

Proceedings of the Third Session of the Second Assam Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

The Assembly met in the Assembly Chamber, Shillong, at 11 A.M., on Monday, the 17th March 1947.

PRESENT

The Hon'ble Mr. Debeshwar Sarmah, Speaker, in the Chair, eight Hon'ble Ministers and fifty-four Members.

Statement *re* Discussion among the Leaders of various Parties for disposal of the business of the Assembly

The Hon'ble the SPEAKER: I am extremely sorry to keep you, hon. Members, waiting here, but there was a very important discussion amongst the Leaders of the Parties and as a result of which I was inevitably detained. I am also sorry to have to announce that I am informed, the Muslim League Party Members of this House have decided not to attend the current Assembly Session. I now take up Questions.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(To which oral answers were given)

Use of Natural Gas by the Assam Oil Company

Srijut LAKSHESVAR BOROOAH asked :

- *21. (a) Is it a fact that the Assam Oil Company use the Natural Gas coming out in the process of drilling in fuelling their engines and boilers ?
(b) If so, will Government be pleased to state whether the Company is not liable to pay royalty on the Natural Gas used as aforesaid ?
(c) If not, do Government propose to enquire and state what amount of coal is purchased by the Company monthly to fuel the engines and boilers ?

The Hon'ble Srijut BISHNU RAM MEDHI replied :

21. (a)—Yes.
(b) & (c)—The Company is authorised under the lease and under the rules to utilise natural gas for the production of natural petroleum or natural gas, free of royalty ; they are required to pay only if gas is sold or utilised for any other purpose than the production of natural petroleum or natural gas. The relevant extract from the lease is as follows :—
“The lessee shall pay.....royalty at the rate of 5 per cent. on the well-head value of all natural gas produced from the said lands which shall be sold by the lessee or utilised by him for any purpose other than the production of natural petroleum or natural gas”.
Whether the Company is liable to pay royalty on any part of the natural gas used by it will require expert examination and advice. Government will arrange for such advice as soon as it is available.

Tea Garden Labourers' Welfare Committee

Mr. BINODE KUMAR J. SARWAN asked :

- *22. Will the Hon'ble Minister in-charge of Labour be pleased to state
- Whether Government have appointed any Tea Garden Labourers' Welfare Committee ?
 - If so, who are the members appointed in that Committee ?
 - The functions of such Tea Garden Labourers' Welfare Committee ?

†The Hon'ble Srijut BHIMBOR DEORI replied :

22. (a) —As the hon. Member has probably seen from newspaper reports the Central Government have convened a Conference on the Plantation industries. He probably alludes however to the Conference previously summoned by this Government to advise about Labour matters, the first session of which on the 14th November, 1946 considered Labour Welfare on Tea Plantations especially in the light of the forthcoming Central Conference

(b) —The members of the Provincial Conference were

- (1) The Hon'ble Prime Minister (Chairman of the Committee)
- (2) The Hon'ble Labour Minister.
- (3) Chief Secretary to the Government of Assam
- (4) The Labour Commissioner, Assam (Secretary of the Committee).
- (5) The Chief Inspector of Factories (Assam).
- (6) R. L. McLeman, Esq., C.I.E. ... } Three representatives of the
- (7) C. W. Morley, Esq., M.L.A. ... } Indian Tea Industry.
- (8) H. F. Clark, Esq., C.I.E. ... }
- (9) H. N. Sarma, Esq., B.L., M.L.A. ... } To represent the Indian Plan-
- (10) Babu Dharendra Kr. Gupta (Silchar) ... } tets.
- (11) Srijut Dalbir Singh Lohar, M.L.A. ... }
- (12) Srijut Chanu Kharia, M.L.A. ... } Labour members in the Legis-
- (13) Srijut Jiban Santal, M.L.A. ... } lative Assembly.
- (14) Srijut Bijoy Chandra Bhagavati ... }
- (15) Babu Purnendu Kishore Sen Gupta, } Labour Welfare workers.
- M.L.A. ... }
- (16) Srijut B. K. Bhandari ... }
- (17) Srijut Parasuram Datta ... }
- (18) Maulavi Abdul Bari Choudhury, M.A., } To represent Opposition
- B.L., M.L.A. ... } Group of the Legislative
- (19) Dr. Emran Hussain Choudhuri, D.Sc., } Assam.
- M.L.A. ... }

(c) —The functions are to advise Government on all matters concerning the welfare of Labour.

Mr. BINODE KUMAR J. SARWAN: With regard to reply to Question No. (b), may I know from the Hon'ble Minister who are the labour Members of the Legislative Assembly among those just now mentioned by him ?

The Hon'ble the SPEAKER: That is a matter of record and the hon. Member ought to know who are labour Members of the Assembly. Supplementary Questions cannot be put on matters which are matters of record and the hon.

†The Questions were replied to by Hon'ble Srijut Ramnath Das in the absence of the Hon'ble Srijut Bhimbora Deori.

Member is expected to know the names of the labour Members of this House. Therefore, this is not a permissible Supplementary Question. Any other supplementary please ?

Mr. BINODE KUMAR J. SARWAN: May I know, Sir, to which party do these labour Members of the Legislative Assembly belong ?

The Hon'ble the SPEAKER: That is also not permissible, because the hon. Member is expected to know the party affiliations of this House.

Mr. P. M. SARWAN: May I know, Sir, why the labour Members of the Legislative Assembly of the Congress Party alone were taken in in that Committee ?

The Hon'ble Srijut RAMNATH DAS: Because Government thought that those labour Members of the Legislative Assembly, who were included in the Committee were the fit persons to represent the cause of Labour in that Advisory Committee.

Mr. BINODE KUMAR J. SARWAN: Does not Government want co-operation of the representatives of all sections of the labour represented in this House ?

The Hon'ble Srijut RAMNATH DAS: Yes, Sir. We require co-operation of all sections of the labour.

Mr. BINODE KUMAR J. SARWAN: Then why no independent labour Member of the Legislative Assembly was included in that Committee ?

The Hon'ble Srijut RAMNATH DAS: I have already said, Sir, that those Members who were included in that Committee were considered to be fit persons to represent the cause of Labour in the Advisory Committee.

Babu PURNENDU KISHORE SEN GUPTA: Is it not a fact, Sir, that the first Conference convened by the Assam Government on labour welfare on tea plantations failed due to failure in serving proper notice ?

The Hon'ble Srijut RAMNATH DAS: I am not aware of that, Sir. The Hon'ble Minister-in-charge of the Portfolio is absent and I am only replying on his behalf.

