling on this.

Shri Mahendra Mohan Chaudhury (Minister, Parliamentary Affairs): Any paper laid on the table of the House is the property of the House.

Shri Gaurisankar Bhattacharyya: When a paper is referred to, if it is said in reply that because of certain things, "we cannot disclose it because of some adverse consideration against the person" it would have carried some meaning. But when it

has been specifically said that his application has been rejected because Sayed Abdul Malik has been considered anti-national on the basis of a police report, that police report must be placed. Otherwise

Shri Mahendra Mohan Chaudhury: This is a far-fetched interpretation. The rule is very clear.

Shri Dulal Chandra Barua: We want the ruling from the Speaker.

Shri Mahendra Mohan Chaudhury: The rule is very clear, Sir. If any paper is laid on the table of the House it becomes the property of the House. But regarding the next point I refer to sub-rule 19 of Rule 37 of Rules of Procedure and Conduct of Business in Assam Legislative Assembly wherein it is said: "It shall not seek information about matters, which in their nature are secret, such as, decisions or proceedings of the Cabinet, advice given to the Governor by Law Officers and other subjects, the disclosure of which is against public interest."

Shri Dulal Chandra Barua: The Rule cannot cover our demand. Because when the question was replied the matter has been referred to the police report. Therefore, we have got the right to have the report. When the matter has been referred, this has a link with the question and it is the property of the House.

Shri Gaurisankar Bhattacharyya: On what the Minister for Parliamentary Affairs has said, I want to make a submission. He mentioned two things. One is that the proceedings of the Cabinet cannot be disclosed. We have not demanded it. Second thing is, which is not proper in public interest to be disclosed. Now, if a man is anti-national and when he is no less a person than the General Secretary of the Assam Sahitya Sabha, if he is really anti-national every man and woman of Assam should know the

whole truth in public interest. Nation's interest all people should know what type of anti-national activities he has been committing so that an anti-national cannot crawl to any position of trust and responsibility like that of the General Secretary of the Assam Sahitya Sabha or the Chief Minister of a State or any Minister and so on and so forth. Therefore, it is in the height of public interest and it is warranted that such people, if really they are anti-national should be known thoroughly as anti-national to the public. There cannot be a greater public interest than disclosing such a big person to be what he really is. I cannot just now give my opinion. The entire people of Assam has given him the honour. He is considered a doyen of the Assamese literature. He is a great nationalist, an inter-nationalist, he is considered as cream of Assamese intelligentsia, he is placed in a pedestal much higher than many hypocrites who are holding high positions in the administration. If even such a man is really anti-national, then the Nation has right to know in minutest details thereof. Therefore, what the Minister for Parliamentary Affairs has said I submit that the matter should be placed before the House and before the Nation. I again take the opportunity of thanking for bringing this matter in such a way by the young and bold Minister who has not minced matters.

Mr. Speaker: There is a point for my decision. One thing has been settled that there will be re-investigation by the Chief Minister and the report will be placed before the august House. Another thing is about placing of the document referred to by the Minister in his statement and the point raised by Shri Chaudhury, Minister for Parliamentary Affairs refer to rules relating to question. Mr. Barua has not been able to point out the rule. I tried to find whether when a Minister refers to something some document in course of his speech he should place it before the House but I have not been able to find

here, whether the document referred to by Mr. Sarma should be placed in the House or not, I have heard both sides and I will give my ruling afterwards.

Shri Atul Chandra Gonwami : Rule 295 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly says "If, in answer to a question or during debate, a Minister discloses the advice or opinion given to him by any officer of the Government or by any other person or authority, he shall ordinarily lay the relevant document or parts of document containing that opinion or advice, or summary thereof on the Table."

Shri Mahendra Mohan Chaudhury : The Rule is very clear. This is in case of ordinary matters. When the matter relates to public interest there is a departure from the rule.

Shri Dulal Chandra Barua : It has been clearly mentioned in the Rule, as my friend Shri Goswami has read out. In this matter, at the instance of the Police Report the petition for loan has been rejected. This has been referred to by the Hon. Minister. The report should be taken as evidence on which the loan petition has been cancelled. Therefore, when the Minister has referred to the Police Report he should place it in the House as it has become the property of the House.

Shri Phani Bora : Mr. Speaker, Sir, you will be pleased to give your ruling but insinuation has already been made. Professor Md. Syed Abdul Malik is already declared an anti-national or a man who is indulging in anti-national activities and he has already been punished by not granting him the loan which he was asking for. Now it is known to everybody in the country. Therefore, in this connection, it is not only a question of whether this report will be placed here

or not. The public of Assam and the Members of this House will have to know what are the activities, what are the facts, at least, if not the full report, you will give your ruling. But we must know here and now without any delay when the charges have been levelled here and now. Here and now we must be satisfied with the facts relating to the charges. Unless it is done, it will be doing injustice, it will be committing a crime against the entire Assamese people and the consequences will be very bad and for that we are going to make the Government responsible. It will damage the cause of Assam, it will damage the interest of Assam. It is not a light matter. Here and now charges are and here and now explanation will have to be given.

