

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 Tuesday, the 18th March, 1947.

PRESENT

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

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(To which oral answers were given)

Office of the Assistant Director of Public Instruction for Sanskrit Education

Srijut MAHENDRAMOHAN CHOUDHURY asked :

*25. (a) Will Government be pleased to refer to the reply given to Unstarred Question No.257 (c) asked by the Questioner on the 23rd September 1946 and state whether any decision has been arrived at by now regarding the shifting of the office of the Assistant Director of Public Instruction for Sanskrit Education and that of the Sanskrit Board ?

(b) If so, what is that ?

(c) If not, when a decision is likely to be arrived at on the matter ?

The Hon'ble Srijut GOPINATH BARDOLOI replied :

25. (a)—Yes.

(b)—The question of the proposed transfer has been dropped for the present.

(c)—Does not arise.

UNSTARRED QUESTIONS

(To which answers were laid on the table)

Raj Commercial School, Karimganj

Babu RABINDRA NATH ADITYA asked :

91. (a) Will Government be pleased to state the amount of monthly aid given to Raj Commercial School, Karimganj ?

(b) Is it a fact that representations were made on behalf of this institution for an increase in the grant-in-aid and that the inspecting authorities also recommended for such increase in the grant ?

(c) Will Government be pleased to state whether the said institution prayed for an equipment grant also ?

(d) Do Government propose to increase the grant-in-aid and to sanction an equipment grant to this institution ?

(e) Are Government aware that this institution suffered a loss in arranging additional accommodation at the request of military authorities during the war for military students who did not ultimately turn up?

The Hon'ble Srijut GOPINATH BARDOLOI replied:

91. (a)—Rs. 10 monthly.
 (b)—Yes.
 (c)—Yes.
 (d)—No. Due to financial stringency Government are not in a position to give substantial help to the Institution.
 (e)—Government are not aware of it.

Opening of Normal Training School in Khasi and Jaintia Hills District

Mr. LARSING KHYRIEM asked:

92. Will Government be pleased to state—
 (a) Whether it is a fact that the Government of Assam have considered the necessity of opening a Normal School in the Khasi and Jaintia Hills?
 (b) Whether the Primary School Teachers in the Khasi and Jaintia Hills have had the necessary training in teaching?
 (c) If not, whether Government propose to open a Normal Training School in the Khasi and Jaintia Hills in near future?

The Hon'ble Srijut GOPINATH BARDOLOI replied:

- 92 (a)—Yes, at Cherrapunji.
 (b)—Many primary teachers have had not the necessary training.
 (c)—Does not arise.

Basic Education Scheme

Maulavi MAYEENUD-DIN AHMED CHOWDRY asked:

93. Will the Hon'ble Minister-in-charge of Education be pleased to state—
 (a) The procedure adopted by Government in obtaining public opinion regarding the Basic Education Scheme through Mr. Small?
 (b) The name of the Official of the Department who accompanied Mr. Small to Maulavibazar in connection with that scheme?
 (c) The names of the gentlemen of Maulavibazar who were invited to attend the meeting addressed by Mr. Small at Maulavibazar in connection with the Basic Education Scheme?
 (d) Whether the Muslim League Members of Legislative Assembly of South Sylhet were invited to attend that meeting?
 (e) If not, why not?

The Hon'ble Srijut GOPINATH BARDOLOI replied:

93. (a)—No attempt has been made to elicit public opinion regarding the Basic Education Scheme through Mr. Small.

A conference of representatives of parties in the Legislature, of educationists both official and non-official, from inside and outside the Province was called in July 1946, according to whose resolution an advisory committee on basic education consisting of the above elements in small number was formed.

Since then there have been two sittings of this body in November 1946 and February 1947. Action is being taken on those recommendations; and the Report of the Proceedings will be published in a few days.

(b)—Mr. N. Hussain, the Inspector of Schools, Surma Valley and Hill Districts.

(c)—No meeting was held at Maulavibazar or addressed by Mr. Small.

(d)—Does not arise.

(e)—Does not arise.

Diversion of the channel of the Brahmajan river

Srijut OMEO KUMAR DAS asked :

94. (a) Will Government be pleased to state what action has been taken by Government regarding the petition submitted by the Questioner about the grievances of the Rayats of Gohpur, Halem, Brahmajan Mouzas owing to the diversion of the channel of the Brahmajan river by the Brahmajan Tea Estate ?

(b) Is Government aware of the difficulties of the Rayats of the above named four mouzas in cultivating their paddy fields owing to this diversion ?

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

94. (a) & (b)—As regards the grievances of the Halem Kolongpur Brahmajan Rayat Sabha, Government have allotted a sum of Rs. 1,392 during the current financial year to the Executive Engineer to carry out a survey to ascertain what steps need be taken in the matter.

Chief Medical Officers in European Tea Gardens

Srijut HARESWAR DAS asked :

95. (a) Is it a fact that qualified Indian doctors are not appointed as Chief Medical Officers in European managed Tea Gardens on the ground that European ladies do not like to be examined by Indian doctors ?

(b) If so, do Government propose to take necessary steps for the abolition of such invidious distinction ?

The Hon'ble Srijut BHIMBAR DEURI replied :

95. (a)—No. Many European Gardens employ Indian doctors as their Chief Medical Officers.

(b)—Does not arise.

Mr. R. A. PALMER : Is the Hon'ble Minister aware that 50 per cent. of the Chief Medical Officers of the European gardens in the Surma Valley are Indian doctors and that they are regularly attending the wives and families of the Managers ?

The Hon'ble Srijut RAM NATH DAS : I do not know the percentage but I know that there are Indian Chief Medical Officers in European gardens.

Babu PURNENDU KISHORE SEN GUPTA : Whether in the European gardens or in the Indian gardens ?

Mr. R. A. PALMER : Did the Hon'ble Minister say 'the Indian gardens'?

The Hon'ble Srijut RAMNATH DAS : No; 'European gardens', I said, Sir.

Disposal of Confiscated Guns by Deputy Commissioner, Sylhet

Babu JATINDRANATH BHADRA asked :

96. Will Government be pleased to state—

- (a) Whether it is a fact that the Deputy Commissioner, Sylhet has lately sold some confiscated guns to the licence holders and Government servants each at rupees twenty or so only?
- (b) Whether he is authorised to sell the same at such low prices?
- (c) What steps Government propose to take to prevent Government loss in these cases?

The Hon'ble Mr. BASANTA KUMAR DAS replied

96. (a)—Yes.

(b)—The Deputy Commissioner can sell such guns at a price considered adequate by him.

(c)—Does not arise.

Srijut DANDESWAR HAZARIKA : Sir, may I know from the Government whether they are in a position to return these guns to the owners on the ground that the guns were sold at a very nominal price which was not justified?

The Hon'ble Mr. BASANTA KUMAR DAS : Sir, the guns sold have become the property of the purchasers. So the question of getting back the guns and returning them to the original owners is not possible.

Srijut DANDESWAR HAZARIKA : Is it not a fact, Sir, that the persons whose guns were confiscated have submitted several petitions to the Government to return the guns and even they are prepared to pay the price for which those guns were sold?

The Hon'ble Mr. BASANTA KUMAR DAS : Sir, on a previous occasion I have given detailed reply to such a question. Confiscated guns are being returned and in case the guns cannot be returned, Government issue licence and in some cases, if possible, the prices are paid.

Srijut DANDESWAR HAZARIKA : On the ground of justice and equity, I think Government can return these guns.

The Hon'ble the SPEAKER : Perhaps there is some confusion somewhere. As the hon. Questioner himself knows that when a gun is sold to a particular person, let us assume, to the Questioner himself, it becomes his property and cannot be taken back by Government. Those whose guns were confiscated and sold at a lesser value, may be given licences and compensation for purchasing new guns.

Srijut DANDESWAR HAZARIKA : No, Sir, my submission is that when a gun is confiscated it is generally sold in auction and is given to the highest bidder. Of course, there is some discretion given to the Deputy Commissioners to dispose of the guns at a price they think reasonable. But now what I submit is this, Sir, that their guns were sold at a very nominal price, e.g., Rs.25, Rs.50, or Rs.100 but it will cost them now Rs.500 or Rs.600 to purchase a gun.

The Hon'ble the SPEAKER : Government will pay them compensation. Supposing hon. Mr. Hazarika purchased the gun at a nominal price, can the Government ask him to return the gun now ?

Srijut DANDESWAR HAZARIKA : Sir, my submission is this that on the ground of justice and equity, Government, I think, can set aside that order.

The Hon'ble the SPEAKER : The hon. Questioner himself is a lawyer. I put it straight to him. He purchased the gun from the Subdivisional Officer, Golaghat, at a nominal price. Will he now return the gun to Government for the mere asking ? He will sue the Government for damage if Government takes back the gun. The position as far as I understand is that the persons whose guns were confiscated may be granted license for a gun and may be paid compensation to purchase the same.

Srijut DANDESWAR HAZARIKA : My submission was that if Government repay that amount for which the gun was sold to a particular person, they may pay some compensation also.

The Hon'ble Mr. BASANTA KUMAR DAS : In equity and justice Government is doing what is possible to do in these cases.

The Hon'ble the SPEAKER : What in fact is possible ?

The Hon'ble Mr. BASANTA KUMAR DAS : License is being granted and in some cases price is being paid.

Shri ABALA KANTA GUPTA : Why some and not others ?

The Hon'ble Mr. BASANTA KUMAR DAS : Licences are being granted and in some cases the price necessary to obtain a gun may be paid.

Srijut DANDESWAR HAZARIKA : I want to know definitely from Government whether they are willing to issue a general order to the District officers to the effect that the persons whose guns were confiscated should be granted afresh license ?

The Hon'ble Mr. BASANTA KUMAR DAS : Yes, Sir, according to the decision of Government a general order has been issued to the Deputy Commissioners.

The Hon'ble the SPEAKER : The question of Abala Babu remains unanswered. He enquired 'why some and not all'.