Mr. P. M. SARWAN: Do Government realise that the manner in which only the Congress Labour Members of the Legislative Assembly have been appointed to this Welfare Organisation makes the tea garden labourers apprehensive of the totalitarian move on the part of the Government ?

The Hon'ble the SPEAKER: That is a matter of opinion.

The Hon'ble Mr. BASANTA KUMAR DAS: That is also an insinuation.

Mr. P. M. SARWAN: Am I to take it that other Members of the Legislative Assembly, who have not been included in the Welfare Committee have the same right to take part in the welfare of the labourers ?

The Hon'ble Srijut RAMNATH DAS: Yes, they have got the right and liberty to do that, Sir.

(Starred Question No. 23 was not put as Maulavi Afazuddin Ahmed was absent.)

Amendment of ferry rules

Srijuz MOHENDRAMOHAN CHOUDHURY asked

*24. (a) Are Government aware of the representations recently made by the people of Baradi village in the Barpeta Subdivision praying for amending the ferry rules and making provisions therein compelling the lesser of any ferryghat to compound at a certain rate with the villagers within an area of a mile from the ferryghat?

(b) If so, do Government propose to consider the aforesaid representation favourably and pass an immediate order to this effect?

The Hon'ble Rev. J. J. M. NICHOLS-ROY replied:

24. (a)—No representation was received by Government. It transpires on enquiry that the Public Works Department Subdivisional Officer at Barpeta was approached by the villagers on the subject.

(b)—In the absence of any formal representation Government cannot pass any orders. It is however understood that through the intervention of the Civil Subdivisional Officer the villagers have arranged compounding tolls for the current year.

UNSTARRED QUESTIONS

(To which answers were laid on the table)

Allegations against Mr. Ashutosh Dutta, Subdivisional Officer of Sunamganj.

Maulavi ABDUL KHALEQUE AHMED asked:

87. (a) Has the attention of Government been drawn to the open letter published in the weekly "Juger Alo" of 7th April, 1946, under the signatures of Srijut Harendra Chandra Choudhury, Editor, "Agragati" and Srijut Matilal Dev, Editor, "Juger Alo" making the following amongst other allegations against Mr. Ashutosh Dutta, the Subdivisional Officer, Sunamganj:—

- (i) That as a result of the policy adopted by the said Subdivisional officer the suffering of the general public had enormously increased?
- (ii) That Mr. Dutta was very enthusiastic in realising subscription on various pretexts?
- (iii) That the Contractors, License holders and Checkers were extracting various advantages as they paid for subscriptions?
- (iv) That Mr. Dutta was in the habit of tearing away applications for special quotas made by the public on ceremonial occasions?
- (v) That the Subdivisional Officer was showing extraordinary favours towards certain traders?

(b) If the answer to Question (a) above be in the affirmative, will Government be pleased to state whether they have enquired into the allegations?

(c) What steps do Government propose to take against this officer?

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The Hon'ble Srijut GOPINATH BARDOLOI replied :

37. (a)—Yes.

(b)—Government have enquired into various allegations including these, and have found no evidence that the Subdivisional Officer was personally responsible for using influence in this way.

(c)—Does not arise. But in present circumstances Government have decided that their officers must vigorously abstain from any connection with fund collections in order to prevent the possibility of abuse.

Bagmara Dispensary

Mr. MANIRAM MARAK asked :

38. (a) Are Government aware that the site of the Bagmara Dispensary is damp and unhealthy from sanitary point of view and that it is inconvenient to the public as it is located in a secluded place ?

(b) Will Government be pleased to state whether any proposal has ever been made to shift the Dispensary to a healthier and more crowded place of the locality ?

(c) If so, when ?

(d) If not, whether and when Government propose to shift the said dispensary to a suitable locality ?

The Hon'ble Srijut RAMNATH DAS replied :

38. (a)—Yes.

(b)—Yes.

(c)—Government sanctioned the reconstruction of the Bagmara Dispensary buildings and staff quarters on a new site at an estimated cost of Rs.11,146 but the work could not be carried out due to non-availability of building-materials owing to the War.

In August last, Government again received the proposal from Inspector General of Civil Hospitals for reconstruction of the said dispensary building and staff quarters but as it involved a huge expenditure Government considered it desirable to postpone it till better days, and to carry out necessary repairs to the existing buildings in the meantime.

(d)—Government do not propose at present, *i.e.*, in 1947-48 to shift the Bagmara Dispensary and the staff quarters to a new site due to financial reasons and non-availability of building-materials.

*Mr. MANIRAM MARAK: May I know, Sir, when the better days will come ? I think days are all the same for the Government.

*The Hon'ble Srijut RAMNATH DAS: When the building materials would be available and the price of materials would come down, Sir.

*Speech not corrected.

Mariani-Jorhat Passenger Train

Dr. EMRAN HUSAIN CHAUDHURY asked :

89. (a) Are Government aware that a Goods train has long been running between Jorhat and Niamati ?

(b) Do Government propose to move the Railway Authority as early as possible to extend the recently started Mariani-Jorhat passenger train to Niamati ?

The Hon'ble Rev. J. J. M. NICHOLS-ROY replied :

89. (a)—Yes.

(b)—Government have already moved the Railway Authority for the retention of the line. The question of extending the passenger train will depend upon the retention of the line.

Mr. A. C. TUNSTALL: I would like to ask whether the Government would consider the desirability of holding a conference of the local people to discuss the questions of retaining this railway line because the position of some of the stations particularly Cinamara is inconvenient for passenger traffic. Much more traffic would be obtained if the trains were run as they were before the Bengal and Assam Railway took over. Then the trains had many optional stopping places. In fact it was functioning as a train line. The need for facilities for passengers and parcels between Jorhat and Niamati is very urgent.

The Hon'ble Rev. J. J. M. NICHOLS-ROY: The Government have realised the importance of it and have already moved the Railway Authority for the retention of this line. If any Member of this House or any public body will represent to the Government and give in writing we shall forward that to the Railway Authority and press them to retain the line. Any help from the public will be gladly accepted in order to move the Railway Authority to retain the line. When the line is retained there will be passenger train also.

Ministerial Officers in the Supply Office of the North Sylhet Subdivision.

Maulavi MD. ABDULLAH asked :

90. Will Government be pleased to state—

(a) The numerical strength of the Ministerial Officers in the Supply Office of North Sylhet Subdivision and the percentage of Hindus and Muslims in that office ?

(b) Whether the principle of 50:50 ratio has been maintained in the appointment of such officers in the Deputy Commissioner's Office, Sylhet.

(c) If not, whether Government propose to take steps to remedy this.