Shri Gaurisankar Bhattacharyya : And, Sir, the consequences will not be confined to those who happen to be the Government to-day. You know, Sir, that when public sentiments are roused as public sentiments are now being roused by the Chaliha Ministry, the entire Assamese people have been insulted. By insulting their General Secretary the Assamese people have been insulted and the entire Assamese people will rise against this insult and injury and the consequences will be very far reaching. This Chaliha Ministry, the Ministry of hypocrisy and conspiracy will be responsible for any unrest and agitation that might take place which is pregnant in the very attitude of the Government that those whom the people of Assam placed in the highest pedestal are maligned in the worst possible terms. Therefore, Sir, it is a matter which demands our very serious consideration. It is not a very simple matter, it is not a matter of ordinary administration.

Shri Nakul Chandra Das : With due respect to the views of my Hon. Friends, may I refer to Rule 293 of Rules of Procedure and Conduct of Business in Assam Legislative Assembly ?

Shri Lakshyadhar Choudhury :
You sit down, you sit down.

Shri Dulal Chandra Barua : Rule 293 has been superseded by Rule 295.

M. Shamsul Huda: মুখ্যমন্ত্রীয়ে এই ক্ষেত্ৰত দেখা গৈছে যে Syed Abdul Malik ক Anti-national বুলি কৈ গোটেই অসমবাসীৰ ওপৰত অত্যাচাৰ কৰাৰ নিচিনা হৈছে।

(গণ্ডগোল)

সেই ক্ষেত্ৰত কি কি কাৰণত তেখেতক Anti-national কোৱা হৈছে ?

Shri Phani Bora: এনেকুৱা এজন মানুহৰ ওপৰত গৱৰ্ণমেন্টে যিটো charge আনিছে এইটো গোটেই public ৰ ওপৰত অভিযোগ অনা হৈছে। যদিও ই rule ৰ মাজত আৱদ্ধ তথাপি ইয়াৰ বাৰা যি consequence হব তাৰ কাৰণে চিন্তা কৰিব লাগিব। সেই অৱস্থাৰ কাৰণে যদি কাৰোবাৰ ছাল-চামৰা বা কাৰোবাৰ ডিঙি যায় বুলি আমি চিন্তা কৰা নাই। কিন্তু ৰাইজৰ মাজত যি পৰিস্থিতিৰ সৃষ্টি হব আমি সেইটোহে কৈছো। তাৰ বাহিৰেও আমাৰ চৰকাৰ আজি পুলিচে চলাবনে এই বিধান সভাৰ লক্ষ লক্ষ মানুহৰ প্ৰতিনিধিয়ে চলাব ? আজিৰ এই চৰকাৰ পুলিচেহে বক্ষা কৰিব। আজি পুলিচৰ বিপৰ্টিৰ ওপৰত এই চৰকাৰ চলিবলৈ আহিছে। পুলিচ বিপৰ্টিৰ ওপৰত ভিত্তি কৰি এই বিধান সভা অপমানিত বা অৱমাননা হব নোৱাৰে। আৰু এইটো এটা সাংঘাটিক কথা।

Mr. Speaker: I wanted to take time.....

(Voice from the opposition: No, No).

Shri Dulal Chandra Barua:
The rule is very clear.

Mr. Speaker: Rule 293 says, "If a Minister quotes in the House a despatch or other State paper which has not been presented to the House, he shall lay the relevant paper in the Table:

"Provided that this rule shall not apply to any documents which are stated by the Minister to be of such a nature that their production would be inconsistent with public interest:

"Provided further that where a Minister gives in his own words a summary or gist of such despatch or State paper it shall not be necessary to lay the relevant papers on the Table".

Shri Dulal Chandra Barua:
Now, please see Rule 295:

Mr. Speaker: Rule 295 says, "If, in answer to a question or during debate, a Minister discloses the advice or opinion given to him by any officer of the Government or by any other person or authority, he shall ordinarily lay the relevant document or parts of document containing that opinion or advice, or a summary thereof on the Table".

Now, I have also consulted the 'Practice and Procedure of Parliament, wherein it says, "If a Minister quotes in the House a despatch or other State paper which has not been laid on the Table, he is required on demand to lay the relevant paper on the Table. Even when a document is partly quoted by him, the entire document has to be laid on the Table.

"The above rule does not apply to a document which is stated by the Minister to be of such a nature that its disclosure would be inconsistent with public interest. As to what constitutes public interest is a matter entirely for the Government to decide".

Now according to Parliamentary Procedure in India by Shri A. R. Mukherjea: A member can ordinarily quote from a document that is treated by Government as secret or confidential and which Government have

not disclosed in public interest Government are not obliged to lay such a document on the table of the House, and the Chair cannot compel them to do so, if they continue to hold the view that it is not in the public interest to do so".

Next under the Rules of Procedure and Conduct of Business of Rule 293, provided further that where a Minister gives in his own words a summary or gist of such despatch or State paper it shall not be necessary to lay the relevant papers on the Table."

Now, rule 295 of the Rules of Procedure and Conduct of Business relates to Rule 293. Therefore, on these points I want to say whether the opinion of the Speaker's interpretation is final. Under these rules, the Minister has referred to the gist of the matter. The Members have demanded the production of papers before the House but the Minister has refused on the ground of secrecy. Under the rules stated above, I cannot compel the Minister to do so.