The Hon'ble Mr. BASANTA KUMAR DAS : 'In some cases' means in cases in which licenses are not given. Where it is possible to pay the price it is given.

Shri ABALA KANTA GUPTA : Can this compensation be a general one ?

The Hon'ble Mr. BASANTA KUMAR DAS : I cannot say Sir, at this moment whether it should be made a general one.

Shri ABALA KANTA GUPTA : Will the Government consider this question, Sir ?

The Hon'ble Mr. BASANTA KUMAR DAS : Certainly, Sir.

***Babu BIDYAPATI SINGHA :** Is Government aware of the fact that some gentlemen at Sylhet whose guns were confiscated did not get any re-licence—mention particularly the case of Srijut Sasanka Sekhar Das ?

The Hon'ble Mr. BASANTA KUMAR DAS : Can the hon. Member give any more particular about this case ?

***Babu BIDYAPATI SINGHA :** He is Sasanka Sekhar Das of Sylhet. His gun was confiscated in 1942 but even after repeated petition, he did not get either a license or any compensation.

The Hon'ble Mr. BASANTA KUMAR DAS : Sir, in some cases the position is like this that some guns were given to the Army for use. These guns were not returned. It may be one of those cases.

Srijut DANDESWAR HAZARIKA : It might be a fact that the Government have issued instructions to the authorities concerned for issue of permit or licenses to persons whose guns were confiscated, but, so far as I know, it has not been communicated to those persons. I request the Government to expedite the matter, so that licenses are issued by the authorities concerned.

The Hon'ble Mr. BASANTA KUMAR DAS : If it is a fact that such a thing has happened, Government will certainly look into it.

Purchase of goods by Department in charge of Consumer Goods

Srijut MAHENDRAMOHAN CHOUDHURY asked :

97. (a) Is it a fact that the Department in charge of Consumer Goods at times purchased goods at rates higher than the prevailing market rates and without adequate investigation in regard to their demands ?

(b) Is it a fact that the system of maintenance of accounts in this behalf is not in accordance with the rules ?

(c) If so, do Government propose to mend these defects and take necessary action against those responsible for these ?

The Hon'ble Mr. BAIDYANATH MOOKERJEE replied :

97. (a)—The Directorate of Consumer Goods did not purchase any consumer goods. During the war time some consumer goods were purchased by Government in the Supply Department when there was acute scarcity of all sorts of consumer goods in Assam and Assam was threatened with being cut off from the rest of India owing to war conditions. Most of the goods were purchased at the prevailing market rates in Calcutta. But the system was later on given up except in the case of iron and steel which were procured through Government Agents in Calcutta at controlled rates fixed by the Government of India.

(b)—Systematic accounts were maintained.

(c)—Does not arise.

Srijut MAHENDRAMOHAN CHOUDHURY : My Question was based on the audit report—"Is it a fact that the department in-charge of consumer goods at times purchased goods at rates higher than the prevailing market rate and without adequate investigation with regard to their demands"? The reply is—"Most of the goods were purchased at the prevailing market rates in Calcutta"—which one is correct ?

The Hon'ble Mr. BAIDYANATH MOOKERJEE: Both are correct, Sir. I have used the word 'most'. I do not deny the fact that there are a few cases of purchase at higher rates and if the hon. Member wants, I can name two cases which have been brought to my notice—one was the washing soap and the other was coir ropes. The position is a peculiar one. Price charged was for the best quality available in the market, whereas the supply was not of the best quality, therefore, one can rightly say that higher prices were charged.

Srijut MAHENDRAMOHAN CHOUDHURY: My question is—what was the necessity of the Government to purchase at a price higher than the prevailing market rate?

The Hon'ble Mr. BAIDYANATA MOOKERJEE: I have admitted that fact. At that time those who were responsible for this purchase, purchased those commodities which were really available in the market at a lower rate but they charged higher rate and I have stated two cases so far—one was washing soap and the other was coir rope. In these cases, it was found that the prices charged were higher than the market rate.

The Hon'ble the SPEAKER: The hon. Questioner asks what was the necessity? Probably the necessity was for illegal profit.

Srijut MAHENDRAMOHAN CHOUDHURY: Who made the illegal profit?

The Hon'ble the SPEAKER: Will the hon. Member please repeat the question?

Srijut MAHENDRAMOHAN CHAUDHURY: You were pleased enough to say that it was for illegal profit. If it is a fact, then who made the illegal profit?

The Hon'ble the SPEAKER: The Hon'ble Minister admitted that some goods were purchased at a rate higher than the prevailing market rate. What was the necessity for that? It is obvious.

Srijut MAHENDRAMOHAN CHOUDHURY: I want to know from Government whether in all cases and not in some cases there were purchases like that. It is in the report.

The Hon'ble Mr. BAIDYANATH MOOKERJEE: No, Sir. I am sorry that the facts that were placed before us as I could gather showed that not in all cases but in some cases the agents appointed by the Government—I mean the previous Government—did so. I do not wish to say something against that Government in the absence of the Opposition and behind their back. But if I am pressed I can make the position clear. Of course, the time was really abnormal when all these things were purchased. There was a fear in the mind of the then Government that there might be complete dislocation of transport and some articles might not be available due to breach of communication and therefore they were in a hurry to purchase certain things without paying any heed to the necessity of those articles and thus some articles were purchased at a higher rate but not all.

Srijut MAHENDRAMOHAN CHOUDHURY: I do not mean.....

The Hon'ble the SPEAKER: This is not a debate. The hon. Member will please frame his question.

Srijut MAHENDRAMOHAN CHOUDHURY : My question is, has the attention of the Government been drawn to the Audit Report of 1946?

The Hon'ble the SPEAKER : Will the hon. Member please repeat the relevant portions?

Srijut MAHENDRAMOHAN CHOUDHURY : I refer to the Report at page 17. It reads, "goods were purchased at higher than the prevailing market rates and without adequate investigation in regard to their demands by the Department".

***Srijut SARAT CHANDRA SINHA** : Who were the officers who purchased and what was the intention?

The Hon'ble Mr. BAIDYANATH MOOKERJEE : It was not the officers but the consumer service, the then agent of this Government. The agents purchased the goods; of course, our Trade Adviser and the Deputy Controller General of Civil Supplies, Government of India, helped these agents at the time of procurement.

Srijut MAHENDRAMOHAN CHOUDHURY : Have the agents gone beyond the control of the Government?

The Hon'ble Mr. BAIDYANATH MOOKERJEE : Yes, Sir. I myself was responsible for putting some Questions on the floor of this House. One of the officers of this Government was deputed to Calcutta for enquiry and he came and submitted a report and the then Government was satisfied with the report and the matter was dropped. The officer, so far I am told, was the then Commissioner of Excise Maulvi Abdul Hye.

***Srijut SARAT CHANDRA SINHA** : May I know whether the Government took any steps against those agents?

The Hon'ble Mr. BAIDYANATH MOOKERJEE : The officer was sent just to make enquiries, Sir, by that Government and that was done when there were several questions on the floor of this House that things were being purchased at a higher rate and the quality was very bad, soaps were more or less like stones, at least they were of no use to the general public. Then an officer was deputed by the then Government and a report was submitted by him after investigation and the Government thought that there was no necessity of pursuing the matter, therefore, this agency escaped. The matter was taken up but to no effect.

***Shri ABALA KANTA GUPTA** : Does this subject fall under the purview of the Procurement Department?

The Hon'ble Mr. BAIDYANATH MOOKERJEE : There is no such department.

***Shri ABALA KANTA GUPTA** : Is it a branch of the Supply Department?

The Hon'ble Mr. BAIDYANATH MOOKERJEE : Yes, Sir.

Srijut MAHENDRAMOHAN CHOUDHURY : The reply to Question 97 (b) is "Systematic accounts were maintained", but the Audit Report says that the system of accounting was defective. Which one is correct, Sir?

*Speech not corrected.

The Hon'ble Mr. BAIDYANATH MOOKERJEE: Both are correct, Sir. The explanation is that systematic accounts were maintained according to the directions of the then Supply Department. Therefore, I cannot blame those who were in charge of maintaining these accounts. But as a matter of fact, the entire accounting system of the then Supply Department was not in the proper line. But so far as this is concerned, these officers acted according to the directions of the then Supply Department. Therefore, my answer is also correct, Sir.

Srijut MAHENDRAMOHAN CHOUDHURY: Can the Supply Department change the system of accounting in their own way?

The Hon'ble Mr. BAIDYANATH MOOKERJEE: That was a new department, Sir, and therefore, there was no hard-and-fast rule. This department was started during the time of war and there was practically no systematised accounting, not only for this particular branch but for other branches also of this nature. Everything was in a mess. But I can tell the hon. Member that at present it has been regularised and systematised according to the directions of the Comptroller.

Srijut MAHENDRAMOHAN CHOUDHURY: Was the instruction of the Supply Department brought to the notice of the Auditor at the time of auditing?

The Hon'ble Mr. BAIDYANATH MOOKERJEE: I want notice of that question, Sir. That is not relevant here. Sir, I have said enough and I am not going to say anything more on these unless the supplementary question is relevant.

Srijut MAHENDRAMOHAN CHOUDHURY: This ought to have been brought to the notice of the Auditor at the time of auditing and if the system of accounting was brought to the notice of the Auditor then there was no necessity on the part of the Auditor to make these remarks against the Government. Therefore, Sir, is it not true that the system of maintaining accounts by the Supply Department was not adhered to by the Consumer Goods Department?

The Hon'ble the SPEAKER: The questioner has got 2 things from the Hon'ble Minister, that everything was in a mess and that it has been subsequently set right according to the instructions of the Comptroller. It was not the doing of the present Government but of the previous Government. So, probably the present question does not arise.

Srijut DANDESWAR HAZARIKA: Will the Hon'ble Minister-in-charge please enlighten the House as to the approximate amount of loss sustained by Government for purchasing these goods at higher rates and for goods that were not required?