The Hon'ble Mr. BAIDYANATH MOOKERJEE replied :

90. (a)—Twenty-two including Rationing Office.

Percentage of Hindu	45.45.
Percentage of Muslim	54.55.

(b)—Yes.

(c)—Does not arise.

Babu NIRENDRA NATH DEV: Sir, the answer to Question (a) is that the percentage of Hindus 45·45, percentage of Muslims 54·55. How can in the face of this answer, the answer to Question (b) be in the affirmative—saying that the principle of 50:50 ratio has been maintained?

The Hon'ble Mr. BAIDYANATH MOOKERJEE: Sir, at the time of drafting the reply I looked to the intention of the Questioner. His intention was that the Muslim community was not fully represented. From the figures that I have supplied, it is quite clear that they have been over-represented. Therefore without taking advantage of this fact I have simply said, 'Yes'. Sir, it is quite possible that in case the number of employees is not even there is every possibility that there will be some difference and the ratio cannot be 50:50 the odd part after equal distribution among the two communities cannot be filled up by both the communities.

Statement *re* certain incident at Silchar by the supporters of the Muslim League

Prof: NIBARAN CHANDRA LASKER: With your permission, Sir, I like to draw the attention of the Government to certain incidents which took place at Silchar on the 14th instant. I received a telegram on the 15th instant from the Congress President which runs as follows:

"Muslim Leaguers held procession without permission. Closed Muslim shops by threat. Entered Court precincts 1 P.M. Removed Union Jack from Deputy Commissioner's Court building. Replaced League flag. Superintendent of Police absent. Deputy Commissioner took no action though timely informed. Senior Magistrate Monawar Hussain explained away stating it act of little boys. Law Order at stake. Further development apprehended. Solicit immediate intervention." May I enquire whether the Hon'ble Minister-in-charge of Law and Order has received any information to this effect? May I also draw the attention of the Hon'ble Minister to take necessary action to maintain Law and Order while the Deputy Commissioner and the Senior Magistrate took no action in the matter?

The Hon'ble Mr. BASANTA KUMAR DAS: Sir, I also received a copy of this telegram and immediately after receipt of the telegram I received a copy information from the Deputy Commissioner and Government I wanted to seek him on the phone, but he was not available. Perhaps he was out on tour. Then on the following day a wireless message was sent to the Deputy Commissioner to give a detailed account of the happenings. Up till now Government have not received any report from him. Perhaps he has not returned from tour yet. The Superintendent of Police was here at Shillong to attend a meeting of the Transport Authority on the day of the happenings and he has by now returned to Silchar. I hope, Sir, everything will be all right now. After receipt of the detailed statement from the Deputy Commissioner, Government will consider what steps should be taken to stop further happenings. I need hardly emphasise, Sir, that Government are always as keen as they should be to do whatever is necessary for the maintenance of public peace and security.

Statement *re* the Business of the House

The Hon'ble Srijut BISHNURAM MEDHI: Sir, I want to mention one matter regarding business of the House. In view of the fact that the whole of the time allotted during this Budget Session for voting on Demands for Grants may

not be required, may I request the Hon'ble Speaker to consider whether, under sub-rules (2) and (3) of rule 16 of the Governor's Rules, which mean to say that on a day allotted for the voting on Demands for Grants no other business shall be taken up before 4 p.m. except with the consent of the Speaker, permission may be given for moving some of the important Bills like the Assam Finance Bill, Assam New Motor Cars (Control of Commercial Sales) Bill, Assam Maintenance of Public Order Bill, Assam Sales Tax Bill, Assam Revenue Tribunal (Amendment) Bill, etc.

The Hon'ble the SPEAKER: Of the Bills that the Hon'ble Minister has just now mentioned, the Assam Revenue Tribunal (Amendment) Bill is more contentious as I find and it will require more time and so this Bill may be taken up earlier. (A voice: The Assam Sales Tax Bill also.) Yes, I have taken note of this as well and for this 3rd and 4th April have been fixed.

I have no objection if the House agrees to take up these Bills earlier in order to economise time.

Mr. W. R. FAULL: Mr. Speaker, Sir, some of the Bills mentioned are non-contentious, as far as we are concerned, but there are others on which we certainly would like to have time to make preparation, and in connection with the proposal that we might curtail the duration of the whole of the Session, even then it was my intention to ask for extra recess days so that we might concentrate on consideration of all the Bills that are proposed to be taken up earlier than on the days originally fixed for them.

The Hon'ble the SPEAKER: Might I suggest one thing? Probably it will not take more than another half an hour to complete to-day's business. So, as there will remain some time to-day without anything to do before the lunch hour, will the Leader of the European Group please come into my Chamber so that we can discuss and fix up matters?

Mr. W. R. FAULL: I think, Sir, that would be better.

The Hon'ble Srijut GOPINATH BARDOLOI: Sir, I personally think that if the Finance Bill and the New Motor Cars (Control of Commercial Sales) Bill are taken up now they could be finished today, they being little contentious.

The Hon'ble the SPEAKER: I do not object to that. I want to make the position clear that we should try to economise time and hence I seek the sense of the House.

Mr. W. R. FAULL: Mr. Speaker, Sir, as for the Finance Bill and the New Motor Cars (Control of Commercial Sales) Bill are concerned I have no objection to their being taken up immediately after today's business is over.

The Hon'ble the SPEAKER: Then those Bill will be taken after lunch time.

Point of order in connection with the priority of Cut Motions

The Hon'ble the SPEAKER: Now I would like to come to the point of order raised by the Leader of the European Group in respect of the agenda paper for Cut Motions in relation to Demands for Grants. Probably he raised the question of putting priority. Am I correct?

Mr. W. R. FAULL: Yes, Sir, you are quite correct.

The Hon'ble the SPEAKER: The procedure followed in this House and in the Central Assembly as well as in other Provincial Assemblies is this. The Cut Motions are taken up in sequence as the heads are arranged in the Budget as major heads, minor heads, sub-heads and so on and so forth, and under each head Cut Motions involving biggest amounts are taken up first and small amounts later. But under the same major heads, minor heads, sub-heads on the same subject Cut Motions are put on the agenda paper in accordance with the priority of receipt of the notice in the office. This is the practice so far followed. The rule concerned is at page 31 of the Legislative Assembly Manual, Assam, Rule 99 (1), (2), (3), (4), and (5), particularly rule (5). Now, herein we find an order that has been followed in the Central Assembly as well as in other Provincial Assemblies, as I have just now stated. I will read from page 87 of the 'Selections from the Decisions of the Chair' of the Legislative Assembly (Central) from 1921-1940.