Shri Gaurisankar Bha - tacharyya: Mr. Speaker, Sir, I want to make a submission. When the Minister said that this was refused on certain report but he did not say that in the interest of public these police reports cannot be disclosed. If he would have said that this has been done on the basis of certain report and in the interest of public he cannot disclose, but he did not make that claim at that time. But it was made only when we wanted to know the name of that respectable gentleman and when we wanted to know whether according to the Police report, he was an anti-national?

Shri Dulal Chandra Barua: Mr. Speaker, Sir, in this connection I want to refer to rule 293 "If a Minister quotes in the House a despatch or other State paper which has not been presented to the House, he shall lay the relevant paper in the Table provided that this rule shall not apply to any documents which are stated by the Minister to be of such a nature that their production would be inconsistent with public interest". Our demand is based on public interest because, if those things are not finally decided, nobody will know what will happen tomorrow outside the House. The Golaghat College has appointed this particular gentleman as its Principal. He is loved by all the younger generation of the people. If he is guilty of or indulging in anti-national activity and he being a renowned educationist we must know about the nature of anti-national activity and this must be disclosed. As in rule 295 "If, in answer to a question or during debate, a Minister discloses the advice or opinion given to him by any officer of the Government or by any other person or authority, he shall ordinarily lay the relevant document or parts of document containing that opinion or advice, or a summary thereof on the Table". Therefore, any document connected with this you must disclose and place on the Library Table because we are to abide by the rules and procedure of this House. This matter must be disclosed for the information of Members.

Shri Biswadev Sarma (Minister, Industries): Mr. Speaker, Sir, I have already stated that the Chief Minister himself assured that the matter will be enquired into and in the interest of public, the police report cannot be disclosed and placed on the Table of the House.

Shri Atul Chandra Goswami: মিনিষ্টাৰে উত্তৰত কৈছিল যে এইটো Public Interestত প্ৰকাশ কৰিব নোৱাৰি। কিন্তু Rule ২৯ত আছে যে.....

***Shri Promode Chandra Gogoi:**—অধ্যক্ষ মহোদয়ে সময় দিওঁ দিওঁ বুলি যোক সময় দিয়া নাই। মই এটা মাত্ৰ কথা কব খুজিছো যে 'D' প্ৰশ্নৰ উত্তৰত কৈছে যে Loanৰ দৰ্শাস্তি দিয়া স্বত্তেও নাকচ কৰা হ'ল পুলিচ বিপোর্টৰ ওপৰত ভিত্তি কৰি। তেখেতে কৈছে যে Reportটো Secret সেইটো প্ৰকাশ কৰিব নোৱাৰে। সেইটো তেখেতে কোৱা নাই কিন্তু পঢ়িব ধৰা সময়তে বন্ধ কৰি দিয়া হৈছে। Rule ২৯ত যি কোৱা হৈছে সেইটো General Procedure ৰ কথা ইয়াত লিখা আছে:

Rule 29: is the general procedure but Rule 295 is definite. If, in answer to a question or during debate, a Minister discloses the advice or opinion given to him by any officer of the Government or by any other person or authority, he shall ordinarily lay the relevant document or parts of document containing that opinion or advice or a summary thereof on the Table কিন্তু মিনিষ্টাৰে উত্তৰ দিয়া সময়ত কোৱা নাছিল যে সেইটো Confidential. পুলিচ বিপোর্টৰ কথা উল্লেখ কৰিলে যেতিয়া সেই বিপোর্টৰ অংশ সদনত দাঙি ধৰিবই লাগিব। কিন্তু কথাবোৰ বেচি গুৰুত্বপূৰ্ণ হৈছে এই কাৰণেই যে চৰকাৰে পুলিচ Report ৰ ওপৰত নিৰ্ভৰ কৰি এনে এজন মানুহ যি জন অসম সাহিত্য সভাৰ সম্পাদক আৰু যিজন অসম চৰকাৰৰ দ্বাৰা মনোনীত কৰা কমিটিয়ে গোলাঘাট কলেজৰ Principal পদ দিছিল সেই মানুহজনক আজি Anti National বুলি কৈছে। যদি চৰকাৰে পোৱা Report মতে Anti National বুলি ভাবে আৰু তাৰ কোনো বিশেষ প্ৰমাণ নোপোৱাকৈই Report ৰ ওপৰত নিৰ্ভৰ কৰে তেনেহলে বুজিব লাগিব যে চৰকাৰে আচলতে বিৰোধী পক্ষৰ ওপৰত প্ৰতিশোধ মূলক মনোভাৱ লোৱাটোৱেই প্ৰমাণিত হৈছে।

Shri Biswadev Sarma: I have never quoted anything during my answer. It is very wrong to say like

that.

Shri Atul Chandra Goswami: নতুন মহোদয়ে পুলিচ Report পঢ়িবলৈ ধৰোতেই চলিহা ডাঙৰীয়াই বন্ধ কৰি দিলে

Shri Durgeswar Saikia অধ্যক্ষ মহোদয়, মই কব খুজিছো এই কথাটো এটা Ordinary কথা। ইয়াত সিমান গুৰুত্ব দিবলগায়া কথা নাই।

A Voice—গোটেই অসমীয়া জাতিটোৰ কথা।

Another voice—Very serious! Ordinary হব নোৱাৰে। (Noise)

Shri Promode Chandra Gogoi: এই কথা Ordinary নহয়, He must withdraw the word.