The Hon'ble Mr. BAIDYANATH MOOKERJEE: Is that possible for me, Sir, to reply without notice?

The Hon'ble the SPEAKER: The Hon'ble Minister knows it better whether it is possible for him or not.

The Hon'ble Mr. BAIDYANATH MOOKERJEE: Do you allow that question, Sir, that is the point?

The Hon'ble the SPEAKER: The question is permissible, but it is for the Hon'ble Minister to say that he wants notice for it.

The Hon'ble Mr. BAIDYANATH MOOKERJEE: How can I give all these figures without notice?

Srijut DANDESWAR HAZARIKA: I want to know the approximate figures, Sir.

The Hon'ble the SPEAKER: Without notice it is not possible to answer such questions, particularly when certain things happened before this Government came into office.

The Hon'ble Mr. BAIDYANATH MOOKERJEE: Just for the satisfaction of the hon. Member, Sir, I can explain the position.

The Hon'ble the SPEAKER: I am sorry, I cannot allow time for the mutual satisfaction of hon. Members. *(Laughter)*

Srijut MAHENDRAMOHAN CHOUDHURY: Shall I take it, Sir, that with the change of Ministry the whole system changes?

The Hon'ble the SPEAKER: The hon. Member knows that best.

Srijut MAHENDRAMOHAN CHOUDHURY: Is it not a fact that the Ministry which succeeds the previous one is held responsible for all the actions and doings of the previous Ministry?

The Hon'ble the SPEAKER: That is contentious, as the hon. Member knows.

Srijut MAHENDRAMOHAN CHOUDHURY: Therefore, Sir, the question of change of Ministry does not come in, in this case under which plea, the Hon'ble Supply Minister has taken shelter.

The Hon'ble Mr. BAIDYANATH MOOKERJEE: Sir, I have tried to satisfy the hon. Member to the best of my ability and I am still ready to answer any question. I will be the last person to take shelter under any plea. I am still ready, Sir, to give replies to relevant questions.

Srijut MAHENDRAMOHAN CHOUDHURY: My point is this, Sir, that it is a matter of great public importance, and I want to know whether the Supply Department has come prepared with a full statement of facts regarding all the doings that have been done by the previous Ministry or the present Ministry.

The Hon'ble the SPEAKER: For that purpose a Motion has got to be brought in. How one can come up with a statement in answer to supplementary questions?

Srijut MAHENDRAMOHAN CHOUDHURY: The question is this, that we want to know what action Government have taken in the matter which is so vital to the consumers and the general public?

The Hon'ble Mr. BAIDYANATH MOOKERJEE: I have made it sufficiently clear, Sir.

Srijut MAHENDRAMOHAN CHOUDHURY: May I know from the Government whether they are taking any action against those who are responsible for this?

The Hon'ble Mr. BAIDYANATH MOOKERJEE: I am very sorry for my Friend. Sir, I have already explained that those who were the agents at that time have got no connection with us at present. Their terms have expired.

The Hon'ble the SPEAKER : Is it the intention of the hon. Member to have a debate under Rule 40 ?

Srijut MAHENDRAMOHAN CHOUDHURY : No, Sir.

Srijut SARAT CHANDRA SINHA : Sir, is the Department under the same officers still ?

The Hon'ble Mr. BAIDYANATH MOOKERJEE : One officer of this Government who is no longer in service, was Mr. A. C. Dutt, Trade Adviser, and the other Mr. Subhan who was the Deputy Controller General, Civil Supplies, Government of India, who is also not under the control of this Government, used to assist the Agency in procuring these commodities. The investigating officer was Mr. A. Hye, the then Commissioner of Excise.

The Hon'ble Mr. BAIDYANATH MOOKERJEE : Any more cross examination, Sir, by the hon. Members ?

The Hon'ble the SPEAKER : The Hon'ble Minister must not resent supplementaries as it is a matter of public importance.

Appointments made in the Industries Department

Maulavi MAYEENUD-DIN AHMED CHOWDRY asked :

98. (a) Will Government be pleased to state the number of appointments made as Assistant Director of Industries, Weaving Superintendents, Marketing Officers and Textile Examiners during 1946-47 ?
 (b) How many of them are Muslims ?
99. Will Government be pleased to state—
 (a) The special qualification for which Mr. P. C. Chowdhury has been appointed as Assistant Director of Industries, superseding the claims of the Senior Superintendents ?
 (b) The special considerations for which the present Marketing Officers have been appointed ?
 (c) The technical qualification of the Marketing Officer appointed for the Assam Valley ?
 (d) The names and addresses of the officers superseded by him and Mr. P. C. Chowdhury ?
 (e) Whether the Marketing Officer of the Surma Valley is a man of Tipperah District ?
 (f) If so, the reason why the legitimate claims of Muslim officers of Assam have been turned down ?
100. Will Government be pleased to state—
 (a) The total number of looms in the Sylhet district and how many of them are in possession of Muslims ?
 (b) The number of officers in both the Emporia at Gauhati and Karimganj and how many of them are Muslims ?

The Hon'ble Maulavi ABDUR RASHEED replied :

98. (a)—3, 1, 1 and none respectively to the posts of Assistant Director of Industries, Weaving Superintendent, Marketing Officer and Textile Examiner.
 (b)—None.

Babu PURNENDU KISHORE SEN GUPTA : Will the Government please state who are entitled to these posts ?

The Hon'ble Maulavi ABDUR RASHEED : Those who are not nominated by the Public Service Commission are not entitled to get these services.

Babu NIRENDRANATH DEV : Has the Public Service Commission got anything to do with promotion ?

The Hon'ble Maulavi ABDUR RASHEED: Yes, in some cases.

Shri SATINDRA MOHAN DEV: Do the Government follow the principle that unless one is nominated by the Public Service Commission, he is not appointed?

The Hon'ble Maulavi ABDUR RASHEED: Yes, Sir.

The Hon'ble Maulavi ABDUR RASHEED replied:

99 (a)—Mr. P. C. Chowdhury who was Principal of the His Royal Highness the Prince of Wales Technical School, Jorhat, is technically qualified for the post. He did not supersede any senior Superintendent.

(b)—The appointment was made on the recommendation of the Public Service Commission.

(c)—He is a B.Sc. and a passed Accountant with a sound business experience and knowledge of designing.

(d)—The Marketing Officer, Assam Valley, superseded only Maulavi G. R. Laskar now Inspector of Co-operative Weaving Society, Surma Valley and Mr. P. C. Chowdhury—Rai Bahadur P. C. Dutt.

(e)—So far as the Department is aware the Marketing Officer, Surma Valley is a native of the District of Cachar.

(f)—Does not arise.

100 (a)—239 looms are in possession of Muslims out of 1032 looms in Sylhet district.

(b)—There are six officers at Gauhati Emporium and Central Stores and 3 officers at Karimganj Emporium. None of them are Muslims.

Point of Privilege re: Submission of Amendments, etc

The Hon'ble the SPEAKER: I now take up the next item.

Mr. W. R. FAULL: Mr. Speaker, Sir, I rise on a point of privilege in connection with your statement made yesterday regarding submission of Amendments to the Secretary between 3 p. m. to-day, and also in connection with the Supplementary List of Business for to-day. I have already complained, Sir, that this Session is running far ahead of our preparations and we are not capable of giving the necessary thought to all these matters in the time at our disposal. I think, Sir, you will agree that we are working under adverse circumstances which are beyond our control. May I, therefore, request you, Sir, to fix the agenda in such a way as will afford us sufficient time to give reasonable thought to all items.

The Hon'ble the SPEAKER: Yes, I quite appreciate what the hon. the Leader of the European Group spoke about. It is furthest from our thought to rush the matters through. When we altered the programme, we did so with the express consent and agreement of the Leaders of the different Parties. I am looking into the matter and the agenda would be fixed in accordance with the desire of the hon. Member who has just now spoken. We are going to extend time for submitting Cut Motions. And I am also going to make a statement on this subject.

Mr. W. R. FAULL: Very good, Sir.

The Hon'ble the SPEAKER: I want to make it clear now and here, for somebody may run away with the notion that in the absence of the Opposition Members, this Assembly is rushing with legislative matters. It is not so. I consulted this matter with the hon. the Leader of the Opposition, Maulavi Muhammad Saadulla more than once, and as I said yesterday, he said that he would not complain regarding economising time of the House and he also said that, as he and his Party were the defaulters, they would not complain on this score. I will certainly act according to the sense of the House in fixing up the agenda. We are not going to arrange the agenda in such a way as will inconvenience any party in this House.

Demands for Grants

GRANT No. 2 (7.—LAND REVENUE)

The Hon'ble the SPEAKER: Hon'ble Srijut Bishnuram Medhi to move Grant No. 2 (7.—Land Revenue).

The Hon'ble Srijut BISHNURAM MEDHI: Mr. Speaker, Sir, on the recommendation of His Excellency the Governor of Assam, I beg to move that a sum not exceeding Rs 23,72,300 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 "7.—Land Revenue".

As there are no Cut Motions, Sir, I think the Motion may be put.

The Hon'ble the SPEAKER: Motion moved:

"That a sum not exceeding Rs 23,72,300 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 '7.—Land Revenue'."

There are no Cut Motions under this Demand.

Srijut RUPNATH BRAHMA: Mr. Speaker, Sir, with your permission may I speak something on this Motion?

The Hon'ble the SPEAKER: Yes, the hon. Member is allowed to speak.

