

**ASSAM
LEGISLATIVE ASSEMBLY
DEBATES
OFFICIAL REPORT**

TENTH SESSION OF THE ASSAM LEGISLATIVE ASSEMBLY
ASSEMBLED AFTER THE FOURTH GENERAL
ELECTIONS UNDER THE SOVEREIGN
DEMOCRATIC REPUBLICAN
CONSTITUTION OF
INDIA

**WINTER SESSION
VOLUME III
NO. 13**

The 10th December 1970

PROCEEDINGS
OF THE TENTH SESSION
OF THE ASSAM LEGISLATIVE
ASSEMBLY ASSEMBLED AFTER THE
FOURTH GENERAL ELECTIONS UNDER THE
OVEREIGN DEMOCRATIC REPUBLICAN CONSTITUTION OF INDIA

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The Assembly met in the Assembly Chamber, Shillong,
at 10 A.M. on Thursday, the 10th December 1970

PRESENT

Shri M. K. Das, M.A. B.L., Speaker, in the Chair, 15 Ministers, 7
Ministers, of State, 3 Deputy Ministers and 72 Members.

REFERENCE,
(NOT FOR ISSUE)

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STARRED
QUESTION AND ANSWERS
(To which oral answers were given)

Re : Baldi River

Shri Maneswar Boro asked :

*81. Will the Minister in Charge of Public Works Department (Flood Control and Irrigation) be pleased to State—

(a) Whether it is a fact that the Baldi River in Tamulpur constituency has changed its original course ?

(b) Whether it is a fact that the new course has eaten up a huge area of Defoli Mouza mainly Tebitala, Bhalukmari Dawamakha, Barbalisha and Fehuajhar villages ?

(c) Whether the Government propose to construct a boulder bund on the mouth of new course and divert its course to the original course for protection of the said villages during this financial year ?

(d) Whether the Minister Shri R. N. Basumatari visited this area on 18th September 1970 ?

(e) If so, what action has been taken by Government in this regard ?

Shri Syed Ahmed Ali [Minister of State (Flood Control and Irrigation)] replied :

81. (a)— Yes.

(b) — Yes.

(c)— The problem is being investigated and thereafter a suitable scheme will be drawn up.

(d)— Yes.

(e) — As under (c)

This Question was kept pending on 9th December 1970.

Shri Maneswar Boro — চাব, মোৰ প্রশ্নটোৰ ৪-(b) ত হ'ব লাগিছিল ভালুক মাৰি কিন্তু হল ভাবেলি মাৰি।

Shri Syed Ahmed Ali— (M) (in English)

Shri Maneswar Boro— চাব, (b) ৰ উত্তৰত হয় বুলি কৈছে। কিন্তু ভালুকমাৰি, বৰবাৰি, চাহ দাৰা মাখা আদি গাৰত কিমান মাটি ধুই নিছে তাৰ হিচাব দিব পাৰেনে।

Shri Syed Ahmed Ali— মাটিৰ হিচাবটো আমি লোৱা নাই কিন্তু ভালেমান ঠাইত মাটি বালিয়ে ধুই নিছে।

Shri Maneswar Boro— মাটিৰ পৰিমাণ কিমান ক'ব নোৱাৰিলে নৈয়ে খোৱা বুলি কেনেকৈ ক'ব? বাক এই কথাটো মন্ত্ৰী মহোদয়ে জনাব নে যে এই নদী পূবৰ পৰা বৈছেনে পশ্চিমৰ পৰা বৈছে?

Shri Syed Ahmed Ali— পূবৰ পৰা পশ্চিমলৈ বৈছে।

Shri Maneswar Boro— (c) ৰ উত্তৰত কৈছে যে অনুসন্ধান অৱস্থাত আছে। এইটো অনুসন্ধান কৰিবলৈ আৰু ১০ বছৰ লাগিব পাৰে। কিন্তু অহা বাৰিষা অৰ্থাৎ ১৯৭১ চনৰ জানুৱাৰী ভিতৰত এই বান্ধি নদীত কিবা বাক দিয়া বা অন্য কিবা ব্যৱস্থা কৰিবনে।

Shri Syed Ahmed Ali— ইয়াৰ বাবে আমি তথ্য পাতি সংগ্ৰহ কৰি আছো আৰু সংগ্ৰহৰ পাছত ব্যৱস্থা লোৱা হ'ব।

Shri Maneswar Boro— মোৰ প্রশ্নটো হৈছে যে ১৯৭০ চনৰ জানুৱাৰী মাহৰ আগতে এই কাম আৰম্ভ কৰিবনে নকৰে?

Shri Syed Ahmed Ali— তথ্য পাতি সংগ্ৰহ নহলে আমি কেনেকৈ কৰিম? সংগ্ৰহৰ পাছত হে আৰম্ভ কৰিবলৈ যত্ন কৰিম।

Shri Maneswar Boro— অল্পত ৩০ হেজাৰ টকা খৰছ কৰিলেই এই মৌজাৰ আধাখিনি সাৰ হ'ব।

Shri Syed Ahmed Ali— তথ্য পাতি নোহোৱাকৈ কেনেকৈ কাম কৰিব পৰা যায়?