"During the discussion on the Railway Demands on the 24th February, 1931, it was pointed out by Mr. B. Das that:

'It has been the practice hitherto, in arranging token cuts, to put those first which embrace the whole railway management, and then the smaller cuts. This time I find that it has been arranged in the way as it has been received by the Department. I only want to point out that this year it has not been done in the same way as it has been done in past years.' Whereupon.

The President remarked: 'The procedure followed by the office is exactly what was followed before. The point that the honourable Member has raised deals with retrenchment motions, and if he will observe the Order Paper, he will find that because his motion of retrenchment was for Rs. 1,15,000 it was put above the one for a lakh of rupees. As regards token cuts, they are arranged in the order in which they are received, and it would be extremely difficult for the office to follow the procedure that the Honourable Member suggests. It is easy to determine the precedence in regard to amounts, but it is very difficult to determine the relative precedence as regards the subject-matter dealt with in a particular token cut.'

Mr. Das submitted that what he meant was a motion which dealt with the future constitution of the Railway Board and which was more comprehensive than the issues raised in some of the other Motions.

The President ruled: 'That will come in due course. It can only be dealt with in the order in which it appears on Order Paper, and I hold that the Order Paper has been correctly prepared.'

This rule has been practically followed in Bengal and various other provinces. The subsequent Ruling was given on the 24th February 1931, which deals with Cut Motions *in extenso*. This will be found at page 88 of the Legislative Assembly (Central) Decisions of the Chair. It is a very interesting Ruling, but it is long and I will not take the time of the House in going through this long Ruling. But I do recommend to the hon. Members to go through it; it will be very helpful for them.

Demands for Grants

The Hon'ble the SPEAKER: We come to the next item—Grant No.10.

Grant No.10
(25.—General Administration)

The Hon'ble Srijut GOPINATH BARDOLLOI: On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not

exceeding Rs.38,66,300 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1948 for the administration of the head "25—General Administration."

The Hon'ble the SPEAKER: Motion moved:

"That a sum not exceeding Rs.38,66,300 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1948 for the administration of the head "25—General Administration."

There are two Cut Motions under this Demand. I would call upon any of the hon. Members to move his Motion.

Mr. J. S. R. TELFER: Mr. Speaker, Sir, I beg to move

That the provision of Rs.1,20,700 under Grant No.10, Major head 25.—General Administration, Minor head—District Administration, Sub-head S.—General Establishment—1.—Pay of Officers, Detailed head Deputy Commissioner at page 66 of the Budget, be reduced by Rs.1,12, the amount of the whole grant of Rs.38,66,300 do stand reduced by Rs.1.

The object of this Motion is to discuss the urgent need for adopting without delay effective measures for preventing depredation by wild elephants.

Mr. Speaker, Sir, we had intended that during this Session a Bill would have been introduced to provide for compensation for damage caused by wild elephants, but circumstances beyond our control have compelled us to utilise a debate on a Cut Motion as the only means of ventilating this very genuine grievance and I trust that in these special circumstances you, Sir, will be pleased to concede a more liberal allowance of time to enable me to explain fully the points at issue so that all Members of the House, particularly those Members representing constituencies which are seriously affected by damage from wild elephants, will be able to appreciate what steps Government are in a position to take to give relief to the cultivators who are suffering unacceptably at present.

The fact that for some years our Group has been pressing this question may have induced Government and many Members of this House to believe that in some way or other we are specially affected by the damage which is being caused. This, however, is far from the case. Tea Gardens are not suffering extensive damage on the whole from this menace but it is cultivators living in the vicinity of tea gardens who are enduring such heavy loss. Many cultivate lands on tea gardens; others are cultivating lands either in their own rights or under other landlords. All cultivators, however, living in areas adjacent to Reserve Forests are seriously affected. To quote an instance of the effect which wild elephants produce in the countryside, I would mention that a cultivator in the Mangaldai subdivision obtained some machinery for the local manufacture of sugar and proceeded to plant his sugarcane. But this attracted the interest of wild elephants to such an extent that he was forced to abandon this cultivation after providing free meals for these animals and was left with this machinery useless on his hands.

In recent years the number of elephants has increased rapidly and their tastes have also changed. No longer satisfied with grass and other jungle products, they are invading the cultivated areas and living on paddy and other crops raised by cultivators with sweat and toil. I am certain that the Hon'ble Leader and other hon. Members of the House would not for long raise crops which they knew were certain to be devoured by wild elephants. They would, I feel certain, be the first to urge that effective measures should be taken to check this menace and also to compensate sufferers.

The Hon'ble Finance Minister in his Budget speech explained at length the damage which had occurred in the Province as a result of extensive floods. We are not disputing the nature and extent of this damage but we are drawing

attention to the fact that when floods occur Government hasten to give relief by way of free grants, loans, issue of seeds and in numerous other ways. We do not ask that it should be otherwise but we would urge that the cultivator who loses all his crop in a single night from an invasion by wild elephants, is as deserving of relief as a person whose crop is possibly less severely damaged by flood.

Government have drawn the attention of the House on previous occasions to the fact that elephants are a source of profit to the Province. The amounts received on this account are estimated at approximately four and one fourth lakhs in 1946-47 and just over one and a half lakhs in the forthcoming financial year. These profits to the Government should surely be weighed against the loss which cultivators sustain. No civilized Government is justified in making profit out of the misery and wretchedness of the cultivator.

If Government do not believe my statement that damage running into many lakhs of rupees is sustained every year from wild elephants, I would press that Government would have an enquiry made through any of its gazetted officers. In addition to the great damage that is being caused to standing crops, there is great distress being caused by reason of the fact that cultivators decline to cultivate land when they are certain that they will merely be providing fodder for the wild elephants which this Government preserve. I have seen large areas of land lying fallow which could be cultivated and yield paddy so badly needed in parts of India at the present time. Is it not, Sir, the height of absurdity that vast sums should be expended on "Grow More Food" Campaigns when, with a little energy on the part of Government it would be possible for extensive areas to be brought under cultivation?

Previously Government have made no clear statement on their legal liability, but we are advised that in civil law Government are liable for damage which can be proved to have been committed by wild animals which are preserved by them. I will quote an interesting example of this principle. In England fox-hunting is not uncommon and it is recognised that if farmers are deprived of the right of shooting foxes, it is necessary that they should be compensated, and the result is that the Hunts maintain funds which are utilised for payment of compensation for depredation caused by foxes.