Srijut RUPNATH BRAHMA: Mr. Speaker, Sir, I rise to draw the pointed attention of the Government and specially of the Hon'ble the Revenue Minister to a certain matter which vitally affects the tribal people of the plains. The tribal people whom I represent in this House form an important section of the population of the Province of Assam and they also form a strong minority community in this Province. But, Sir, owing to their backwardness in education and present economic condition these people, though they were the ancient ruling people of this Province, have been rendered quite helpless. The continuous influx of immigrants into this Province has caused alarm in the minds of the tribal people and they urgently require protection in the hands of the Ministry in the matter of land settlement. Sir, unfortunately nothing tangible has yet been done by any Ministry in Assam for them. The other day at the time of the general discussion on the Budget the Hon'ble the Revenue Minister stated that the matter of giving protection to these tribal people and specially the proposal of creating certain belts for these people had been engaging the attention of Government and was being scrutinised by the Special Officer. Two years back the previous Ministry appointed a Special Officer to look into this matter but I do not know what were the main recommendations of that Special Officer. So far as I know, it was decided that a census should be taken of the landless tribal people first and then a line should be drawn up where the tribal people are found in the whole Province. I do not know, Sir, how far this proposal has been implemented by this Ministry. I came to know from the Hon'ble the Revenue Minister in course of my talk with him on a certain occasion that Mr. Desai was specially deputed to draw up a definite scheme and scrutinise the whole matter. Probably the Hon'ble Minister means Mr. Desai being appointed as the Special Officer. The previous Ministry appointed one Tribal Extra Assistant Commissioner as the Special Officer. Sir, the tribal people are to be found throughout the whole Province in all the districts of Assam and from my personal knowledge I know what a miserable life they are leading. I may cite one instance. There is a village called Rajegadu Pathar in the Barpeta Subdivision. This village is surrounded by the immigrants on all sides. The hon. Members know that there was a system

called the Line System, which was needed for the protection of these tribal people in the areas where these people were found and where these people were predominant. But, Sir, I do not know whether in actual practice this Line System has been kept in tact. It is a fact that immigrants have been taking settlements into the areas which were lined for the tribal people and closed to the immigrants. The immigrants have been encroaching upon these areas. The village just now mentioned by me is surrounded on all sides by the immigrants. The people there are almost in panic. Once an important tribal village headman of that village represented to me that even in his *patta* land he could not go and cultivate and that at the time of harvest the crops were taken away sometimes by the immigrants. Unless and until the Government come forward with some definite scheme the tribal people will face great difficulty. I cannot put the whole blame on the immigrants alone. I must say that our caste Hindu neighbours are also responsible to some extent. They take settlement of the lands in closed areas and later on they sell to the immigrants and the immigrants thus come into the tribal areas. In this way everywhere in all the districts of the Province the tribal people are being ousted from their lands and they have been compelled to sell their own lands and go elsewhere. So, I appeal with all the emphasis at my command to the Hon'ble Minister of Revenue that this matter must not go in this way and the Ministry as a whole should give their careful attention to this. I hope that the Congress Ministry which stands for all minorities will not hesitate to adopt proper measures to safeguard the interests of the tribal people in the plains.

The Hon'ble Srijut BISHNURAM MEDHI Mr. Speaker, Sir, I am very glad that the attention of this House as well as the Government is drawn to the difficulties of the tribal people by my hon. Friend, Mr. Brahma. I do not exactly remember about the village he has mentioned. I have been to that side and I came to learn that some of the villagers in Gabardhan Mauza were in fact in trouble and I sent immediate instructions to the local officers to remove the difficulties that he described. The difficulties were created not only by the caste Hindus but in some cases the poor and innocent tribal people also, most probably due to the oppression of the new immigrants, sometime dispose of their annual *patta* land partly through fear, partly through coercion and partly through inducement. Instructions were issued to the Officers not to recognise these transfers by the present Government. The transfer of the annual lease which does not confer any right whatsoever on the transferee was in fact recognised although annual lease does not confer any right of transfer. As soon as I found that it is necessary for the interest of the protection of these tribal people and other local people, instructions were at once issued to each District Officer that the transfer should not be recognised and if the *pattadar* is not in possession of the land the land should be treated as *Sarkari* waste land and if the area is inhabited by the tribal people preference should always be given to them. If the area is inhabited by the scheduled caste community preference should always be given to them. Sir, the Revenue Department cannot usurp the functions of the Court and I would assure that the Government will help all these persons and they should devise ways and means how to protect their own property. They have perfect right of self-defence. They can go to the civil as well as to the criminal court, and lodge complaints and the magistrates can draw up proceedings against the offenders. To those well wishers of these tribal people I would say that if they find themselves helpless in the matter there should be some organisation to protect their rights and see that their grievances are redressed in the Court. No transfer is now recognised and we are trying our utmost to protect the rights of the tribal as well as backward people in the blocks and areas they are inhabiting.

Then as regards Special Officer, I think he means Mr. Bora. I found that it was not possible for him having no experience of survey and settlement and other works and without the help of the Sub-Deputy Collectors and Land Settlement staff to submit proposals. In some cases it was found that the opinion that he gave in favour of the tribal people was not supported by the tribal people themselves. And moreover, the Officer himself really did not like to continue in

the job as I learnt from a discussion with him. So I thought that the best interest would be served by collecting all these data, the percentage of the population in the villages and the areas and the culturable waste lands that are available for settlement. These figures can best be collected through the Sub-Deputy Collectors of the respective jurisdictions and the Deputy Commissioner and those figures were in fact collected. The Special Officer, Mr. Desai, was appointed to scrutinise all these figures on the spot and to discuss with the Deputy Commissioners of the Districts concerned as well as with the Sub-Deputy Collectors and to give us tentative proposals accompanied with a map, in connection with the formation of tribal belts and blocks for the protection of their interests. After these tentative proposals are given a definite shape, I thought it desirable to get the co-operation of the District Officers as well as the Sub-Deputy Collectors, by sending them the same for their views and criticisms, if there be any. I have been issuing reminder after reminder for submitting the proposals in question, but they have not come to me yet. There is a proposal for legislation also in this respect. As soon as I get the proposals and the views and criticisms of those officers are known, the entire Government will consider the proposals finally and necessary measures will be taken up for legislation to protect the interests of the tribal people. But, Sir, things cannot be done in a hurry. There will have to be made provision to the effect that the capitalist non-agriculturists may not be able to purchase lands from the real tribal agriculturists. Provision for restricting transfer of lands—either periodic or annual *patta* lands—to persons who are not actually agriculturists and to those who want to exploit the innocent and simple agriculturists, will have to be made. For making such legislation some time is necessary but if things are done in a hurry, the whole plan might not be able to give the tribal people the real protection that is aimed at and it might be rather to their disadvantage. Sir, we consider it our sacred duty to protect the interests of all those innocent and simple agriculturists and to see that they can remain safe at their own home. With that aim in view, a Special Officer has been appointed to prepare a proposal with regard to the formation of tribal belts and blocks for the protection of the interests of the tribal people. In the meantime I have also issued instructions to protect the interests of the people who came to Assam from outside before January, 1938—including the Hindu and other immigrants. There is a threat of invasion prevailing in the country from Bengal. As a result of this threat of invasion a responsibility has devolved upon the Government to protect the interests of all people including the immigrants who came to Assam before January 1938. In the circumstances my hon. Friend, Mr. Brahma, will also see that he will help in organising the tribal people to resist this threat of invasion from outside. I hope my Friend is satisfied with what I have just now stated, and if he wants to have any further information of particulars in respect of any particular village, I welcome him to have a discussion with me. Not only he as a leader of the tribal people but other representatives also are invited to come forward so that I can try to remove the grievances of all backward people.

The Hon'ble the SPEAKER: Now I am putting the Demand as a question. The question is :
 "That a sum not exceeding Rs. 23,72,300 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 '7.—Land Revenue'."

The question was adopted.

GRANT No. 21

(41.—VETERINARY)

The Hon'ble Maulvi ABDUL MATLIB MAZUMDAR: Mr. Speaker, Sir, on the recommendation of His Excellency the Governor of Assam, I beg to move that a sum not exceeding Rs. 4,09,600 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 "41.—Veterinary".

The Hon'ble the SPEAKER : Motion moved :

"That a sum not exceeding Rs. 4,00,600 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 '41—Veterinary'."

There are only two Cut Motions. Mr. J. S. R. Telfer may now move his Cut Motion.

Mr. J. S. R. TELFER : Mr. Speaker, Sir, I beg to move that the provision of Rs. 25,500 under Grant No. 21, Major head—41—Veterinary, Minor head—D.—Hospitals and Dispensaries, Sub-head—Non-Contract Contingencies (total), at page 153 of the Budget be reduced by Re. 1, i.e., the amount of the whole grant of Rs. 4,00,600 do stand reduced by Re. 1.

My intention of moving this Cut Motion is to draw the attention to the need for expediting the provision of cold storage apparatus for keeping vaccines and serum in local dispensaries, particularly in the Surma Valley, and also for proper laboratory diagnosis.

Sir, it is with extreme regret that we do not find any funds expressly allocated for provision of cold storage in hospitals and dispensaries, either centrally or throughout the Province, although the necessity for this is fully established.

It is now well known by the cultivator that preventive measures for control of infection against anthrax and rinderpest are possible, and immediately these very dreadful diseases occur in a district, there is widespread demand for action to be taken. Unfortunately, the Local Veterinary Officer is not in a position to give immediate aid. He has neither the facilities for correct diagnosis nor the serum in stock for treatment if, from his experience, he usually recognises the symptoms. Instead, of necessity, an Assistant Surgeon is deputed to take blood slides and these, in due course, are sent to Gauhati with the request that, if found positive, serum may be supplied. This procedure takes at least a week and by this time the infection has probably developed into an epidemic with devastating losses.

It is, therefore, reasonable to request that facilities for microscopic examination should be made available in at least one centre in the Surma Valley and one in north-eastern Assam, and cold storage installed at the same places where stocks of serum should be retained, actually in hand, for immediate measures without reference to Gauhati.

This would not entail much expenditure and would be of great benefit. It is, therefore, sincerely hoped that Government will give this suggestion their favourable consideration and early effect.

The Hon'ble the SPEAKER : Cut Motion moved :

"That the provision of Rs. 25,500 under Grant No. 21, Major head—41—Veterinary, Minor head—D.—Hospitals and Dispensaries, Sub-head—Non-Contract Contingencies (total), at page 153 of the Budget be reduced by Re. 1, i.e., the amount of the whole grant of Rs. 4,00,600 do stand reduced by Re. 1."