Shri Debeswar Sarmah— প্রশ্ন (b) ৰ উত্তৰ কি?

Shri Syed Ahmed Ali— Yes, বুলি কোৱা হৈছে।

Shri Debeswar Sarmah— তাত কিনিম মাটি আছে ?

Shri Syed Ahmed Ali— সেইবোৰৰ হিচাব আমাৰ হাতত ।

Shri Dulal Chandra Barua— মন্ত্ৰী মহোদয়ে কৈছে যে তথ্য পাতি সংগ্ৰহ কৰা হৈছে । এতিয়া প্ৰশ্ন কৰ্ত্তাই প্ৰশ্ন কৰিছে যে কিমান মাটি ইতিমধ্যে নষ্ট কৰিছে । তথ্য পাতি সংগ্ৰহ কৰাৰ নামত এই Project লোৱা নহ'ব আৰু ফলত ৰাইজৰ ভৰুৱা হ'ব । সেই কাৰণে চৰকাৰৰ পৰা জানিব বিচাৰো যে এই Project কেতিয়া লোৱা হ'ব ।

Shri Syed Ahmed Ali— চাব, এইটো আমি যিমান সোনকালে পাবো যত্ন কৰিম ।

Shri Debeswar Sarmah— অধ্যক্ষ মহোদয়, মাননীয় মুখ্য মন্ত্ৰী মহোদয়ে এই বিষয়টোৰ প্ৰতি অনুগ্ৰহ কৰি দৃষ্টি দিবনে ।

Shri Mahendra Mohan Choudhury— চাব, অকল দিফ্লী মৌজাৰ ক্ষেত্ৰতে নহয় আন অনেক ঠাইত এনেকুৱা হৈছে এইবিলাকৰ সম্পৰ্কে মাননীয় সদস্য সকলে আপত্তি কৰিছে যে এই কামবিলাক কৰোঁতে তথ্য-পাতি সংগ্ৰহ নকৰাকৈ কৰাটো অ বৈজ্ঞানিক হয় । তথ্য-পাতি সংগ্ৰহৰ কাৰণে Technical Deptt. ক ভাৰ দিয়া হৈছে । এই কমিটিয়ে তথ্য সংগ্ৰহ কৰাৰ পাছত বিবেচনা কৰিলেই কাম কৰা হ'ব ।

Shri tul Chandra Goswami— দিফ্লী মৌজাৰ খতিয়ান ৰাইজৰ পুনৰ সংস্থাপনৰ কাৰণে কিবা দিহা কৰা হৈছেনে বা কিবা আৰ্থিক সাহায্য দিয়া হৈছেনে ? যদি দিয়া হৈছে কিমান দিয়া হৈছে ।

Shri Mahandra Mohan Choudhury [Chif Minister]— এই প্ৰশ্নটো বেলেগে অবতারণা কৰিলে উত্তৰ দিয়া হ'ব ।

Shri Kamini Mohan Sarmah— অধ্যক্ষ মহোদয়, মুখ্য মন্ত্ৰী মহোদয়ে যে যিবোৰ নৈয়ে যিবোৰ ঠাই খুই নিছে সেই ঠাইৰ তথ্য-পাতি সংগ্ৰহ কৰা হৈছে আৰু Plan & Scheme কৰা হৈছে । অথচ এই কাম বোৰ হোৱা নাই । দিফ্লী মৌজাৰ বাল্টি নৈয়ে ধ্বংস কৰিছে, একেদৰেই পুঠিমাৰী নদীয়ে ধ্বংস কৰি আহিছে এইদৰে ১৪ বছৰ ধৰি এই অঞ্চলটো ধ্বংস হৈ আহিছে । তথ্য-পাতি সংগ্ৰহৰ পাছতো এই মৌজাৰ কাম নকৰাৰ কাৰণ কি ?

Shri Mahendra Mohan Choudhury— চাৰ, পুঠিমাৰি নদীৰ ওপৰত বান্ধ দিবৰ কাৰণে তথ্য সংগ্ৰহ কৰা হৈছে। আৰু সিদ্ধান্ত লোৱা হৈছে।

Shri Maneswar Baro— যোৱা ১৮ চেপ্তেম্বৰ তাৰিখে ৰাজ্যিক মন্ত্ৰী শ্ৰীৰবেন্দ্ৰ বসুমতাৰী ডাঙৰীয়া এই অঞ্চলটোলৈ গৈছিল। ঘূৰি অহাৰ পাছত তেখেতে কি report দিছে আমাক জনাবনে।

Shri Syed Ahmed Ali— তেখেতে পৰিদৰ্শন কৰাৰ খবৰ পাইছো কিন্তু report দিয়া নাই।

Re: Master Plan for Jorhat Town

Shri Dulal Chandra Barua asked:

*83. Will the Minister-in-charge of Town and Country Planning be Pleased to state—

(a) Whether the Government has finalised the Master Plan for the Development of Jorhat Town ?

(b) If so when the Master Plan Project will be implemented ?