Government have also accepted the necessity of providing for penalisation of individuals who allow their animals to trespass on land belonging to others. There is the Cattle Trespass Act which enables persons to remove cattle which are causing damage, place them in a pound and, in order to obtain release, the owners of the cattle are compelled to pay certain penalties. This, however, does not absolve the owner of such cattle from any liability which may have accrued and a civil suit will lie against an owner for damage caused by his cattle.

We have already urged that Government's civil liability exists and that Government cannot escape this. In the Bill which was drafted, there was no intention of creating any new liability but of providing arrangements for speedy payment of compensation. The Ministry may not be aware that the average cultivator is naturally reluctant to institute a case against Government as he knows that the resources of Government are great and the Court Fees which he has to pay on a plaint goes into the pocket of his adversary. Justice, therefore, must be made for the speedy disbursement of compensation. In the matter of floods Government do not expect the cultivators to file suits and pay Court Fees before distributing relief and the distressed cultivator in elephant-ravaged areas is not less deserving of practical sympathy.

If Government decide, and we hope they will, to consult Members who represent constituences particularly affected, we think that they will quickly revise their attitude to this important problem. It is a question of justice, and

it is far more difficult to secure justice when the events complained of occur in distant parts of the Province. We feel certain that if wild elephants invaded Shillong every night, damaged the Assembly buildings, Government House and the Secretariat, there would not be the present complacency towards the problem. The Ministry would be the first to take measures for extermination of the nocturnal invaders and would come forward readily with offers of compensation.

I do not suggest for a moment that damage from elephants should be regarded as an act of God. It is something which can be prevented, but even if such a view were taken, it is normal for any Government to assist persons distressed by floods, earthquakes and other natural calamities.

We have been completely at a loss to understand Government's attitude in this matter and we would very earnestly suggest that they should re-examine their position and we would be pleased to hear that in place of the Elephant Damage Compensation Bill which we have not been allowed to introduce, Government would come forward with a Bill of their own and at the same time agree to effective measures to limit the devastation at present being caused.

The Hon'ble the SPEAKER: Cut Motion moved.

"That the provision of Rs. 1,20,700 under Grant No. 10, Major head—25.—General Administration, Minor head—District Administration, Sub-head—S.—General Establishment, 1.—Pay of Officers, Detailed head—Deputy Commissioner at page 66 of the Budget, be reduced by Rs. 1,00,000, the amount of the whole grant of Rs. 38,66,300 do stand reduced by Rs. 1,00,000."

Srijut LAKSHESVAR BOROOAH: Mr. Speaker, Sir, I rise to take part in the discussion initiated by the hon. Mover of the Cut Motion because I feel that the villagers of my district have suffered in common with the Tea Planters from depredation of the wild elephants.

Last year, Sir, one hon. Member from the same group tabled a Cut Motion. I also participated in the discussion and urged upon the Government to take effective measure so as to stop the depredation of wild elephants on tea gardens and also in the villages. But, Sir, although the Hon'ble Prime Minister and the Forest Minister assured the House that Government would take effective steps to redress the grievance voiced by the Members of the European Group, nothing has been done in this direction except the formation of a committee which never sat. Therefore, I think, the hon. Members have a right to come before the House with this Motion.

Sir, while planning about protecting the human beings from the depredation of wild elephants naturally the first rudimentary idea that suggests itself to the minds of men is, killing. My hon. Friend, Mr. Talukdar, the other day, during the course of his budget speech led by this instinct criticised Government for not taking steps to kill the little cheerful things of God's creation—squirrels for the damage caused by them to betel-nuts in his constituency—Nalbari. I for one do not subscribe to the remedy suggested by Mr. Talukdar.....

The Hon'ble the SPEAKER: I have my doubts if the hon. Member has the right to nullify Mr. Talukdar's proposition under shelter of this Cut Motion.

Srijut LAKSHESVAR BOROOAH: No, Sir, I am developing my point. Squirrel is a wild animal and Mr. Talukdar advocated the principle of killing them, but I do not subscribe to his views although the wild elephants—curious animals under God's Kingdom—are causing a great havoc.

The Hon'ble the SPEAKER: Both may be suppressed—Mr. Talukdar's squirrel and Mr. Borooah's elephant.

Srijut LAKSHESVAR BOROOAH: Sir, I am developing my point. The hon. Members know that I am in agreement with most of his themes and dogmas and particularly I admire Mr. Talukdar's devotedness to oriental culture and tradition.

Srijut GAUPI KANTA TALUKDAR: Sir, may I ask the hon. Member?

The Hon'ble the SPEAKER: Is it on a point of order or point of information...

Srijut GAURI KANTA TALUKDAR: On a point of information, Sir.

The Hon'ble the SPEAKER: He is not yielding.

Srijut LAKSHESVAR BOROOAH: I am not yielding, Sir. Therefore, as I was going to say, Sir, that I admire his devotedness for oriental culture and tradition. But, I am of opinion that the act of killing suggested by him is repugnant to the spirit of oriental culture and tradition. Sir, with these words I with impunity and clear conscience differ with Mr. Talukdar's theory of killing wild animals like squirrels or even elephants.

Coming to the Motion itself, Sir, it is a common knowledge that wherever the villages are near the Reserve Forests they are victims to the depredation of the wild elephants. The number of the wild elephants have become numerous and consequently their depredation on human habitation is on the increase, especially in my district. Sir, there are a large number of Reserve Forests adjoining Rahamariya, Bogdung, Rangagora, Hapjan, Tipling, Jaypur and Tingkhong Mauzas of Lakhimpur District. (বহুবিয়া, বগদুং, বঙ্গাগড়া, জয়পুর, টিপলিং). Therefore, we in Dibrugarh hear frequently of depredation by wild elephants resulting even in killing of men. Even fifteen days ago when I went to a village in Rahamariya Mauza I heard about two persons being killed by wild elephants near Mr. Palmer's garden. Therefore, Mr. Palmer was rightly very keen to stop depredation. The method adopted by Government to prevent depredation is Sikar. There are two kinds of Sikars—one is Mela and the other is Kheda. Kheda Sikar is more effective in scaring wild elephants than Mela Sikar. Wherever wild elephants become numerous and their depredation acute, Government must undertake Kheda operation. In Dibrugarh for many years Kheda operation has not been taken up and as a result they have become more numerous and consequently the depredation has become more acute. Where the depredation has become more acute, Government should undertake kheda operation particularly in the Dibrugarh Subdivision where they have become have been killing men. In the current year the Government should undertake Mela operation only in Dibrugarh. But as it is ineffective, there are still numerous wild elephants causing depredation as in the Rohmaria Mauza. There Kheda operation must be undertaken. Further I should suggest in general that in Mauzas which adjoin the Forest Reserves, the stringency now observed in granting license to hold guns should be removed, so that they may have sufficient effective weapon to scare away the animals but not kill them.