Srijut GAURI KANTA TALUKDAR : Mr. Speaker, Sir, I rise to express my thankfulness to the hon. Mover of this Cut Motion and Mr. Tunstall for their drawing the attention of Government to this very important matter. They have asked that provision should be made for storing vaccines and serum in local dispensaries, and mentioned that that should be done particularly in the Surma Valley and somewhere in eastern part of Assam Valley. I would go a step further and ask Government to make such provision in all the veterinary dispensaries of the Province. Not only that; I would request Government to make provision for supplying each dispensary with a microscope.

Sir, at present we have got only one laboratory at Gauhati where blood and dung are sent for examination and diagnosis of cattle diseases. Sir, this practice has been found to be fruitless at times of cattle-epidemics. The Veterinary Assistant Surgeons do not get the result of the examination in time. Certain diseases of cattle such as Hæmorrhagic Septicæmia and Anthrax are very deceptive and they cannot be ascertained by mere symptoms. They have, therefore,

to wait for the result of examination at the Gauhati laboratory before they can take effective measures. But, Sir, by the time the result of diagnosis is communicated the epidemic subsides taking a big toll of cattle life. Government should, therefore, make all possible endeavour to provide each veterinary dispensary with a microscope and train the Veterinary Assistant Surgeons in the art of usefully using the microscopes if found necessary. If that is not done, the present arrangement of leaving everything to be done at Gauhati will never help us in combating epidemics effectively. I have heard, Sir, that serums can very easily be stored at a small cost in every dispensary in a cold place underground; and even if some cost be required to be incurred Government should not grudge that. We are practically neglecting the welfare of cattle of our Province. So, Sir, I fully agree with the demand made by the hon. Members of the European Group and suggest that in addition to vaccine and serum, provision should also be made for providing a microscope to each veterinary dispensary. It is not that I am supporting the Cut Motion, but I have taken this opportunity...

Mr. R. A. PALMER: I think the hon. Member is supporting the Cut Motion.

Srijut GAURI KANTA TALUKDAR: My intention is to draw the attention of Government to this matter.

The Hon'ble the SPEAKER: That is what the Motion is for.

Srijut GAURI KANTA TALUKDAR: Sir, I submitted a set of questions exactly on these lines to be asked in this Session; but as there is little likelihood of my questions being answered during the current Session, so I have taken this opportunity of drawing the attention of Government to this very important matter. I hope Government will not fail to take this into their consideration. I also hope that the hon. Members of the European Group will not press their Cut Motion, but will leave the matter to Government's discretion.

The Hon'ble the SPEAKER: There is another †Cut Motion in the name of hon. Mr. A. C. Tunstall. Does he want to move that? Or he might speak on this Cut Motion.

Mr. A. C. TUNSTALL: I do not propose to move my Cut Motion, Sir.

The Hon'ble Maulavi ABDUL MATLIB MAZUMDAR: Mr. Speaker, Sir, the subject-matter of this Cut Motion, *viz.*, the provision of cold storage and microscopic apparatus for veterinary dispensaries, has been engaging the most serious and anxious consideration of this Government since they took office (The Hon'ble Speaker: For these 14 months?). It is rather a short time to implement such an elaborate scheme. It is quite true, Sir, that without making arrangements for the proper protection of serums and vaccines immunisation of cattle cannot be secured and any epidemic cannot be successfully tackled. Previously there was no arrangement for such protection. Recently under the Post-War Scheme arrangements are being made not only for cold storage but also for local preparation of serums and vaccines. It is also in the contemplation of Government to extend the arrangements now prevailing at Gauhati to the Surma Valley as well as to other stations in both the Valleys, as far as the resources of this Government permit. We must not forget the financial limitations under which this Government have to act. Government are also faced with certain other difficulties. There is the difficulty of officers getting trained in institutions outside this Province.

† Mr. A. C. TUNSTALL to move:
That the provision of Rs. 25,500 under Grant No. 21, Major head—41—Veterinary, Minor head—D.—Hospitals and Dispensaries, Sub-head—Non-Contract Contingencies (total), at page 153 of the Budget be reduced by Re. 1, *i.e.*, the amount of the whole grant of Rs. 4,00,600 do stand reduced by Re. 1.
(To draw attention to the need for expediting—(1) The provisions of cold storage apparatus for keeping vaccines particularly in the Surma Valley, (2) Improvement in arrangements for local diagnosis.)

Last year, Sir, we were faced with great difficulties. Although admitted in colleges in different provinces. The seats which were given seats and some were not given. The difficulties which were faced to implement this scheme has been as yet the only one of the three War Schemes of making sufficient arrangements for the production, preparation of vaccine and serum locally. We have started this work and in a very short time there will be a full scale of it. The work has already been started and, Sir, gradually we will extend this to other States and other stations. So in time when we have sufficient facilities to tackle the problem of immunisation of cattle and other animals, in addition from all, we shall be able to remove the burden of the immunisation. Sir, Government cannot be negligent in this regard. We have to take the need of immunisation of our cattle. That is the main problem that has been facing the Veterinary Department. Of course, there are other problems, that is, finding out means of proper feeding, the cattle, etc. We are also taking steps. We are issuing instructions to the States and to the public to give instructions to the public, but the main problem is to have arrangement for cold storage, the production of vaccine and serum, of having serum and vaccine prepared locally. It is always a consideration of Government, Sir, that unless arrangements are made to prepare serum and vaccine locally Government will not be able to successfully tackle the problem of immunisation because if sometimes we have one that the medicine we get from outside are not available in time, sometimes we get them, as my hon. Friend, Mr. Talukdar, said, when the epidemic starts and sometimes these medicines while in the process of coming, their efficacy is either fully or partially with the result that when inoculation is done with these serum or vaccine, they do not work successfully. Some instances have been reported to me of such cases where inoculation was given in time by serum and vaccine which were imported from outside and though the inoculation were given with due formality, they were not successful. The experience in some cases was that the other concerned could not inoculate properly or it might be the medicine, the serum and vaccine—might have lost their potentiality in the process of coming. So Government have been anxious to implement the scheme, not only for cold storage but also for preparing vaccine and serum locally. I assure my hon. Friends that Government will do as much as possible for them to do having regard to the financial limitations under which the Government have to work and as I have already submitted Government are doing all in their power in this behalf. I hope, my hon. Friend will be so good as to withdraw his Cut Motion.

Mr. J. S. R. TELFER: Sir, in view of the Hon'ble Minister's assurance I beg leave of the House to withdraw the Cut Motion.

The Hon'ble the SPEAKER: Has the hon. Member leave of the House to withdraw his Motion?

The Cut Motion was, by leave of the House, withdrawn.

The Hon'ble the SPEAKER: Then I am putting the main Demand as a question.

The question is:
 "That a sum not exceeding Rs. 4,00,600 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 '41. Veterinary'."

The question was adopted.

Statement Re: Supplementary List of Business

The Hon'ble the SPEAKER: Now we pass on to the Supplementary list of business. I think typed copies are before the hon. Members. Before actually taking up the next item I propose to announce the altered and additional list of business. The time for tabling Amendments to the following Bills is extended

upto 3 p. m. on 20th March 1947 :—

- (1) the Assam Professions, Trades, Callings and Employments Taxation Bill, 1947 ;
- (2) the Assam Committees of Enquiry (Appointment and Evidence) Bill, 1946.

These two Bills will be taken up, clause by clause and Motion for passing made on Friday, the 21st March 1947 or Saturday, the 22nd March 1947 whichever is convenient. I trust this altered arrangement will be found convenient.

Mr. W. R. FAULL : Sir, the time for tabling Amendments is 3 P. M. on the 20th and discussion, clause by clause, is the following morning. Could we have some day next week ?

The Hon'ble the SPEAKER : We may take it up on 22nd that is Saturday. There is the word "whichever is convenient".

Mr. W. R. FAULL : On the latter date.

The Hon'ble the SPEAKER : That is it will be done on 22nd March 1947 (on Saturday).

Now, the following Bills will be considered, clause by clause and Motion for the passing made on the 20th March 1947 :—

- (1) The Assam Sales of Motor Spirit and Lubricants Taxation (Amendment) Bill, 1947.
- (2) The Assam Maintenance of Public Order Bill, 1947.
- (3) The Assam Revenue Tribunal (Amendment) Bill, 1947.
- (4) The Shillong Civil Courts and Laws Bill, 1946.

The Hon'ble Mr. BASANTA KUMAR DAS : On the 20th ?

The Hon'ble the SPEAKER : Yes.

Mr. W. R. FAULL : Consideration clause by clause and passing ?

The Hon'ble the SPEAKER : Yes, of course, if we can finish, otherwise, they will stand over. In addition on this date (*i.e.*, 20th March), the Assam Electricity Control and Power Bill, 1947 will also be introduced and Motion for its consideration made. This Bill will be taken into consideration clause by clause and Motion for its passing made on Monday, the 24th March 1947.

Mr. W. R. FAULL : Be introduced when, Sir ?

The Hon'ble the SPEAKER : This will be introduced on the 20th. Copies of this Bill were circulated.

Mr. W. R. FAULL : We are complaining that our present business is being telescoped.

The Hon'ble the SPEAKER : The position is that there is already a Control Order in respect of electricity. Unfortunately this Bill came to the Assembly Department at a late stage. The Bill is intended to be taken up only for two reasons. Firstly, this is a piece of continuing legislation. The Ordinance expires six weeks after the Assembly session is over. There is a greater reason for taking up this new thing at a very late stage, *i.e.*, after the Prime Minister made a statement of the Government business, wherein it was not included. In public interest this Bill has been admitted as a special case at this late stage as owing to increased demand for electric installation in different places, there might be a breakdown of the plants causing great inconvenience to the public. If the control is not there, everyone who wants electricity within the specified area will have a right to have it but with this control supply will be regulated to avoid undue pressure on machinery and breakdown.