Shri Kamakhya Prasad Tripathi (Minister, Town and Country Planning) replied:

83. (a) & (b)—Draft Master Plan and Zoning Regulation for Jorhat was published on 21st March 1970 inviting comments and objections from the public. The comments received are under examination of the Town Planner. After examination of these comments the Master Plan will be finalised.

Shai Dulal Chandra Barua— Sir, may I know from the Minister as to when we can expect the finalisation of this scheme for implementation ?

Shri Kamakhya Prasad Tripathi— As soon as it is

discussed in the Advisory Committee and the Advisory Committee finalises it, it is printed and published, and, when it is published it is accepted and will be implemented. There are two parts - zonal and Development means implementation on finance being made available either by the Government or by any other outside agency. So far as the Zoning regulations are concerned they will come for implementation at once, and naturally the Town Planning Authority which will be set up will be in charge of zoning regulations and implementation.

Shri Dulal Chandra Barua— In view of the fact that the Government is keen on finalising the master plan for the developoment of the Jorhat town and its extended areas, do not Government consider it proper to stop indiscriminate construction inside the town and the extended areas so that at the time of the final implemetation of the plan, there is no difficulty ? Is there any provision in the Act for the purpose ?

Shri Kamakhya Prasad Tripathi— These powers are in the Act and as soon as the plan is implemented these powers will arise. At present the powers do not exist. As soon as the zonal regulation is applied the development authority will have the power.

Shri Dulal Chandra Barua— That is my point. Pending finalisation of the master plan, indiscriminate constructions are going on in many places. May I know whether any executive order can be passed by Government to stop

such kind of construction till the plan is finalised.

Shri Kamakhya Prasad Tripathi — There is no anticipatory cause.

Shri Dulal Chandra Barua — May I know whether the Jorhat Municipal Board can be instructed in that way?

Shri Kamakhya Prasad Tripathi — So far as the Jorhat Municipal Board is concerned, they have their own regulations and they can pass such an order. But that will apply only to the municipal area. The Board has no jurisdiction over what is happening outside where mainly these constructions are taking place. So, as I said, unless the zonal regulation is applied, these cannot be stopped.

Shri Dulal Chandra Barua — In view of these circumstances any I request the Finance Minister to see that the master plan is finalised quickly so that implementation can be made early as possible?

Shri Kamakhya Prasad Tripathi — As soon as it is as soon so it is published we will call a meeting and finalise.

Shri Promode Chandra Gogoi — May I know for how many towns master plans have been prepared by the Department?

Shri Kamakhya Prasad Tripathi — The number is not with me now. If a separate question is put I can give the number.

Shri Premadhar Bora — What is the financial commitment involved in this particular plan?

Shri Kamakhya Prasad Tripathi — The sky is the limit

in the matter of development, as it is said. The expenditure which has been incurred is for the survey on the basis of which a report has been prepared. The survey itself has cost Rs. 1,89,398. Implementation and development will involve crores and crores of rupees for years and years.

Shri Sainen Medhi— Already master plans for Gauhati Tinsukia and Silchar have been finalised. In Gauhati a development authority has also been set up. But the implementing authorities could not proceed far because of certain difficulties which Government know. Will Jorhat town face the same difficulties in the implementation of the master plan?

Shri Kamakhya Prasad Tripathi— That is quite true. Unless adequate funds are made available difficulties arise. Expectations are raised but they are not fulfilled. Only the zonal regulation portion can be implemented but that is a negative step. It does not promote construction, it sets a limit. But construction also is necessary. Unfortunately we have not been able to provide sufficient funds in the 4th plan, but we hope that in the 5th plan provision for this purpose will be made.

Shri Hiralal Patwary— Guahati Tinsukia and Silchar have got master plans. May I know whether some 'student' plans will be taken up for other smaller town? Let there be Master plans for these bigger towns, but will there be smaller plans for smaller towns?

Shri Kamakhya Prasad Tripathi— The hon. member will appreciate that to live in planned towns is more costly than to live in unplanned towns. Suppose we apply master-

plans to towns, the cost of benefits increases. Therefore it is not contemplated immediately to extend zonal regulation to the unplanned towns or newly grown towns until we have covered the bigger towns.

Shri Dulal Chandra Barua— Apart from the financial difficulties referred to by the Hon'ble Minister for Finance, are Government aware that there are difficulties even in the Town and Country Planning Act because the planners, who prepare the master plans, have not been associated with the implementing authorities. They have no say in the implementation. The planners have got certain ideas on the basis of which they plan towns and unless they are associated with the development authorities or given certain powers regarding implementation, the whole thing will be ineffective. Do not, therefore, Government consider that the Act should be amended on those lines ?