With these two suggestions I urge upon the Government to see that some effective measures may be adopted to keep away wild elephants from human habitation and that they would give an assurance that these effective measures would be taken as early as possible.

***Srijut GAURI KANTA TALUKDAR:** May I know if he is against depredation by wild elephants, he is indifferent against this squirrel because these affect the poor?

Srijut LAKSHESVAR BOROQAH: I said, Sir, that wild elephants cause damage to the poor also but the method suggested by me is different from Mr. Talukdar's.

The Hon'ble Srijut GOPINATH BARDOLOI: I think, Sir, I should reply to the points that have been raised by the hon. Mover in reference to the Cut Motion before us. If I had taken my stand on the technicality of raising the discussion on this grant, I might have pointed out that this Motion is not pertinent to the Demand that is before the House. The Elephant affair is entirely in the hands of the Forest Department and the Cut Motion would have been appropriate if it had been put under the Forest demand. But I am not standing on formality. I know how the European Group feels about this subject, viz., depredation and damage caused by elephants. Personally I do not minimise the importance of this damage that is being done not merely to the planters but also to the cultivators. But I did expect that a larger consideration to the species of one of the noblest animals in the God's Kingdom was given before it was suggested that they should be wiped out, that they should be destroyed wholesale. I may be a man living in jungles and therefore my sympathy; personally I value not merely the price of the elephants but also the look of it. I expected that the Members who have taken part to speak about the evils that they are doing should also realise how grand these animals are. I am talking as a man in the street. Presently, I will try to explain the position so far as Government's responsibilities in reference to the damages are concerned. I do not know what the elephants would think of us if they could hear the deliberations that we are having here. I do not know what they would have thought about us. Anyway I should point out certain legal aspects of the compensation proposal that had been put forward by the hon. Mover of the Cut Motion. Under the law you are entitled to kill an elephant or any animal that causes destruction to your property.

Mr. BINODE KUMAR J. SARWAN: Give them a gun.

The Hon'ble Srijut GOPINATH BARDOLOI: Tea Planters are not in want of a rifle or gun.

***Mr. J. S. R. TELFER:** I am afraid, all the ammunition available is softened and in this cold weather the bungalow that I used to live in was invaded by 36 elephants and the verandah was shaking.

The Hon'ble Srijut GOPINATH BARDOLOI: If the Government could have control over these elephants they might be made responsible for compensation. But the thing is they are wild elephants. These 36 elephants could be driven away if one took courage in his heart just to shoot one and the rest would have been scared away. Big herds of these elephants are driven away by cultivators by methods which they know very well. I do not know why Government should be made responsible for the damage that is caused. Secondly, the hon. Member should know that often times on

*Speech not corrected.

account of the location of certain places I mean, the proximity of certain places where herds generally come, this damage is caused. How can I on behalf of the Government try to drive them away from places where they are accustomed to be and move about? But, in spite of these difficulties, Government have certain policy regarding these and this I should explain to the hon. House. This was explained by me in the Council in the last Session. The policy that Government have adopted is expected to be sufficient to meet the menace. In the first place, not only are we allowing private persons to shoot elephants that are causing damage to the property under the ordinary law but we are also encouraging other people to kill them on promise of reward. The Forest Department are also organising party of shooters for this purpose. What is more—they are now considering a scheme of elephant control. It looks as if everything is coming under 'control'. Their proposal is to have an elephant control scheme. Whenever information is received that herds of elephants are moving about, they should issue permits for the purpose of capturing them. This policy was followed last season, but the present policy is that in all seasons this will be done, and beyond that I do not really know what more can be done by Government; I do not see how the hon. Member can fix any responsibility of compensation on Government. The animals are wild and Government cannot be expected to have any power by which they can control their movements from one place to another. It is not known why this menace has recently increased so much. Before the war, complaints about the damages caused by wild elephants were not as frequent as they are to-day; I do not know whether on account of certain places being made open in our eastern frontier during the time of war, on account of which these elephants are coming this way and trying to find shelter in these places, the menace has increased. We shall further consider what other suggestions of a practical nature could be given by that section of the hon. House in order that we may further take steps to meet the menace; that is all that we can say for the purpose of removing this evil with as little damage as possible to that noble species. I am speaking not from the point of view of finances but from the point of consideration of such noble animals; that may be a personal sentiment with me, but nevertheless, it is a sentiment which, I hope, you will all share. At any rate, I hope with this assurance the hon. Mover will please see his way to withdraw his Cut Motion.

Srijut DANDESWAR HAZARIKA: On a point of information, Sir. The Hon'ble Premier has said that when any private person's crop is damaged by wild elephants he is entitled to shoot the elephants, but I do not think that under the law he is permitted to shoot wild elephants. For, as soon as he shoots an elephant he will be prosecuted by the Forest Department unless he can show that his life was at risk or danger.

The Hon'ble Srijut GOPINATH BARDOLOI: I can tell him that if there is danger to property, one can take the law in his hands and shoot the wild elephant.

***Srijut GAURI KANTA TALUKDAR:** When one's property is damaged by wild elephants is he not entitled to kill the animals?

The Hon'ble Rev. J. J. M. NICHOLS-ROY: They are protected under the Forest Rules. I know, Sir, as I was the Minister in charge of Forests. And also I was a businessman and as such I myself know that when my men shot and killed

*Speech not corrected.

about 3 or 4 elephants, the Forest Department did not do anything because according to Forest Law when an elephant comes and destroys crop one can kill it.

Srijut DANDESWAR HAZARIKA: That might be an exception in the case of a Minister. But I know in many places villagers were prosecuted.

The Hon'ble Rev. J. J. M. NICHOLS ROY: Any elephant which comes to destroy the crops whether it may be in a herd or it may be a tusker can be shot at the spot under the Forest Law.

Mr. J. S. R. TELFER: I want to say a few words, Sir.

The Hon'ble the SPEAKER: I think, the hon. Member has no right of reply. I will, however give some latitude to the hon. Member.

Mr. J. S. R. TELFER: The Hon'ble Leader of the House has made one or two points. The first was that this Motion should have been brought up through the Forest Department and not under this head under District Administration. The Deputy Commissioner or the Subdivisional Officer is responsible for looking after the welfare of the cultivators and to see that they do not suffer from avoidable calamities. He is also responsible for proscribing and proclaiming animals which are doing damage. We therefore brought it up under this head.