Shri Kamini Mohan Sarma: মাননীয় অধ্যক্ষ মহোদয়, মই কব খুজিছো এইটো Ordinary কথা নহয়। ই আমাৰ গোটেই অসমৰ জনসাধাৰণৰ কথা। ই এনে গুৰুত্বপূৰ্ণ কথা। মাননীয় সদস্যই কোৱাৰ দৰে এইটো সাধাৰণ কথা নহয়। (Noise)

Shri Durgeswar Saikia: On a point of order.

Shri Dulal Chandra Barua: He asked for the opinion of both sides.

Mr. Speaker: Mr. Bhattacharjee asked me to speak something before the verdict is given (Shouting from the Opposition).

Shri Dulal Chandra Barua: On a point of order.

Mr. Speaker: It was a Starred question and not an ordinary question. [At this stage several Opposition Members made demonstrations shouting slogans and saying something about the mike system not working]

Shri Dulal Chandra Barua: Sir, if you would permit me, I may speak a few words. The report which has earlier been referred to is the property of the House. Therefore, we demand that this report should be placed before the House so that we may see whether this person is really an anti-national and unless we get that we will not allow the House to function.

Shri Atul Chandra Goswami: "If, in answer to a question or during debate a Minister discloses the advice

or opinion given to him by any officer of the Government or by any other person or authority, he shall ordinarily lay the relevant document or parts of document containing that opinion or advice, or a summary thereof on the Table." অচ্যক্ষ মহোদয়.....

Mr. Speaker: I have heard these points and do not like to hear these points again.

M. Shamsul Huda : মহোদয় মই কথা কওঁ : Rule 293 :

"If a Minister quotes in the House a despatch or other State paper which has not been presented to the House, he shall lay the relevant paper in the Table.

Provided that this rule shall not apply to any documents which are stated by the Minister to be of such a nature that their production would be inconsistent with public interest".

Mr. Speaker: These have been discussed already.

Mr. Speaker: The House adjourns for twenty minutes.

(After adjournment)

Re: Discussion on further Business of House

Mr. Speaker: According to the programme item No. 4 that is the calling attention is to be taken up at 11:30 A. M.

Shri Gaurisankar Bhattacharyya : Point of order. Sir, মই কব খুজিছো যে বিধান সভাৰ নিয়মাবলীত যি বিলাক কথা লিখা আছে সেইবিলাকৰ, আইনৰ সমানেই বল আছে। আমাৰ কাৰণে বিধান সভাৰ পৰিচালনা নিয়মাবলীয়েই চূড়ান্ত আইন। আৰু যদি তাৰ ব্যাখ্যাৰ প্ৰয়োজন হয় তেতিয়াহলে জেনেৰেল Clauses একটৰ সহায় লব পৰা যায়। আমাৰ যি খন প্ৰশ্নেৰ অৰ্থাৎ লিষ্ট অব

বিজিনেচ তাত পাইছো যে "চতুৰ্থ আইটেম" অৰ্থাৎ "কলিং এটেনচন" সোচনটোত "to be taken up at 11:30 A.M." বুলি কোৱা আছে। গতিকে এইটো এটা বিশিষ্ট কথা। অৰ্থাৎ Special কথা। আৰু এটা কথাৰ ব্যাখ্যা General Clauses Act মতে হব। এতিয়া ১১½ বাজি গ'ল আৰু এই আইটেম আজি হব নোৱাৰে।

Mr. Speaker: At 11:30 A. M. the House usually adjourns for the next day. Now what you like to say about it? (Mr. Speaker was pointing towards Minister for Parliamentary Affairs, Shri M. M. Choudhury)

Shri Mahendra Mohan Choudhury: The hon. Member has very rightly pointed out that on Friday at 11:30 A. M. if there is voting on demand then the calling attention matter is to be taken up. As he suggested the House should pass on to the next item, I think he has rightly done so. But one thing, Sir, we have got a very important discussion pending before the House. I believe with the consent of the House that matter should be disposed of first.

Shri Gaurisankar Bhattacharyya : Mr. Speaker, Sir. If the House agrees, the House may of course extend time for discussion. But there are certain things. First of all, how is it and why is it that whereas on other week days we sit at 10 A. M., on Friday we sit at 9 A. M. ? Why is that we rise at 11:30 ? The reason is very simple. There is a vast number of Muslims in our country. They have got some faith which faith they consider to be very important. According to that faith on 'Jumma day' they must go to 'Jumma' for prayer and for the reason this has always been the established rule of the House that anything in this world may happen but the 'Jumma' prayer cannot wait. Therefore it is not only a new incorporation in this rule. It has always been continuing that there must be time for 'Jumma' prayers. Therefore if the

House continues it will mean interference with the religious rites and opportunity for those who believe in their religious rites being denied. Therefore, I would beseech that the House will not create another problem. One has already been created. The problem is that the Government has already hurled an insult and injury to the people of Assam. Let not the Government press for hurling another insult and another injury to a very sensitive section of the people who consider their faith to be above everything. I would beseech, let not the Minister request the House to extend beyond the time which this House consider to be the time for 'jumma'. Of course you have got a larger number. I shall not like to use a harsher term like brute majority. Because of their numerical strength they can steam roll everything over the National sentiment, over the religious sentiment. That is of course a different matter. I would beseech that those the Government have the power of crushing and in spite of their swell-headedness and due to their wrong use of power let them not press for another problem. That is my request.