Shri Kamakhya Prasad Tripathi— The problem is like this : the question relates to the integration of the powers of the municipal and town planning authorities. To some extent there is conflict existing between them. No Municipal authority is willing to give such powers to the planning authority within the municipal areas and the municipal board has no jurisdiction outside its areas. What is, therefore, necessary is a co-ordinated approach in this matter. For this reason in every the Chairman of the Municipal Board is made a Member of the Town Planning Authority for the purpose of co-ordination. Now the hon. member is quite correct—

Shri Debeswar Sarmah— অধ্যক্ষ মহোদয়, মই এই খিনিতে অলপ Disturb কৰিব খোজো আৰু Disturb কৰাৰ বাবে মোক ক্ষমা কৰিব।

আমাৰ ত্ৰীত্ৰিপাটী দেৱে সদনত কথা কোৱাটো মই ভালকৈ বুজুনো সেই কাৰণে যোৱাৰ দিগ্‌দাৰি পাই Assam Medical College ৰ E.N.T. Professor এজনৰ হতুৱাই পৰীক্ষা কৰোৱালোঁ।। পিচে তেওঁ মোক পৰীক্ষা কৰি Normal বুলি কলে। মোৰ ভয় হৈছিল কিজানিবা বয়স হৈ আহিছে কাৰণে শ্ৰৱণ শক্তি কমি আহিছে কিন্তু তেওঁ কলে Normal বুলি।

(voices— বয়সলৈ চাই Normal বুলি কলে)

আমাৰ মাননীয় সদস্য ত্ৰীগোবীশঙ্কৰ ভট্টাচাৰ্য্য বৰ শহাকনীয়া হব পাৰে। কিন্তু মোৰ শ্ৰৱণ শক্তি Normal বুলিহে কলে। তেখেতে এনেকুৱা স্থলনিত সুবেৰে বীণ বজোৱাদি লাহেকৈ কয় যে মোৰ শুনাতে কিছু অসুবিধা হয়। গতিকে অলপ আমি শুনিব পৰাকৈ স্পষ্টকৈ কলে ভাল হয়।

Shri Kamakhya Prasad Tripathi— মাননীয় সদস্যৰ বাহিৰেও আৰু দুই এজনে যদি কলেহেঁতেন কিজানি ময়ো E.N.T. ৰ Professor ৰ ওচৰলৈ যাৱ লগীয়া হ'লোহেঁতেন।

Shri Debeswar Sarmah— বিত্ত মন্ত্ৰীৰ কথা শুনি মোৰ এটা পুৰণি কথাটো মনত পৰিছে মই তেতিয়া কলিকতা University ত Economics ত M.A. পঢ়িছিলো আমাৰ Economics ৰ Professor ৰ মাতটো স্পষ্ট নাছিল আৰু ভাষাও অলপ বেলেগ ধৰণৰ আছিল সেই কাৰণে আমি ছাত্ৰ বিলাকে কৈছিলো we cannot follow sir তেতিয়া তেখেতে কৈছিল যে work of class. cannot help এতিয়া বিত্ত মন্ত্ৰীৰ কথাও ঠিক তেনেকুৱা হৈছে। যেতিয়াই কিবা গোপমলীয়া কথা উঠে তেতিয়াই তেখেতে এবাই যাব খোজে। তেখেতৰ কথাৰ স্তৰ তেনেকুৱাই হৈছে।

Shri Kamakhya Prasad Tripathi— মাননীয় সদস্যই কি স্তৰৰ কথা কৈছে কব নোৱাৰো। কিগোপনীয় কথাৰ বিষয়ে কৈছে মই বুজা নাই।

Shri Dulal Chandra Barua— গোপনীয় কথাটো হৈছে এইটো আমাৰ প্ৰশ্নৰ উত্তৰত যিটো কব লাগিছিল সেইটো জনোৱা হোৱা নাই বাবেই আমি আচৰিত হৈছো। মই অত্যন্ত দুখৰে সৈতে কবলগীয়াই হৈছো যে আমাৰ

মাননীয় বিত্ত মন্ত্রী ডাঙৰীয়াই Town and Country আইন কানুন সম্পৰ্কে যিখিনি Guidance দিব লাগিছিল সেইখিনি দিব পৰা নাই। আইন অনুযায়ী Municipality ক Executive ত কোনো Power দিয়া নাই। Town & Country planening আদি কৰি সেই আচনি Implement কৰাৰ কিবা তেওঁলোকৰ হাতত নাই। কিছুমান Raw মানুহক এইবিলাক কৰিবলৈ দিয়া হৈছে। যেনেকৈ তিনিচুকীয়া আৰু Greete Gauhati ৰ Development Authority ৰ যিবিলাক Town & Country Planinings আছে তেওঁলোকৰ বিশেষ দক্ষতা নাই আৰু তেওঁলোকৰ funehied বিষয়ে কোনো নিৰ্দিষ্ট সিদ্ধান্ত নাই সেই কাৰণেই কাৰ্যকৰীক্ষেত্ৰত গোলমালবিলাকে দেখা দিছে। থিক সেই দৰেই Municipality বিলাকতো কোনো পৰিস্কাৰ নীতি নাই।

গতিকে মাননীয় মন্ত্রী মহোদয়ে এইবিলাক কথা চাব লাগে আৰু আনকো জনাব লাগে।

Shri Kamakhya Prasad Tripathi - মাননীয় সদস্যই বোণা কথাৰ লগত Agree কৰিছো। যিবিলাক Authority তৈয়াৰ কৰা হৈছে সেইবিলাকক power দিয়া হৈছে।