Mr. W. R. FAULL : I am not opposing the Bill but we are not ready to work at such short notice.

The Hon'ble Srijut GOPINATH BARDOLOI : May I explain, Sir? It is only the continuance of the existing control that it has been sought for in this Bill. According to the existing control the supply of electricity is regulated by an Ordinance. During the period of war there was a lot of breakdown in many places in respect of the supply by some of the Electric Companies. These companies have not been able to replace or overhaul their machinery in such a way as to be able to supply electricity according to the terms and conditions which a Company is bound to supply electricity within certain areas known as compulsory areas. The idea behind the Ordinance was just to regulate the supply and the object of the Bill is just the same. The Ordinance expires on 31st March. Therefore an Act has to be passed before the 31st of March. Government decided to introduce this Bill after taking into account the opinion of the licensee as well as of district and subdivisional officers as to whether this control should continue. From the result of that enquiry Government are convinced that unless control is continued there might be a lot of inconvenience to the licensee companies and also to the general public. Therefore it has been proposed that almost in the language of the Ordinance, we should have an Act. The conditions are exactly the same as in the Ordinance itself. All that is sought here is just to put in the shape of an Act what was actually intended by the Ordinance. The urgency of the matter lies in this, that the Ordinance would expire on the 31st March and when the Government has an opportunity to meet the Legislature, it is doubtful, whether in the circumstances they could impose a fresh Ordinance; therefore, it was the only course that can be democratically adopted. The Bill will be presented on the 20th as announced and it means only the continuance of the existing order.

This is actually formal. There are 6 or 7 Bills and some of them are practically innocuous and they are simply to be put up.

Mr. W. R. FAULL : It is quite true that it will not take much time, but some time has got to be sacrificed as everyone of the items is not innocuous so far as we are concerned.

The Hon'ble the SPEAKER : What is the position? I would like to go by the sense of the House. Should we bring in this new matter into the agenda? May I take it as not being objected to?

Mr. W. R. FAULL : I think, I must explain our position because we are having rather a difficult time. We do not say that we are objecting to this Bill altogether, but its introduction now is making our position rather difficult.

The Hon'ble the SPEAKER : What date will suit the hon. Member?

Mr. W. R. FAULL : We can push over to the week-end—Monday or Tuesday.

The Hon'ble the SPEAKER : After that 7 days' time rule will have to be relaxed.

Mr. W. R. FAULL : I have no objection.

The Hon'ble Srijut GOPINATH BARDOLOI : My main difficulty is that it has got to pass through the Council also. Had it not been a formal thing, I would not have made this request.

Mr. W. R. FAULL : In view of the circumstances, I withdraw my objection.

The Hon'ble the SPEAKER : I quite appreciate the sentiment of the Leader of the European Group. Now, Amendments, if any, to this Bill should reach the Assembly Office before 3 p.m. on the 23rd March.

(Voice—It is a Sunday).

We shall have to keep the Assembly Office open as the hon. Members must have seen that the Assembly Department has to work everyday in the week during the sessions and some times upto 10 p.m. at night. We shall keep the office open just for the convenience of the hon. Members

I think we can put off formation of the Advisory Committee to another day, and also consideration of the Report of the Public Accounts Committee to some other day.

Now, I call upon the Hon'ble Mr. B. K. Das.

Mr. W. R. FAULL: When I rose this morning on a point of order, I intended to mention—as I told the Secretary this morning—the question of taking into consideration today the Assam Committees of Enquiry (Evidence) Bill and the Assam Primary Education Bill. I think, you will remember, Sir, when you announced it the other day I did make my complaint. Then you were kind enough to say that we would not be discussing clause by clause and that we would get every opportunity to have our say at the consideration stage. I have discussed with my Group and we feel that probably it might be all right, but since we may have to move many Amendments to cover the points we would otherwise have raised in the consideration stage, no time will ultimately be saved.

The Hon'ble the SPEAKER: What is the proposal of the hon. Leader of the European Group?

Mr. W. R. FAULL: I think consideration of this Bill should be put off till next week.

The Hon'ble the SPEAKER: That can be done. Probably the hon. Member is aware that the consideration of this Bill as amended by the Select Committee and also the principle of the Bill were accepted.

The Hon'ble Srijut GOPINATH BARDOLOI: The usual procedure always is not only to present the Report but also to seek for consideration of the Report on the same Motion. The consideration of the Bill as a whole, was actually adopted in the last sitting of the Assembly, where the principle of the Bill and almost all the details in reference to the principles had been fully discussed by this House before the Bill was sent to the Select Committee. In that Select Committee all the interests were represented, and the Select Committee, as you can see, Sir, was fully representative of the House. According to the principles already accepted, they framed certain recommendations, which in case of my Bill I could say did not at all vary excepting in certain verbal alterations, from the accepted principles of the Bill, or even in details which were accepted, the House when the first reading of the Bill took place. The usual procedure, as the Leader of the European Group knows, is not merely the presentation but also consideration of the Report of the Select Committee, and all that is proposed to be done now is that we formally pass the Motion and then if there is anything to be discussed it should be done on Amendments which may be proposed at the stage of third reading. For actual Amendments the hon. Leader of the European Group might have time during that stage. The Bill as passed by the Select Committee was sent to the Members, I suppose, about a month before and therefore, they ought to be ready for discussion to-day. But I do not think that in view of the unanimity of the Report there will be any serious discussion to-day and I shall point these subjects when I shall present the Report. I do not think there can be any objection in going through consideration stage as much speech will not be called for at this stage. Yet if there is difference in respect of certain points, those points might be made grounds for Amendments in the stage when consideration

of the Bill, clause by clause, would be taken. So far as Primary Education Bill is concerned, all the Members have come to an unanimity and there have been no dissentient opinion. But yet for tabling Amendments there should be plenty of time and in view of that, I feel, Sir, that the hon. Leader of the European Group should not find any difficulty whatsoever in the Motion as a whole the interest presentation of the Report without consideration having no value or constitutional precedent. Therefore, the usual procedure which would include not merely presentation but also for consideration of the Report should be adopted.

Mr. W. R. FAULL: I accept the statement made by the Hon'ble Premier, in so far as Primary Education Bill is concerned. My main objection is in regard to the Assam Committee of Enquiry (Evidence) Bill, and I had a lot to say about this Bill during the last session; as a matter of fact, I moved it to a division on the question of circulation. Hon. Members will recollect that the Hon'ble Minister in charge very kindly stated that, in spite of the fact that my Motion had been defeated, he would arrange for circulation of this Bill. I waited for the result of circulation, but I have not seen the result so far. I think it was sometime on the 20th or 21st of January, I received a notice to attend the Select Committee meeting. I came to Shillong one day before the meeting and found that another notice had been sent to me at Gauhati to the effect that the meeting was cancelled. Some time later when I was in Calcutta, on business, I received a notice of a subsequent meeting of the Select Committee and on this occasion it was impossible for me to get back to Shillong. I was, therefore, not able to attend the Select Committee meeting nor could I see the circulation report.

This is a Bill on which we would like to confer a lot and be really ready at the consideration stage.

The Hon'ble the SPEAKER: The Select Committee Report was sent on the 26th February and the hon. Member got a copy.

Mr. W. R. FAULL: I was referring to the incidents leading up to the fact that I was unable to attend the Select Committee meeting. So far as consideration is concerned I wish to point out that placed as we are we will not be able to contribute much to the discussions at this stage, and it will be necessary for us to table many more Amendments. I think, Sir, ultimately no time will be saved by presentation for consideration at this stage.

The Hon'ble Mr. BASANTA KUMAR DAS: Mr. Speaker, Sir, to-day we are only to consider the Report of the Select Committee and we shall have another day to consider the Bill, clause by clause. My hon. Friend, Mr. Faull, the Leader of the European Group, will be quite entitled to table any Amendments he likes when the Bill comes up for consideration, clause by clause. You may fix a date for the purpose of tabling Amendments; but I do not see any objection to the consideration of the Report of the Select Committee being taken up to-day and proceeded with. Mr. Faull was a member of the Select Committee. He has explained the reasons for his not being able to attend the meeting of the Select Committee. The meeting was held on the 10th February, 1947, and if he could attend the meeting then he would have seen all the opinions that were gathered on the Bill.

The Hon'ble the SPEAKER: Was it circulated for opinions?

The Hon'ble Mr. BASANTA KUMAR DAS: Yes, Sir. At the instance of Government some opinions were obtained and I may inform my hon. Friend that except one all supported the measure. The opinions received were fully considered by the Select Committee which has changed the Bill considerably. These changes

have really improved the Bill. The Bill was re-published in the Gazette on account of the fact that considerable alterations were made by the Select Committee in the Bill. I have not been able to understand what possible objections the hon. Leader of the European Group has to the Motion that I am going to move.

Mr. W. R. FAULL : When we arrived here we had not prepared ourselves; seeing that this Bill was due to come up later in the Session and when the Opposition failed to attend the Session, you, Sir, suggested a revision of the programme and we accepted that that might be done provided we were given reasonable time during the four days proposed instead of the nine days programmed, with the result that we started to concentrate on what we were going to do in connection with the Demands for Grants leaving other items to be considered as they came up on the original dates. This item is something entirely new and something additional, super-imposed on original work that we have undertaken. We feel, Sir, that we are not prepared, through no fault of our own, and not being prepared we must leave our contribution to the discussions until a later, that is, the clause by clause stage.

The Hon'ble Mr. BASANTA KUMAR DAS : Well, Sir, I am agreeable to accept the suggestion of my hon. Friend and I would refrain from moving the Motion today. But I would request you, Sir, to fix a subsequent date for moving this Bill.

The Hon'ble the SPEAKER : Can the hon. the Leader of the European Group suggest a date for this ?

Mr. W. R. FAULL : I think, Sir, that it can be taken up after a week's time: after we have disposed of the Demands for Grants.

The Hon'ble the SPEAKER : Then I would call upon the Leader of the House to present the Report of the Select Committee on the Assam Primary Education Bill, 1946.