Shri Mahendra Mohan Choudhury: Sir, the Rule is very clear. For the voting of demands for grants no other business shall be taken up at 11:30 A. M. if it is a Friday except with the consent of the Speaker. That decision is already there. This matter you are quite entitle to take up after 11:30 A. M. Sir, my submission is that we are discussing a very important matter and on that matter many of the hon. Members have expressed their strong opinion. Therefore, Sir, my submission is that with the consent of the House that matter may be disposed of then the calling attention may be taken up.

Shri Gaurisankar Bhattacharyya: Sir, I would like to say that it is better that sentiments are allowed to be

cooled down. It is why I suggested that let the Government think in their cooler moment whether it is proper or improper to insult an entire nationality and let us also feel and consider in our cooler moments whether it is proper or improper on our part to raise the standard of the nationality (applause from the Opposition). Therefore, I have suggested that let some time pass in between. This is an issue on which it is very difficult to come to a compromise because it involves on the one hand the national pride and prestige and on the other Government's own prejudices and prestige which Government considers to be higher than the national prestige. (applause from the Opposition). So this is a very important and vital issue. Therefore, let some time pass and let it wait if the Government so desires, till Monday.

Now, under Rule 144 (1) you decided in consultation with the Business Advisory Committee where the learned Minister in-charge of Parliamentary Affairs also was there, that whatever time will be available on Friday and also the latter half of Monday will be taken up for the Demands for grants. Now, that was there. The second clause of Rule 144 says—"On a day allotted under sub-rule (1) for the voting of demands for grants no other business shall be taken up before 5 p. m. or at 11-30 a. m. if it is a Friday except with the consent of the Speaker. Provided that nothing in this rule shall be deemed to prohibit, the asking and answering of questions during the time allowed under these Rules." Now time allowed under this rule is different for different days. For the other days in the week the time fixed by this rule is from 10 a. m. to 5 p. m. and on Friday the time fixed by this rule is from 9 a. m. to 11-30 a. m. Therefore, this time is to be followed but it may so happen that some asking and answering of questions—that is to be disposed and that may be done by the proviso under Rule 144.

I do not know whether I have been able and make myself clear. It is one thing to enable and it is another thing to enjoin. The rule enables but does not enjoin. Am I clear? If that point is clear, then I do not see any cogent reason in the insistence of the Minister-in-charge of Parliamentary Affairs in asking the Speaker to continue the House.

Shri Mahendra Mohan Choudhury: The Speaker is at liberty in such matter to decide whether the House should continue or not.

Mr. Speaker: Rule 144 (2) enjoins that the House should sit up to 11:30 on special consideration of Friday. And, now it is going to be 12 o'clock. From that consideration I adjourn the House till 10 a. m, Monday, the 11th August, 1969.

APPENDIX

STARRED QUESTIONS

(To which replies were circulated)

Re: Paper-pulp Mill

Shri DULAL CHANDRA BARUA asked:

*90. Will the Minister-in-charge of Industries be pleased to state—

- (a) Whether Government has received final sanction from the Government of India for starting a Paper-pulp Mill in the public sector in the State of Assam?
- (b) If so, what is the present position of the said project and when and where it is going to be started?

Shri BISWADEV SARMA (Minister, Industries) replied:

90. (a)—No.

(b)—Does not arise.

Re: Inspector of Schools in Cachar Circle

Moulana ABDUL JALIL CHOU-DHURY asked:

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

- (a) Whether it is a fact that for a long time there is no Inspector of Schools in the Cachar Circle?

(b) Whether it is a fact that occasionally various difficulties arose for want of Inspector of Schools in Cachar Circle?

(c) Whether Government propose to remove such difficulties?

(d) If so, when Government propose to remove the difficulties?

Shri JOY BHADRA HAGJER (Minister, Education) replied:

91. (a)—Yes.

(b)—No.

(c)—Does not arise.

(d)—One Inspector of Schools had already been posted in Cachar District Circle, Silchar.

Re: M. C. College at Barpeta

Shri ATAUR RAHMAN asked:

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

- (a) Whether Government is aware that the Barpeta M. C. College is the second oldest non-Government College in Assam?
- (b) Whether the number of students in the said college approximates to about one thousand?
- (c) Whether the students on its roll are mainly coming from low-lying, far-flung and economically backward area without any facilities for higher education?
- (d) Whether it is a fact that to meet the requirements of the student the college authorities have been time and again pressing for up-grading of some subjects from P. U. to Degree course and opening of honours classes in some other subjects in Science and Arts, and if so, what were the representations from the College?