Shri Sainen Medhi— মই এটা প্রশ্ন সুধিব বিচাৰিছো, সেইটো হ'ল মাননীয় সদস্যই কৈছে যে আমাৰ অৰ্থৰ অভাবত আমাৰ plane বিলাক কাৰ্য্যকৰী কৰিব পৰা নাই। Gauhati Development authority কৰাৰ সময়ত অৰ্থ যথেষ্ট আছিল তথাপি plane কৃতকাৰ্য্য কৰিব নোৱাৰিলে তাৰ কাৰণটো অৰ্থৰ অভাৱ হ'ব নোৱাৰে। আন কিবা অসুবিধা আছিল সেই বিলাক অসুবিধাৰ কথা মন্ত্রী মহোদয়ে জনে। Gauhati Municipality যিবিলাক কাম কৰিছে সেই বিলাক ব্যৱসায়ী ভিত্তিত কৰা নাই। ব্যৱসায়ী ভিত্তিত কাম হাতত নললে অৰ্থ সংগ্ৰহৰ ঠাইত টকাৰ অসুবিধা কৰে। সেই কথা বিবেচনা কৰি চৰকাৰে Municipality বিলাকে plane Implementation কৰা সময়ত Town Development ৰ এই বিলাক কথা বিবেচনা কৰিবনে ?

Shri Kamakhya Prasad Tripathi— যি বিলাকক organisation বা Authority দিয়া হৈছে তেওঁলোকেই plane বিলাক implement কৰিব পাৰিব। আৰু এই Authority বিলাক ব্যৱসায়ীৰ ভিত্তিতেই কাম কৰে।

Re: Allegations against the Proprietor of Assam Pharma Co.
Jorhat

Shri Dulal Chandra Barua asked:

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

(a) Whether it is a fact that various allegations were brought against the present proprietor of Assam Pharma Co., located in the Jorhat Industrial Estate, Cinnamara by an honourable member during the last Budget Session of the Assembly ?

(b) Whether it is a fact that the Government has assured the House to investigate into the whole affair and inform the House accordingly ?

(c) If so, Whether the enquiry has been completed ?

(d) If not, why ?

Shri Biswadev Sarma (Minister, Industries) replied:

84. (a)—Yes.

(b)—Yes.

(c)—The Government has asked the proper authorities to get the matter enquired into and then submit a report. No report has yet been received.

(d)—The matter requires detailed investigations outside the State and hence the delay.

Shri Dulal Chandra Barua - Who is the proper authority ?

Shri Biswadev Sarma— Sir, we have requested the Deputy Inspector General of Police, C.I.D., Assam for making proper enquiry into the matter.

Shri Dulal Chandra Barua— When he has been asked to do so ?

Shri Biwadev Sarma— The Hon'ble Member submitted an affidavit on 29.5.70 and immediately thereafter the matter was referred to D.I.G. [CID] for detailed enquiry and his report is awaited.

Shri Dulal Chandra Barua— What is the date ?

Shri Biswadev Sarma— Sir, the date is not with me now.

Shri Dulal Chandra Barua— Sir, we have got a very serious allegation against this individual because we have charged by saying that government is giving shelter to the unwanted person financially or otherwise. So, may, I request the Hon'ble Chief Minister to look into this matter personally. Sir, as has been stated by the Minister, Industries that this has been referred to the D.I.G. (CID), may I draw the pointed attention to the fact that this Intelligence Branch of the Assam Police has completely failed not only to enquiry and detect any case but it also failed to serve their day-to-day duties, and therefore, may I request the Hon'ble Chief Minister, who is also in charge of Home Affairs, to enquire into the matter and submit report. If possible during this Session ?

Shri Mahendra Mohan Choudhury [Chief Minister]— Sir, I shall look into it.

[Starred Question No. 85 was not put and answered as the hon. Questioner was not present ?

Re: Number of Deaf and Dumb Children in the State

Shri Rothindra Nath Sen asked:

* 85. Will the Minister-in-charge of Social Welfare be pleased to state—

(a) What is the total number of Deaf and Dumb children in the State of Assam ?

(b) What is the total number of Deaf and Dumb children in the district of Cachar ?

(c) How many out of the total have been accommodated in Gauhati Deaf and Dumb Institution for training ?

(d) Whether it is under contemplation of Government to start such a Deaf and Dumb Children Institute in the district of Cachar ?