The Assam Primary Education Bill, 1946

The Hon'ble Srijut GOPINATH BARDOLOI : Mr. Speaker, Sir, I beg to present the Report of the Select Committee on the Assam Primary Education Bill, 1946, and to move that the Bill as amended by the Select Committee be taken into consideration.

I may tell the House that the changes that have been made by the Select Committee are not of a nature which, in the least, touch the principle of the Bill. The principle of the Bill was mainly explained in the first reading of the Bill when criticisms from all sides of the House were taken into consideration. It was then pointed out that while compulsion was aimed at by this Bill, it should be done in two stages : a stage of preparation is to precede the state of actual compulsion. It was then explained to the House that we had to do a lot of preliminary works before we could actually put the compulsory portion of the Act into operation. The Bill itself, as framed from the beginning, did not divide the parts in such a clear manner and in the Select Committee we have done it. Then there have been verbal changes and re-numbering of clauses and sub-clauses, in reference to many provisions in the Bill and for this thanks are due to the Legal Remembrancer and the Secretary to the Education Department in whose co-operation the verbal changes had been made. There are only one or two matters in which really there were some differences of opinion in the beginning and one of

the differences was in reference to description of what should be the scope of the School Boards. One of the Members of the Select Committee—Mr. Gauri Kanta Talukdar—was very anxious that specific provision be incorporated for empowering School Boards to give scholarships to the students also. In reference to that, I think, he was subsequently satisfied that even according to the present provisions, these Boards were empowered to do that. There was some difference of opinion in reference to compulsion on Muslim girls between the ages of 11 and 14 to attend school. Some were of the opinion that the Select Committee should lay down that these girls should come under the exempted list; but after consideration it was thought desirable to leave it for the consideration of the House. From the side of the Government it can be said that if a particular community wants to have their education curtailed in certain respects, the blame should not be given to the Government. We felt that co-education up to an age of 11, at any rate, could be given and in all cases where there was a school only for girls the difficulty would not arise at all. But it would be for the House to consider, if any Amendment comes, as to what attitude it shall take. So far as Government is concerned, we can only say that consistent with the ideal of this Primary Education Bill, *viz.*, to have every body educated, we shall be prepared to accept any Amendment that the House would pass.

The Hon'ble the SPEAKER: If such a controversial issue arises, what course of action does the Hon'ble Premier propose to adopt in the absence of the Muslim League Party in the House?

The Hon'ble Srijiut GOPINATH BARDOLOI: All that I can say is that if the Muslim League Party keep away, the House shall have to take an attitude keeping in view the feelings of the community concerned. But I can tell the Members of this House that the Members of the Muslim League Party themselves did not think it desirable to put that as a specific recommendation in the Select Committee. They did not take up on them that responsibility. In any case there are other Muslim Friends also in the House and we shall have to take their opinion in this matter. These are practically only two things about which there are a little controversy. Rest of the work in the Select Committee was only verbal changes. I should not forget to mention two very important points which had been made out by Mr. Tunstall representing the European Group. One was the adoption of some means by which the inspection of the health of the children would be possible. This provision has been made at page 16, clause 9, sub-clause (g). There is also in page 20—provision for medical inspection of children. The second point urged was in respect of taxation. So, Sir, what has been actually done in the Select Committee is only to improve and elaborate the intention of the Bill. So, as I said, Sir, that all that has been done in the Bill in the Select Committee is only to clarify the intentions of the Bill for better action and better management. I therefore think, Sir, that the hon. Members will find no difficulty whatsoever in passing this Motion for consideration of the Bill as emerging from the Select Committee.

The Hon'ble the SPEAKER: Motion moved:

“That the Assam Primary Education Bill, 1946, as amended by the Select Committee be taken into consideration”.

The Hon'ble Maulavi ABDUR RASHEED: Mr. Speaker, Sir, when it was discussed in the Select Committee I raised an objection and suggested that Muslim girls over 11 years of age should not be compelled to attend school and it was supported by Mr. Abdul Bari Chaudhury. It is not my personal opinion, Sir.

The Jamiat-ul-Ulama, Assam have requested us by sending resolutions that no Muslim girl over 11 years of age should be compelled to send to any school. This does not mean Sir, that Muslims will be compelled not to send their girls to school. Jamiat-ul-Ulama decide everything according to the holy Quoran and Hadis and they have requested us to press before the House that no Muslim girl over 11 years of age should be compelled to send to any school.

The Hon'ble Srijut GOPINATH BARDOLOI: It may be known, Sir, that we have a clause where we have included those who could be exempted; and if that be the opinion of the House it will not at all be difficult for us to include the girls of that age within the clause of exemption.

Mr. A. C. TUNSTALL: Mr. Speaker, Sir, I feel that compulsory education should form an integral part of rural development and a complete subdivision, including a town, is the smallest unit that can be developed economically. In order to achieve satisfactory results in rural development it is necessary for all aspects of the problem to be dealt with simultaneously. This will necessitate a high concentration of expensive officials in the area selected. The cost per head of population on an area smaller than a subdivision is likely to be prohibitive.

The Hon'ble the SPEAKER: Order, order. The hon. Member will continue after lunch.

Adjournment

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

(After lunch)

(The Deputy Speaker occupied the Chair)

Mr. A. C. TUNSTALL: Deputy Speaker, Madam, may I continue my speech?

The Deputy SPEAKER: Yes, the hon. Member may do so.

Mr. A. C. TUNSTALL: Most of the towns in Assam are so intimately linked with the rural areas that they form an integral part of them. In Assam no towns may be classed as industrial centres. They are for the most part merely the trading centres of the rural areas in their vicinity. Hence they should be included in any rural development scheme for the areas concerned. To be a permanent success the rural development schemes should so increase production that the population may be able to bear the additional taxation required to cover the full cost of the services provided by Government, including compulsory education. Compulsory education if it be successful will increase the demands of the people for better provision in many aspects and it is reasonable to undertake the development of the area selected in all other respects simultaneously. This can only be done economically on an area large enough to be an economic unit.

There is another aspect of compulsory education that I have referred to in the previous Session, and that is, the need to train an adequate number of teachers. I am taking this opportunity of again emphasizing this important aspect of the problem. As many tea planters are aware of my interest in education, I not infrequently have requested for suitable men for Tea Garden schools. In spite of the pay being more than double that is normally given by Government and the many amenities offered, it is very rarely possible to find a trained teacher to fill the vacant post. It would mean leaving the neighbourhood of their own

homes. This emphasizes the necessity for increasing facilities for training teachers in the areas selected for compulsion and endeavouring to get men from homes in the vicinity of future primary schools. Only in this way will it be possible to work economically. This is another point that emphasizes the need for concentration of effort.

I wish to emphasize in passing that the suggestion that a whole subdivision should be the minimum area of compulsion does not affect the Tea Industry in any particular way. It is accepted that the provision of educational facilities is most definitely a State responsibility and as such, all sections of the population have the right to educational facilities at State expense. So far most of the tea garden schools have been provided by, and at the cost of, the tea gardens concerned. With increased taxation and increasing wages, the time is not far distant when it will be impossible for the Tea Concerns to continue to offer this amenity free. The difficulties in supplying the necessities of food and clothing to the labourers are already causing serious trouble on the tea gardens. It is obvious that in the circumstances, the Management could not add to their difficulties by undertaking the collection of a tax that would, in the beginning, be very unpopular. Nor could they take active steps to enforce attendance at the schools, however sympathetic they may be to the cause of education. My constituents are fully in favour of the principles of the Bill but they would like to know the policy of Government in regard to the application of this Bill to tea gardens. One of our constituents, the Assam Oil Company, are anxious to continue the high standard of education they are giving to their employees. They are however, concerned lest their employees will be expected to pay the educational tax although their employers and not the Government are providing it free. I have been asked to ascertain the views of Government on this question of tea garden education in relation to this Bill, and I should be very pleased if the Hon'ble Prime Minister will mention this matter. Then, one of our constituents, the Assam Oil Company, is very anxious to continue to provide the education they are giving to their labourers and their staff which they have is of a much higher standard than one would likely to get in the Government institutions that we have at present, they want to know whether they can secure their employees from the payment of this extra taxation. Can they secure statutory exemption if the education is compulsory and provided free by the organisation concerned? I am merely passing this question as it has been put to me.

That is all I have to say, Madam.

†**Srijut KHAGENDRA NATH SAMADDAR**: Deputy Speaker, Madam, at the very outset I convey my congratulations to the Hon'ble Premier, the Leader of the House for presenting the Report of the Select Committee on the Assam Primary Education Bill, 1946. The agenda of this Session of the Assembly indicates that the said Bill will be passed during this Session. If that is done the backward people of Assam will be happier than any other section of people in the Province. But our minds will be most depressed if that is not done. For the upliftment of any country, province or any nation or community, and to improve the social and economic condition of any society, education is the only thing. The people of any advanced nation or country or the forward sections of any nation have a natural tendency to have proper education and to give proper education to their children. But the conditions of the people of any backward nation or community are different. Their masses see no utility to have proper education or education at all for themselves or for their children. On the other hand they consider it to be a loss to give education to their children. Because if there is no question of education, then they can employ their children in their household duties and can get every assistance from

† Speech not corrected.

them. So they think it as a loss. They have no interest for the upliftment of the society or for the improvement of their mental ability to get fair knowledge and education for the satisfaction of their minds. So, they take the education for their children as a heavy pecuniary and domestic loss, without gaining anything. Most of them prefer their backward social and economic condition to the improved society and improved social and economic conditions. Even to-day most of them oppose the spread of education at the cost of money and labour. So, in order to spread education amongst them and their children, compulsion is the only way. With the introduction of free primary schools, education must be made also compulsory. Without compulsion, the very intention of free primary education will be a failure, specially in the backward areas and amongst the scheduled castes, tribals and other backward sections of the Province. The people of the forward areas and of the advanced sections will take it as a chance and privilege for their children, but the position and the conditions will be adverse in the backward areas and societies. So, education must be made free and compulsory in these backward areas and for the children of all the scheduled, tribal and backward sections, in case it is not possible to make compulsion for all. So, I urge upon the Government to pass this Primary Education Bill during this Session, with clear provisions making education compulsory for the whole Province and especially for the backward areas and for the scheduled castes and the backward societies, and thus to remove the anxiety of the backward people of Assam.