Secondly, we fully appreciate that in the past elephants have been known as the most noble of creatures, but I think this nobility is acceptable from a distance and not too close (*laughter*). If the Hon'ble Premier had been a cultivator living by the side of the forest reserves he would not have thought them quite so noble.

The next point, Sir, is that these animals are now not so easy to drive away. For the last 7 years, as a result of 'Kheda' operations in the Lushai Hills these animals have been roaming in the Hailakandi district border. They are now so used to civilisation that, I think, they will very soon learn to read and write (*laughter*). They take no notice of noise—a method resorted to by the cultivators to drive them away; they are like domestic animals and move to the fields every night like ordinary cattle. It seems that the extent of damage done to these areas is not fully appreciated by the Hon'ble Premier. I would again ask that a full enquiry should be made. I know that in one Tea Garden, Derby, in the Cachar District, there are 170 Hals of lands which are not being cultivated because of these animals.

The Hon'ble the SPEAKER: What does the hon. Member propose to do?

Mr. J. S. R. TELFER: In view of the seriousness of the situation, I propose to ask for a division.

The Hon'ble the SPEAKER: The question is:

“That the provision of Rs.1,20,700 under Grant No.10, Major head—25—General Administration, Minor head—District Administration, Sub-head—S—General Establishment—1.—Pay of Officers, Detailed head—Deputy Commissioner

at page 66 of the Budget be reduced by Re.1, i.e., the amount of the whole grant of Rs.38,66,300 do stand reduced by Re.1."

The Assembly divided

Ayes—8

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| 1. Mr. W. R. Faull. | 5. Mr. R. A. Palmer. |
| 2. Mr. H. Patterson. | 6. Mr. J. S. R. Telfer. |
| 3. Mr. A. C. Tunstall. | 7. Mr. Binode Kumar J. Sarwan. |
| 4. Mr. H. J. Stevens. | 8. Mr. P. M. Sarwan. |

Noes—49

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| 1. The Hon'ble Srijut Gopinath Bardoloi. | 24. Babu Khagendra Nath Samad-dar. |
| 2. The Hon'ble Mr. Baidyanath Mookerjee. | 25. Srijut Lakshesvar Borooah. |
| 3. The Hon'ble Mr. Basanta Kamar Das. | 26. Srijut Mahendramohan Chou-dhury. |
| 4. The Hon'ble Srijut Bishnu Ram Medhi. | 27. Srijut Motiram Bora. |
| 5. The Hon'ble Srijut Ram Nath Das. | 28. Professor Nibaran Chandra Laskar. |
| 6. The Hon'ble Maulavi Abdul Matlib Mazumdar. | 29. Babu Nirendra Nath Dev. |
| 7. The Hon'ble Rev. J. J. M. Nichols-Roy. | 30. Srijut Omeo Kumar Das. |
| 8. The Hon'ble Maulavi Abdur Rasheed. | 31. Mr. Prabhudayal Himatsingka. |
| 9. Shri Abala Kanta Gupta. | 32. Srijut Purna Chandra Sarma. |
| 10. Babu Akshay Kumar Das. | 33. Srijut Purnananda Chetia. |
| 11. Srijut Bepin Chandra Medhi. | 34. Babu Purnendu Kishore Sen Gupta. |
| 12. Srijut Bhadra Kanta Gogoi. | 35. Babu Rabindra Nath Aditya. |
| 13. Babu Bidyapati Singha. | 36. Babu Ramesh Chandra Das Choudhury. |
| 14. Srijut Bijoy Chandra Bhagavati. | 37. Srijut Sarat Chandra Sinha. |
| 15. Srijut Bejoy Chandra Saikia. | 38. Shri Satindra Mohan Dev. |
| 16. Srijut Bimalaprosad Chaliha. | 39. Srijut Siddhi Nath Sarma. |
| 17. Srijut Dandeswar Hazarika. | 40. Babu Suresh Chandra Biswas. |
| 18. Srijut Gauri Kanta Talukdar. | 41. Moulana Ibrahim Ali. |
| 19. Srijut Hareswar Das. | 42. Mrs. Bonily Khongmen. |
| 20. Srijut Harinarayan Barua. | 43. Srijut Chanoo Kheria. |
| 21. Srijut Hem Chandra Hazarika. | 44. Srijut Dalbir Singh Lohar. |
| 22. Babu Jagat Bandhu Sircar. | 45. Shri Dharanidhar Basumatari. |
| 23. Babu Jatindranath Bhadra. | 46. Srijut Jiban Santal. |
| | 47. Mr. Larsingh Khyriem |
| | 48. Mr. Janggin Sangma Laskar. |
| | 49. Mr. Muniram Marak. |

The question was lost.

The Hon'ble the SPEAKER: Now I put the original Demand as a question:

The question is:

"That a sum not exceeding Rs 38,66,300 be granted to defray the charges which will come in the course of payment during the year ending on the 31st March 1948 for the administration of the head '25.—General Administration'."

The question was adopted.

Adjournment

The Assembly was then adjourned for lunch till 2 P.M.

(After lunch)

Statement re: Business of the Session

The Hon'ble the SPEAKER: I suppose all the hon. Members have got the additional agenda of business for to-day. Replies in the affirmative came from many quarters.)

†**Srijut BIJOY CHANDRA BHAGAVATI:** Sir, before any alteration in the list of business for the remaining few days is made in view of the absence of the Opposition, may we know if in the later stage, i.e., the Opposition—will come and complain that they have been put in rather a disadvantageous position for such alteration? Has this point been considered, Sir?

The Hon'ble the SPEAKER: This aspect of the question was taken into consideration when, as was announced already, an informal conference of the Hon'ble Prime Minister, the Leader of the European Group and the Leader of the Muslim League Party was held this morning in my Chamber. The Hon'ble Prime Minister enquired of the hon. Leader of the Opposition whether time could not be economised by taking up certain other business after the days' allotted business was over, for there would not be many Cut Motions, as otherwise a lot of time and money was going to be wasted. The hon. Leader of the Opposition, Maulavi Saiyid Muhammad Saadulla was pleased to say that there would not be any complaint about that from his Party. So it was decided with the express consent of the Leader of the Muslim League Party that after finishing the business of each day allotted for voting on Demands for Grants, other items of business fixed up in April might be taken up as far as the rules and the rights of the Members for tabling Amendments, etc., would permit. It has been decided that the three items shown in the agenda of this afternoon should be finished to-day. It has also been decided that notices of Amendments, if any, to the following legislative measures should reach the Assembly Department at or before 3 p.m. to-morrow, the 18th instant, namely:

- (1) the Assam Professions, Trades, Callings and Employments Taxation Bill, 1947,
 - (2) the Assam Sales of Motor Spirit and Lubricants Taxation (Amendment) Bill, 1947,
 - (3) the Assam Maintenance of Public Order Bill, 1947,
 - (4) the Assam Revenue Tribunal (Amendment) Bill, 1947,
 - (5) the Assam Committees of Enquiry (Appointment and Evidence) Bill, 1946
- and
- (6) the Shillong Civil Courts and Laws Bill 1946.