জনকল্যাণ বিভাগৰ মন্ত্রী শ্রীমতী পদ্মা কুমাৰী গোহাঁইয়ে উত্তৰ দিছে:

৮৫। (ক)—চৰকাৰৰ এনে কোনো তথ্য হাতত নাই।

(খ)—চৰকাৰৰ এনে কোনো তথ্য হাতত নাই।

(গ)—৪৫।

[ঘ)—নাই।

Shri Gaurisankar Bhattachayya— অধ্যক্ষ মহোদয় মন্ত্রী মহোদয়াই যিটো উত্তৰ দিছে তাত চৰকাৰৰ হাতত তথ্য নাই বুলি কৈছে। আমি তথ্য বিচাৰিহে প্ৰশ্ন কৰিছিলো। তেখেতেটো চৰকাৰৰ হাতত তথ্য নাই বুলি কোৱাটো কি উত্তৰ হ'ল। আমি তত্ত্ব বিচৰা নাই তথ্যহে বিচাৰিছো অৰ্থাৎ চৰকাৰে জনাত কিমান এই বকমৰ মুক কলা বোৰা ছাত্ৰ ছাত্ৰী আছে। যি সকলে গুৱাহাটী আৰু যোৰহাটত কলা বোৰাৰ স্কুলত ভৰ্তিৰ কাৰণে আবেদন কৰিছে। মন্ত্রী মহোদয়াই বৈছে যে তেখেতৰ হাতত তথ্য নাই যদি তথ্য নাই আমি আংশিক হিচাপে তথ্য দিব পাৰো। সেইটো হৈছে নাম খাম ঠিকনা সহ ৪৮ জন যাৰ কথা চৰকাৰৰ ফাইলটো আছে আৰু বোধকৰো মন্ত্রী মহোদয়াক তেখেতৰ উপৰে কোনোৱা নাই গতিকে মন্ত্রী মহোদয়াই এই প্ৰশ্নটো এই ভাবে তথ্য নাই বুলি

উকৰাই নিদি তথ্য সংগ্ৰহ কৰিব বিবেচনা কৰিবনে ? যদি প্ৰয়োজন হয় আমিও তথ্য যোগানত সহায় কৰিব পাৰো। কাৰণ যি বিলাক কলা বোৰা আৰু অন্ধ আছে তেওঁলোকৰ প্ৰতি এই ধৰনৰ মনোভাৱ ললে তেওঁলোকৰ প্ৰতি অমানুষিক হ'ব। তথ্য নাই বুলি ধৰে চপা দিয়াটো উচিত হোৱা নাই গতিকে এই প্ৰশ্নটো বৰ্তমান স্থগিত ৰাখি তেখেতৰ উপৰত অনুসন্ধান কৰি এনেকুৱা ছাত্ৰ-ছাত্ৰীৰ সংখ্যা কিমান আৰু চৰকাৰে তেওঁলোকৰ কাৰণে কি কৰিব পাৰে সেই বিষয়ে অনুসন্ধান কৰিবনে ?

Shrimati Padma Kumari Gohain: — মাননীয় সদস্যই যিটো তথ্য সংগ্ৰহ কৰাৰ কথা কৈছে অৰ্থাৎ কলা বোৰা কণা ছাত্ৰ ছাত্ৰীৰ সংখ্যা কিমান সেইটো চৰকাৰৰ ফালৰ পৰা বিচৰা হোৱা নাই। কিন্তু এই ধৰনৰ লৰাছোৱালীৰ কাৰণে গুৱাহাটীত যি খন Institute আছে তাত ৪৫ জন ছাত্ৰক চৰকাৰী বৃত্তি লৈ পঢ়ি আছে। তাত এটা নিয়ম আছে যে বাৰ্ষিক ৩৬০০/ টকাৰ কম উপাৰ্জনৰ লৰা ছোৱালীকেহে বৃত্তি দিয়া হয়। এই স্কুল খনত সৰ্ব্ব মুঠ ১০০ জন ছাত্ৰ-ছাত্ৰীয়ে পঢ়িব পাৰে কিন্তু আমি সিমান সংখ্যাক ছাত্ৰ-ছাত্ৰী পোৱা নাই যি ৪৫ জনে অধ্যয়ন কৰিছে তাৰ ভিতৰত ১৫ গৰাকী ছোৱালীও আছে যি বিলাকে দখাষ্ট কৰিছিল অবশ্যে ৪৫ জনকৈ বেচি কিন্তু ১০০ জনতকৈ কম। আৰু যি সকলক বৃত্তি দিব পৰা নহল তেওঁলোকৰ পিতা-মাতাৰ বাৰ্ষিক আয় ৩৬০০/ টকাৰ ওপৰ আৰু সেই সকল মাক বাপেকে নিজ খৰচত তেনে লৰা ছোৱালী পঢ়োৱাৰ কোনো ব্যৱস্থা লোৱা নাই। গতিকে চৰকাৰৰ ফালৰ পৰা যি দিছে সেয়েই, তথ্য হিচাপে এইটো census হোৱা নাই।

Shri Gaurisankar Bhattachayya: — অধ্যক্ষ মহোদয় অসমত যিটো ডিফ এণ্ড ডাফ Association আছে তাৰ আগতে সভাপতি আছিল বৰ্তমানৰ কংগ্ৰেছৰ সভাপতি শ্ৰীযুত ভাগবতী আৰু বৰ্তমানৰ সভাপতি Dy. Speaker এই Association এ যি ৪৮ জন যুগ্ম ছাত্ৰ ছাত্ৰীৰ ইয়াত স্থান পাব লাগে বুলি এখন লিষ্ট চৰকাৰলৈ পঠাইছিল। আৰু সেই List খন চাই স্কুটাইল কৰি অনান্য মানুহক দিছিল আৰু Association এ সেই সকলক চৰকাৰী সাহায্য দিব লাগে বুলি Certificate দিছিল অথচ সেই বিলাকক চৰকাৰে সহায় দিয়ানাই। আগতে Ingty চাহাবৰ হাতত এই বিলাক আছিল। এতিয়া

শেই বিলাক ঘামাচাপা দি দিয়া হৈছে । গতিকে মন্ত্রী মহোদয়ই এই ছুভাগ্য
শ্ৰেষ্ঠ লোক সকলক সহায় কৰিবলৈ শ্ৰান্ত হৈছে নে ?