- (e) What consideration Government has given to any such representations ?
- (f) Whether it is a fact that more than Rs.90,000 due to the College as sanctioned grants-in-aid has not yet been paid in spite of entreaties ?
- (g) Whether it is a fact that so far as funds are concerned there is a regular dead-lock in the College ?

Shri SYED AHMED ALI (Minister of State for Education) replied :

92. (a)—Barpeta M. C. College is not the second oldest college in Assam.

(b)—No.

(c)—Most of the students are coming from low-lying areas but do not necessarily belong to the economically backward classes.

(d)—No. Not time and again. The proposal for opening honours in Physics, Botany, Political Science and History was received in March last. The proposal was submitted without necessary particulars. No information has been received from the University regarding grant of permission to open honours in those subjects. No proposal for up-grading any subject from P. U. C. to Degree course has so far been received.

(e)—No consideration could be given to the proposal for want of required particulars as indicated in reply (d) above.

(f)—A sum of Rs.89,251 has been claimed by the College as arrear dues but the full amount could not be paid for want of funds.

(g)—No.

Re : Audit by Examiner of Local Accounts

Shri PRABHAT NARAYAN CHOUDHURY asked :

*93. Will the Minister-in-charge of Finance be pleased to state—

- (a) Whether it is a fact that the main object of Audit by the Examiner of Local Accounts is to educate in proper maintenance of accounts and for rectification of the defects ?
- (b) Whether Government propose to take the necessary steps so that up-to-date Audit Reports are made available to the audited institutions immediately after audit with a view to make immediate rectification of the defects ?
- (c) Whether Government is aware that most of the audited institutions like Government aided schools, dispensaries, etc., do not get the audit report of account even after expiry of three to five years ?
- (d) What effective measures are proposed to be taken for timely audit and timely supply of audit reports to audited institutions ?

Shri KAMAKHYA PRASAD TRIPATHI (Minister Finance) replied :

93. (a)—The main objects of audit by the Examiner of Local Accounts are to check whether all receipts that are to be credited to the Funds have been properly credited and that all expenditure incurred from the Funds have been incurred for legitimate purpose with full regard to the principles of financial propriety and in accordance with rules and regulations of the subject. In this process there is without a doubt an educational aspect for proper maintenance of accounts and for rectifications of defects.

(b) & (c)—Due to the number of Funds to be audited increasing year by year enormously and due to time taken to recruit adequate staff and train them up properly, there had been time lag in audit of some Funds. Secondly, after the audit of Funds and report of the Local Auditor, the reports are to be checked, corrected and modified at higher level. There had not been enough officers at the higher level for this purpose. As such, there had been some time lag between the completion of the audit and of the Institutions getting the Audit Reports. There had however been recently no case of delay for 5 years. In respect of Aided Schools and Dispensaries there had been some cases of audit report of 1966 not yet being sent to the Institutions.

(d)—Arrears are fast being liquidated. Government have also appointed 8 Assistant Examiners of Local Accounts to check and pass audit reports. It is expected that audit will catch up very soon.

Re : **J. B. Road and Commissioner Road**

Shri DULAL CHANDRA BARUA asked :

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

- (a) Whether Government is aware that the J. B. Road and Commissioner Road leading to Kokilamukh Protection work in Jorhat Subdivision have been completely damaged due to heavy vehicular traffic carrying boulders and other heavy materials to the work site of the said 'Project' ?
- (b) If so, what steps Government have so far taken to improve the condition of these two roads ?

Shri ALTAF HOSSAIN MAZUMDER [Minister of State, Public Works Department (Roads and Buildings)] replied :

94. (a)—Yes. The two roads are damaged to a great extent.

(b)—Steps have been taken to keep the two roads trafficable by laying boulders, Jhama brick bats, sand gravels, etc., in the affected portions of the roads.

UNSTARRED

QUESTIONS AND ANSWERS

(To which answers were laid on the table)

Re: **Border Road through Jorhat to Nagaland**

শ্রীসোনেশ্বৰ বৰাই সুধিছে :

২২। মাননীয় গড়কাণ্ডানী বিভাগৰ মন্ত্রী মহোদয়ে অনুগ্রহ কৰি জনাবনে—

(ক) যোৰহাট মহকুমাৰ যোৰহাটৰ পৰা নগাপাহাৰৰ গীমান্তবৰ্তী ঠাই নগাপাটক সংযোগ কৰা একমাত্ৰ চমুৰাস্তা ন আলি নামৰ পথটোৱেই হয়নে ?

(খ) এই পথটোত প্ৰতিদিনে অনেক মটৰ, জীপ আদিৰ উপৰিও ডাঙৰ বাছ ট্ৰাক আৰু O. N. G. C. ৰ গধুৰ গধুৰ গাড়ীবোৰ চলে এই কথা চৰকাৰে জানেনে ?

(গ) এনে গাড়ী প্ৰতিদিনে উক্ত বাস্তাটোত অন্ততঃ কিমান চলে বুলি চৰকাৰে জানে ?

(ঘ) ইমান ভীৰৰ মাজত চলা এই বাস্তাটো বৰ্তমান ভাগি চিগি যোৱাৰ উপক্ৰম হৈছে। এই কথা চৰকাৰে জানেনে ?