Fresh dates on which the following Bills should be taken up will be announced after the Reports of the Select Committees on these Bills are printed and circulated, namely, (1) the Assam Sales Tax Bill, 1947 and (2) the Assam Opium Prohibition Bill, 1947. Dates for tabling Amendments on these two Bills will be informed after the Select Committees' Reports are printed and circulated. I may also inform the House that the Reports of the Select Committees on (1) the Assam Committees of Enquiry (Evidence) Bill, 1946 and (2) the Assam Primary Education Bill, 1946 have already been circulated to the hon. Members. If there is no objection, the second reading of these Bills may be taken up to-morrow. I want to ascertain the sense of the House whether these Bills on which the Select Committees' Reports have already been circulated and are before the hon. Members for 7 days, could be taken up to-morrow. If there is no objection we shall take up the second reading of these Bills to-morrow.

† Speech not corrected.

Assam Finance Bill, 1947

The Hon'ble the SPEAKER: Now, we take up item No.1 of the additional agenda namely, consideration of the Assam Finance Bill, 1947, clause by clause.

The Hon'ble Srijut BISHNU RAM MEDHI: Sir, I beg to move that the Assam Finance Bill, 1947, be passed.

This Bill is not a new one. It is exactly the same as was passed in the very beginning of its origin in 1940. In spite of the fact that the rate of the Central Income-tax has been increased, we have not yet introduced any Amendment to increase our rate with regard to the Agricultural Income-tax. In view of this, Sir, I hope the hon. Members will pass the Bill.

The Hon'ble the SPEAKER: I invite the attention of the hon. Members to Assembly Rule 70 (1) at page 20, which reads thus:

"If no Amendment be made when a Motion that a Bill be taken into consideration has been agreed to by the Assembly the Bill may at once be passed".

As there are no Amendments I will put the Motion that the Bill be passed.

The Hon'ble the SPEAKER: Motion moved:
"That the Assam Finance Bill, 1947, be passed."

(After a pause)

The question is:

"That the Assam Finance Bill, 1947, be passed."

The question was adopted.

The Assam New Motor Cars (Control of Commercial Sales) Bill, 1947

The Hon'ble the SPEAKER: We pass on to item No. 2, viz., consideration of the Assam New Motor Cars (Control of Commercial Sales) Bill, 1947, clause by clause.

There are no Amendments. The Hon'ble Minister-in-charge may move that the Bill be passed.

The Hon'ble Mr. BAIDYANATH MOOKERJEE: Mr. Speaker, Sir, I beg to move that the Assam New Motor Cars (Control of Commercial Sales) Bill, 1947, be passed. Sir, the other day while introducing the Bill I made it perfectly clear that the clauses of this Bill are in line with the Ordinance under which we are now allotting new cars. It is only to stop blackmarketing and profiteering and also to help the people of the Province to get new cars at the controlled rate that we are going to adopt this measure, and I hope, Sir, under the circumstances the hon. Members will accept my Motion.

The Hon'ble the SPEAKER: Motion moved:
"That the Assam New Motor Cars (Control of Commercial Sales) Bill, 1947, be passed".

(After a pause)

The question is:

"That the Assam New Motor Cars (Control of Commercial Sales) Bill, 1947, be passed".

The question was adopted.

The Sylhet Non-Agricultural Urban Areas Tenancy Bill, 1946

The Hon'ble the SPEAKER : We pass on to item No. 3.

The Hon'ble Srijut BISHNU RAM MEDHI : Mr. Speaker, Sir, I beg to move that the Amendments made by the Assam Legislative Council on the Sylhet Non-Agricultural Urban Areas Tenancy Bill, 1946, be taken into consideration.

The principal Amendment that has been made by the Council is that in sub-clauses (1) and (2) of clause 4 the period of ten years has been raised to twelve years. That is the principal Amendment, the other two Amendments are not very important ones. I do not therefore take the trouble of going through the other Amendments which are very minor.

Now, Sir, if we do not accept these Amendments the Bill will again have to go to the other House and the very purpose of the Bill, viz. to give relief to the tenants, will be frustrated by the delay caused by the procedure involved. In view of this, Sir, I would ask the House to accept all the Amendments made by the Council.

The Hon'ble the SPEAKER : Motion moved.

"That the Amendments to the Sylhet Non-Agricultural Urban Areas Tenancy Bill, 1946, made by the Assam Legislative Council be taken into consideration."

(After a pause)

The Hon'ble the SPEAKER : The question is:

"That the Amendments to the Sylhet Non-Agricultural Urban Areas Tenancy Bill, 1946 made by the Assam Legislative Council be taken into consideration."

The question was adopted.

The Hon'ble Srijut BISHNU RAM MEDHI : When there are no further Amendments, I think, the Bill may be passed as amended by the Council.

The Hon'ble the SPEAKER : Yes, it will have to be passed under rules 137(1) and (2) of the Assembly Rules.

The Hon'ble the SPEAKER : The question is:

"That in clause 2, proviso (i),—
(i) sub-clause (c) be omitted, and sub-clauses (d) and (e) be renumbered as (c) and (d) respectively, and
(ii) in sub-clause (d) as so renumbered, for the word 'and' the word 'or' be substituted".

The question was adopted.

The Hon'ble the SPEAKER : The question is:

"That clause 2 as amended stands part of the Bill."

The question was adopted.

The Hon'ble the SPEAKER : The question is:

"That in clause 4,—

(i) In sub-clause (1) for the word 'ten' the word 'twelve' be substituted, and

(ii) In sub-clause (2), for the word 'ten', the word 'twelve' be substituted."

The question was adopted.

The Hon'ble the SPEAKER : The question is :

"That clause 4 as amended stands part of the Bill."

The question was adopted.

The Hon'ble the SPEAKER : The question is :

"That the Sylhet Non-Agricultural Urban Areas Tenancy Bill, 1946, as amended, be passed."

The question was adopted.

Adjournment

The Assembly was then adjourned till 11 A.M. on Tuesday, the 18th March, 1947.

SHILLONG :
The 9th May, 1947.

A. K. BARUA,
Secretary, Legislative Assembly, Assam.

A. G. P. (L.A.) No.16-118+2-12-5-1947.