Shrimati Padma Kuma i Gohain :— মাননীয় সদস্যই যি
খন কলা বোৱা সম্প্ৰকীয় Report পাইছে সেই খন Report আমাৰ হাততো
আছে এতিয়া কথা হৈছে এই বিলাক কথা ভাল দৰে জনা নাথাকিলে অনুমানৰ
ওপৰত নিৰ্ভৰ কৰি সদনত দিব পৰা নাযায়—

(এটি স্বৰ ভয় নাই)

যিটো তথ্য মই পাইছো সেইটো দিছো—

Mr. Speaker : Questions over .

Shri Dulal Chandra Barua — অধ্যক্ষ মহোদয় মই মাননীয় মুখ্য
মন্ত্রী মহোদয়ক ইয়াকেই কওঁ যে এই Social Welfare বিভাগটো যদি কাৰ্য্যকৰী
নকৰে তেন্তে এই বিভাগটো উঠাই দিয়াই ভাল এই বিভাগটো most in
active and most in affective ইয়াৰ প্ৰমান হিচাবে এইটোকে কব
পাৰো এই নতুন মন্ত্রী এগৰাকীক কিছুমান আনুমানিক তথ্য পাতি দিছে ।
আগতে এই Department গুৰি ধৰোতা জন আছিল Eil চাহাব এতিয়া জন
কোন কৰ নোৱাৰো । যদি এই বিভাগৰ পৰা ৰাইজৰ কোনো কামেই নহয়
নাইবা Department বাবতীয় তথ্য পাতি যিকোনো গোটৰ নোৱাৰে তেন্তে
হলে বিভাগ ৰখাৰ আবশ্যক কি ?

Shri Mahendra Mohan Choudhury (Chief Minister)
বিভাগীয় মন্ত্রী গৰাকীৰ লগত আলোচনা কৰি এই কথাবিলাকৰ এটা বিবেচনা
কৰি চায় ।

Shri Dulal Chandra Barua এই কথা যিনি Cycltosthytle কৰি
দিলেহে কব পাৰিম নহলে কথাটো ভালকৈ ধৰিব পৰানাই ।

Re: Damages caused by the last flood of 1970

শ্ৰীমেন্ধৰ বড়োই সুধিছে :

*৮৬। মাননীয় ৰাজহ বিভাগৰ মন্ত্রী মহোদয়ে অনুগ্ৰহ কৰি জনাবনে—

(ক) অসমত ১৯৭০ ইং চনৰ বানপানীত সৰ্ব্বমুঠ কিমান কোটি টকা

মূল্যৰ সম্পত্তি নষ্ট হ'ল তাক কিমান হাজাৰ একৰ মাটিৰ ক্ষয় নষ্ট হ'ল ?

(খ) অসমত কোন কোন জিলাত কোন কোন অঞ্চলত বৰ বেয়াকৈ ক্ষতিগ্ৰস্ত হৈছে ?

(গ) চৰকাৰে বানবিক্ষয় লোকসকলক আৰ্থিক সাহায্য দিছে নে ?

(ঘ) যদি দিছে, কিমান লাখ টকা বানবিক্ষয় লোকসকলৰ মাজত দিয়া হৈছে আৰু কি কি ভিত্তিত ভাগ কৰি দিয়া হৈছে ?

ৰাজ্যিক ৰাজহ মন্ত্ৰী শ্ৰীপৰমানন্দ গগৈয়ে উত্তৰ দিছে :

৮৬ (ক)—এই বছৰৰ বানপানীত মুঠ ১৩.২৫ কোটি টকা মূল্যৰ সম্পত্তি আৰু মুঠ ৬.০৬ লাখ একৰ মাটিত থকা ক্ষয় নষ্ট হ'ল ।

(খ)—নিম্নলিখিত অঞ্চলসমূহ বৰ বেয়াকৈ ক্ষতিগ্ৰস্ত হৈছে—

উত্তৰ লক্ষীমপুৰ মহকুমা

১। বিহপুৰীয়া মৌজা ।

২। তেলাহী

ধেমাজী মহকুমা

১। বৰদলনী মৌজা ।

২। ঢকুৱাখানা ”

৩। গোঁহাই মৌজা

৪। ঘিলামৰা ”

শিৱসাগৰ মহকুমা

১। কোঁৱৰপুৰ মৌজা ।

২। ঠাওৰা ”

৩। পানীদিহিং ”

৪। নগৰমহল ”