(ঙ) এই বাস্তাটোৰ যাতায়াত আৰু পৰিবহনৰ গুৰুত্বলৈ লক্ষ্য কৰি বাস্তাটোৰ উন্নতিৰ কাৰণে তত-কালীন খৰতকায়া ব্যৱস্থা এটা লৈ উক্ত বাস্তাটোৰ উন্নতি সাধন কৰিবনে ?

(চ) যদি কৰে কেতিয়া কৰিব আৰু যদি নকৰে কিয় নকৰে জনাবনে ?

ৰাজ্যিক গড়কাপ্তানী মন্ত্রী শ্ৰীআলতাফ হোছেইন মজুমদাৰে উত্তৰ দিছে—

২২। (ক)—Yes.

(খ)—Yes.

(গ)—It appears from the traffic census that the daily intensity of traffic on the road roughly are as follows :—

	Nos
(a) Light Vehicles about	39
(b) Medium Vehicles about	31
(c) Heavy Vehicles about	79
Total	149

(ঘ)—The major portion of the road is gravelled and as such the road deteriorates during summer due to plying of heavy vehicles, but the road is maintained and kept trafficable.

(ঙ)—Owing to paucity of fund no proposal for further improvement of the road is under consideration at present.

(চ)—Does not arise in view of reply to (ঙ) above.

Re: Scheme for Construction of Nangalamara Bridge on Desang

Shri DURGESWAR SAIKIA asked :

23. Will the Minister, P. W. D. (R. & B) be pleased to state—

(a) Whether the scheme for construction of Nangalamara Bridge on Desang has been sanctioned ?

(b) Whether it is a fact that the questioner also requested to the Government to construct the Bridge with old materials if there is no provision in the Fourth Five-Year Plan ?

(c) Whether Government propose to consider the same and finalise the decision ?

Shri ALTAF HOSSAIN MAJUMDER [Minister of State, P. W. D. (R. & B.)] replied :

23. (a)—Yes.

(b)—Yes.

(c)—Does not arise in view of (a) above.

Re: State Dispensary at Lumding running without any Doctor

M. SHAMSUL HUDA asked :

24. Will the Minister, Health be pleased to state—

(a) Whether it is a fact that the State Dispensary at Lumding has been running without any doctor for the last 8 months ?

(b) If so, why ?

(c) Whether the Government propose to arrange immediate posting of a doctor there ?

(d) If not, why ?

Shri CHATRASING TERON
(Minister, Health) replied:

24. (a)—Lumding State Dispensary is running without a doctor since 1st February 1969.

(b)—Due to transfer of the doctor who was there previously.

(c)—One doctor has already been transferred there. His joining report is awaited.

(d)—Does not arise.

Re: Representation from the Assam Textile Officers' Association, Gauhati

M. SHAMSUL HUDA asked :

25. Will the Minister, Finance be pleased to state—

(a) Whether the Government received any representation in July, 1964 from the Assam Textile Officers' Association, Gauhati ?

(b) Whether the representation has pointed out some disparities in the pay scales of the textile officers and that of the comparable posts of other Development Departments of the State Government ?

(c) What are the disparities pointed out in the said representation ?

(d) The measures adopted by the Government towards removal of the disparities mentioned above ?

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Finance) replied :

25. (a)—No.

(b), (c) & (d)—In view of (a) above, do not arise.

Re: Number of Officers and Staff of the Dibrugarh Labour Office

Shrimati LILY SEN GUPTA asked :

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

(a) The number of officers and office staff in the office of the Dibrugarh Labour Office ?

(b) Why the officers are required to visit tea gardens ?

(c) Whether they get any transport facility for visiting a tea garden on official duty ?

(d) If so, the mode of such facility ?

(e) How many conciliation and disputes have been attended to by the officers of the Dibrugarh Labour Office during the year 1968-69 ?

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Labour) replied :

26. (a)—Five Gazetted Officers, 1 Assistant Labour Commissioner, 1 Labour Officer (Bonus), 1 Inspector of Motor Transport Undertaking and 2 Labour Inspectors) and 11 Assistants and IV Grade staff.

(b)—For inspection under the Plantation Labour Act, payment of Bonus Act and other Acts applicable to tea plantations as well as for purposes of enquiry into complaints and in connection with industrial disputes.

(c)—Previously they got transport facilities while a departmental vehicle had been allotted to the Dibrugarh Labour Office. The vehicle being unserviceable at present, the officers make their own arrangements for visiting tea gardens.

Steps have been taken to replace the vehicle as early as possible, and a vehicle from the Political Department has been obtained.

(d)—Does not arise.

(e)—Number of disputes taken—65. Number of Conciliation Proceedings held—33.

**Re: Supply of D. C. current
in Dibrugarh**

Shrimati LILY SEN GUPTA
asked:

27. Will the Minister-in-charge, Power (Electricity) be pleased to state—

(a) Whether Electric Supply of D. C. current in Dibrugarh town, run by a private company, can be converted to A. C. current with Government aid for giving facilities to public to promote cottage Industries besides domestic use ?

(b) If it is possible, whether Government propose to take early steps ?

Shri BISWADEV SARMA [Minister, Power (Electricity)] replied.

27. (a)—No.

(b)—Does not arise.