If any tax is necessary to introduce the same, impose that immediately. The opinions of the mass people may differ, but Government should take bold steps for that. We, the representatives of the scheduled and the backward communities are ready to support Government in that matter. If by spending something we can make our society improved, enlightened, advanced, forward and educated, why should we care for any taxation? So, we urge upon the Government and request the Hon'ble Premier, the Education Minister to take necessary sanctions of the Legislatures, by which compulsory free primary education can be introduced throughout the Province, specially in the backward areas and amongst the scheduled castes and backward societies, from the 1st January 1948. By this we can show to the world that we have already started the greatest nation-building work, preparatory to get the independence of India, our motherland, which is coming to us within June 1948.

Madam, I further request the Hon'ble Leader of the House in this connection, if he can introduce another Bill for the Mass Literacy Movement and adult education which had been introduced in Russia, along with the Post-War Reconstruction Scheme, then that will be more beneficial for the nation as a whole, specially for the scheduled castes and backward societies.

I again give my heartiest thanks to the Hon'ble Premier for bringing this Bill and request the Government to begin work immediately according to the provisions of the Bill so that we can start free and compulsory education on or before 1st January 1948.

With this request, Madam, I resume my seat.

The Hon'ble Srijut GOPINATH BARDOLOI: Madam, I proceed to reply to certain points that have been raised with reference to the recommendations of the Select Committee on the Assam Primary Education Bill. I have already pointed out to the Hon'ble Minister for Industries, in reference to his remarks that if the Muslim community thought that the girl students from the age of 11 to 14 should be exempted from the operation of the compulsory clause, he or anybody on his behalf might come forward with an amendment seeking to incorporate such a provision in the clause of exemption (I think it is clause 43).

Then, Madam, Mr. Tunstall has raised certain objections some of which he did raise also in the Select Committee, one of which was in reference to the area of compulsion. He seemed to think that the area of compulsion should be at least a subdivision, but it would seem that the best thing in such circumstances would be to leave this matter more or less to the School Board and the Government. A particular area may require special attention in reference to compulsion which may not be so necessary or urgent for other areas. The people of a certain area, not necessarily a subdivision, may express their wish in favour of compulsion and they may be even willing to bear the burden of taxation that will be involved. In such circumstances to prevent an area of that kind from having the benefit of compulsion would, in my mind, be not a right thing to do. My Friend Mr. Samaddar just now raised that question. He was particularly stressing the needs of backward places and backward communities and if Government were not left free to consider their special needs, I think, the object of compulsion would not be very well fulfilled. Therefore, after discussion it was agreed that the areas of compulsion should be defined in this way:

“ ‘Area of compulsion’ means a subdivision or part of a subdivision in which primary education has been made compulsory under section 40.”

I personally feel that this is a good provision but if the Hon. Members think that better suggestions could be brought, the House will have the opportunity of taking into consideration any Amendment that they may be placed before the House.

The second point that was stressed by Mr. Tunstall was regarding employment of trained teachers for the purpose of carrying out the compulsion programme. I recognise it no less and although it is more or less a matter of administration rather than connected with the provisions of the Bill directly, I could assure him that Government have already taken certain steps even for the preparatory stage of the compulsion. I think, Mr. Tunstall knows that as many as six Primary Teachers' Training Schools are proposed to be opened besides four others which yet remains. That would not possibly give us a large number of trained teachers but we are expecting to increase the number of these training schools considerably, of course, according to the finance that we shall have at our disposal. I agree with him that in any scheme of compulsion we may not fritter away the money without giving adequate advance or progress in the matter of education. But as I said, this is a matter of administration and Government shall have to take steps to see that trained teachers are engaged in the areas of compulsion.

Then he raised certain question with regard to the Tea Industry (which I think he represents) in reference to compulsion and extension of compulsion to those areas. At present, the taxation proposed has been on the basis of families and I personally feel that unless the House at a subsequent stage altogether wants to alter this principle I do not see any other way by which we can proceed with taxation measure consistent with the necessity of bringing into fulfilment this compulsory primary education. We had a very rough estimate made of what is likely to be the revenue from taxation calculating not in terms of heavy taxation on any people. But we thought that under no circumstances could we have more than 30 to 40 lakhs of rupees by means of this taxation. But if the whole of the area in Assam has got to be brought under compulsion, expenditure involved will not be less than a crore and a quarter calculating trained teachers pay at the minimum of Rs. 35 which has been recommended by the Central Advisory Committee to the Government of India. Therefore, it is only reasonable that whatever may be the source from which we may expect that our revenue may be supplemented, if we want compulsion, we must be prepared to bear the taxation. Unless we are prepared to bear it, it is no use talking about compulsion. Even if we have to transfer revenue from one head to another, it does not mean anything else. It may be taxation in another form or distribution of taxation in

some other from ; but in any case it falls on the people of the Province. Therefore, I will ask the Industries to bear the portion which under the principle at present accepted, namely, taxation on heads of families. In that, I feel, Government will not be doing any unjust act.

Mr. Tunstall raised the question that the Industry may not be able to bear the burden. I do not know if the Tea Industry will not be able to bear a fair proportion of taxation in this behalf, which other Industry could bear.....

Mr. A. C. TUNSTALL : On a point of explanation, Madam. Our difficulty is not the question of taxation itself but the collection. You see we have got lots of tea garden labourers, who are not getting sufficient food and clothing and the manager cannot take responsibility for collecting another tax which will in the beginning, be very unpopular. Madam, the actual compulsion of making the children attend school will further accentuate the trouble which is already there. It is not the question of taxation and what we would like to know is whether the terms of the Bill are likely to be applied to tea gardens by themselves or whether they will be merely included as part of the areas brought under compulsion. That is the position.

The Hon'ble Srijut GOPINATH BARDOLOI : These inevitably, my hon. Friend can see, are matters of details. The main point is: if the rest of the families in Assam could bear the taxation, that taxation must be borne by the families living in tea gardens. That is the principle. But if the Industry feels that that will cause discontent, it is for the Industry to see that the discontent does not remain there. That is what I shall say just at the present moment. The details of collection must be left between the Government and the Industry itself.

***Babu PURNENDU KISHORE SEN GUPTA :** May I intervene, Madam? In the last Tea Labour Conference the plantation representative agreed to a cess like this and to have compulsion. The contention of the planters in the Central Labour Conference at Delhi was that the primary responsibility was with the Government but they were agreeable to any cess or tax to be levied for the tea garden areas.

The Hon'ble Srijut GOPINATH BARDOLOI : I think, Mr. Tunstall has already agreed that they are not unwilling to pay the cess. The question is, how to collect that tax? The second alternative proposal that was put forward by Mr. Tunstall was that if the Industry itself took the charge of the education of the children that are there whether the Industry would be exempted from the operation of compulsion of paying the tax. Was that the idea?

Mr. A. C. TUNSTALL : This is in reference to one particular Industry. When I asked that question I was not suggesting that the Tea Industry as such has such a proposal. The Oil Company who undertake their own education, of course, on a satisfactory level, would they be expected to pay the tax in addition? Should they pay another tax?

The Hon'ble Srijut GOPINATH BARDOLOI : That is yet a matter of detail and it can be explained in terms of the Bill itself. There has been some provision in the Bill under which certain schools may not be within the School Boards, but, at the same time, be recognised schools. It is not just enough for me to say what these schools will be, but it is absolutely clear as Government must discharge their responsibility of seeing towards the education of all children including children of the tea estates, and, therefore, it shall have to

*Speech not corrected.

maintain that control which it is necessary to ensure that *Hon. Mr. Tunstall* will agree with me that in spite of what the Industry might have done till now, we have not seen tangible results. There have not been many graduates out of a great number of graduates coming from the tea gardens, not even many students passing the Middle Vernacular stage. I do not propose to lay any blame on the Industry that the Industry has always been thinking more about the security of their labour than their education, but it will be definitely admitted by everybody that the standard of education has not been up to any standard. Therefore, it is the definite opinion of the Government that some control will be necessary to see to the education of these children. As I say, in reference to ordinary schools, whether affiliated, or schools under the School Board, that is an independent matter and that will be considered or might be considered when individual cases of schools will come for review by the School Boards concerned, may be in certain cases by Government itself. But as I have already stated, these are matters about which some kind of provision has been made in the Bill itself and how the Bill will work is quite a different matter. I feel that for these reasons the Bill should receive support from all sections of the House. I accordingly request the *Hon. Members* of the House to see that the Motion made by me is passed.

Mr. A. C. TUNSTALL: I should like to emphasize that the Tea Industry is certainly in favour of raising education. *Hon. Genl.* There is no question about that. We are not against the principles of the Bill in any way, but we want elucidation in the matter of detail rather than in the matter of principle. We accept the principle wholeheartedly.

The Deputy SPEAKER: Now I am putting the Motion as a question. The question is:
"That the Assam Primary Education Bill, 1946, as amended by the Select Committee be taken into consideration."
The question was adopted.

Statement re: Business of the 21st March, 1947

The Deputy SPEAKER: If the House has no objection, the following items may be taken up on Friday, the 21st March, 1947 after the disposal of the Demands for Grants fixed for that date.

(1) Motion for formation of an Advisory Committee for Embankment and Drainage Works; and

(2) Motion for (a) consideration of the Report of the Public Accounts Committee, 1946 and (b) approval of the excess expenditure, if any, recommended by the Committee.

Adjournment

The Assembly was then adjourned till 11-00 A.M. on Thursday, the 20th March, 1947.

Shillong.

The 15th May, 1947.

A. K. BARUA

Secretary, Legislative Assembly, Assam.