**Re: Employees of Industrial
Training Institute**

Shri TAZAMMUL ALI LASKAR
asked:

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

(a) How many Trained persons from Industrial Training institutes in various Trades have been employed in the State Electricity Board, Oil India Corporation, Duliajan and other big Industries during last three years and the number of such persons trained in private work-shops employed in the aforesaid industrial undertakings ?

(b) Whether Government have not any contemplation to render help and assistance to the Trained persons in various trades from the Industrial Training Institutes of the State in having their employment in Government Departments or in other Institutions ?

(c) If so, what is the line of action taken from the Government side for rendering help and assistance or giving preference to such Trained persons ?

Shri KAMAKHYA PRASAD TRIPATHI (Minister, Labour)
replied:

28. (a)—Information is not readily available.

(b) & (c)—Steps are constantly taken by the Employment Exchanges to provide Employment to the passed out trainees of the I. T. Is in the Industries both under the Public and Private Sectors.

Re: Shortage of audit officers

**Shri MATHURA MOHAN
SINHA** asked :

29. Will the Minister, Finance be pleased to state—

(a) Whether it is a fact that in order to get audit reports of most of the aided institutions it takes two to three years for submission of the report from the date of completion of audit of accounts ?

(b) Whether it is a fact that due to shortage of audit officers for passing of audit reports, such undue delay is caused ?

(c) Whether there is any proposal for creation of some Assistant Examiner of Local Accounts for quick disposal of works as well as to supervise the works of the local auditors ?

(d) If so, when it is proposed to be implemented ?

**Shri KAMAKHYA PRASAD
TRIPATHI (Minister, Finance)**
replied :

29. (a)—Yes, there had been delay, but the delay is constantly reducing. Presently there are less than sixty-three year old cases.

(b)—Yes.

(c) & (d)—Yes, 8 posts of Assistant Examiners of Local Accounts had been created and orders have been issued for their filling up.

*Re: Hailakandi-Gharmura
P. W. D. Road*

Shri TAZAMMUL ALI LASKAR
asked :

30. Will the Minister-in-charge of P. W. D. (R. & B.) be pleased to state—

(a) Whether it is a fact that the Hailakandi-Gharmura Public Works Department Road has been taken up by the Government for improvement basing its importance for its location in the Bordering district of the Mizo Hills ?

(b) Whether the programme of improvement of the Road is being implemented on the principle adopted by the Assam Road and Communication Board ?

(c) If so, what are the concrete programmes of improvement ?

(d) When it is expected to be started and completed ?

**Shri ALTAF HOSSAIN
MAZUMDER [Minister of State,
P. W. D. (R. & B.)]** replied :

30. (a)—Yes.

(b)—Yes.

(c)—The road in question *i. e.* 1st to 56th Km. has since been sanctioned at an estimated cost of Rs.53,14,000. There is provision in the estimate for metalling and black-topping for certain stretches including widening, gravelling and other improvement works.

(d)—The work has been accorded administrative approval and work is expected to be started soon and likely to be completed during the Fourth Five Year Plan subject to availability of funds.

**Re: Senior auditor of Local
Accounts**

Shri MATHURA MOHAN SINHA
asked:

Will the Minister, Finance be
pleased to state—

31. (a) Whether it is fact that one senior auditor of local accounts was attached to each of the Inspectorate of Schools to settle up the audit objections of aided and Government secondary Schools and to help the Inspector of Schools in financial rules and regulations ?

(b) If so, why these auditors have been withdrawn, although their services were essential to the Inspectorates ?

(c) Whether there is any proposal for re-posting of the auditors in each of the Inspectorate circle ?

(d) If not, why Government consider it not necessary ?

**Shri KAMAKHYA PRASAD
TRIPATHI (Minister, Finance)**
replied.

31. (a)—Yes, they were attached to work as Internal Auditors and to assist the Inspector of Schools generally, in matters relating to grants to Aided Institutions.

(b)—They were withdrawn as on the one hand, it was found that the duties could be performed by Assistant-Auditors and on the other hand, there has been shortage of Local Auditors.

(c)—There is no proposal to re-post Auditors, but there had been a proposal to post Assistant Auditors to assist the Inspectors. The Education Department had been requested to create posts of Assistant Auditor for posting.

(d)—For reasons stated against (b) above.

**Re: Primary Schools taken over
by the Board of Elementary
Education 1968-69**

M. SHAMSUL HUDA asked:

32. Will the Minister, Education be pleased to state—

(a) The total number of Primary Schools taken over by the Board of Elementary Education during 1968-69?

(b) The total number of Primary Schools yet to be taken over ?

(c) When these schools are likely to be taken over?

(d) The number of Primary Schools which the Government propose to take over during 1969-70?

Shri SYED AHMED ALI (Minister of State for Education)
replied:

32. (a)—One hundred and seventy-three.

(b)—One thousand one hundred and thirty-two in Plains Districts.

(c)—Whenever funds will be available.

(d)—There is a proposal to take over ninety-four Venture L.P. School under the Plan during the current year.

Adjournment

The Assembly then adjourned till 10 A.M. on Monday, the 11th August 1969

U. TAHBILDAR,
Secretary,
Legislative Assembly, Assam.

Shillong:

The 5th August 1970