যোৰহাট মহকুমা

১। কমলাবাৰী মৌজা ।

গোলাঘাট মহকুমা

১। আহতগুৰি মৌজা ।

২। দেবগাঁও মৌজা

নগাঁও জিলা

১। ধিং চাকৌল ।

২। মবিগাঁও চাকৌল ।

গুৱাহাটী মহকুমা

১। কাউৰবাহা মৌজা ।

২। পূব বৰিগগ ”

৩। পশ্চিম বৰিগগ ”

৪। হাজো ”

৫। পূব কছাৰীমহল ”

৬। পূব বংশৰ ”

নলবাৰী মহকুমা

১। খাতা মৌজা ।

২। পূব বনভাগ ”

৩। পশ্চিম বনভাগ ”

৪। উত্তৰ বনভাগ ”

বৰপেটা মহকুমা

২। তিতাপানী মৌজা ।

২। মনদিয়া ”

৩। ৰূপহী ”

৪। জনিয়া ”

৫। পাকা ”

৫। ভবানীপুৰ ”

৭। বেটবাৰী ”

৮। বৰপেটা ”

৯। বাঘবৰ ”

১০। নগাঁও ”

১১। চেঙা ”

১২। ঘিলাজাবী মৌজা

১৩। বগবীবাৰী ”

ধুবুৰী মহকুমা

১। মানকাছাৰ চাকৌল ।

২। দক্ষিণ সালমাৰা চাকৌল ।

গোৱালপাৰা মহকুমা

১। সৃজনগ্ৰাম চাকৌল।

শিলচৰ মহকুমা

১। চালচাপৰা আঞ্চলিক পঞ্চায়ত

হাইলাকান্দি মহকুমা

১। হাইলাকান্দি আঞ্চলিক পঞ্চায়ত

(গ)—হয় ।

(ঘ)—ৰাজহ বিভাগে আজিলৈকে (৮-১২-৭০) মুঠ ৭২,১১,৯২৮ টকা সাহায্য দিছে । জিলাৰ উপায়ুক্ত আৰু মহকুমাধিপতিৰ প্ৰতিবেদনৰ ওপৰত ভিত্তি কৰি সাহায্য মঞ্জুৰ কৰা হৈছে ।

Shri Moneswar Boro— যোৰা বানপানীত অসমৰ কিমান লাখ মানুহ বানপীড়িত হৈছিল আৰু কিমান লাখ মানুহ গৃহহীন হৈছিল ? এই কথাটো মন্ত্ৰী মহোদয়ে জনাবনে ?

Shri Poramananda Gogoi— বোৰ হাতত থকামতে মানুহৰ হিচাব ২১ লাখ ৩৫ হাজাৰ ৬৫৮ জন, পৰিয়ালৰ হিচাব ৩ লাখ ২৯ হাজাৰ ১৭২ টা ।

Shri Moneswar Boro— মই এইটো কথা জানিব বিচাৰিছো যে (গ) প্ৰশ্নৰ উত্তৰত ‘হয়’ বুলি কৈছে কিন্তু Subdivision wise কিমান টকা দিয়া হৈছে তাক জনাবনে ।

Shri Poramananda Gogoi— সাহায্য দিয়া হিচাবে কেইবাটাও মহকুমা আছে । ধেমাজী মহকুমাত সাহায্য দিয়া হৈছে ২৬,৫০০, পুনৰ বসতিত ৫২,৬০০, বৰি শস্যত ২০,৫০০, Test relief ত ৭৬,৩০০, Cattle loan ত ৪,৮০০ টকা দিয়া হৈছে । ডিব্ৰুগড় মহকুমাত সাহায্যত ৪৮,০৭৭ টকা, বৰি

শস্যত ৮৬,০১৬ দিয়া হৈছে। উত্তৰ লক্ষীমপুৰত সাহায্য ২৭ হাজাৰ, পুনৰ বসতিত ৫,০০০, শালি শস্যত ৩০,০০০, বৰিশস্যত ৭৫,০০০ Cattle loan ২,৪০০ দিয়া হৈছে। যোৰহাটত সাহায্য ৫০,০০০, পুনৰ বসতিত ৩০,০০০ শালি শস্যত ৫০,০০০, বৰি শস্যত ২,০০,০০০ টকা দিয়া হৈছে। গোলাঘাটত ৪০,০০০ সাহায্যত, পুনৰ বসতিত ১০,০০০, Shifting ত ১৮ শ শালি শস্যত ৬৭,৫০০, বৰিশস্যত ২৬,০০০, Tube well ত ১,০৫০, Cattle loan ত ১৫,০০০, টকা দিয়া হৈছে। শিৱসাগৰত সাহায্য ২,৭৫,০০০, পুনৰ বসতিত ২,০০,০০০, শালি শস্যত ১,০০,০০০ বৰি শস্যত ২,৫০,০০০, খোৱাপানীৰ কাৰণে ৩৭,০০০, cheap grain thop ত ১,৫০,০০০, Test relief ত ২০,০০০ Cattle loan ত ১১,২০০ টকা দিয়া হৈছে। নগাঁৱত সাহায্য ১,৬৫,০০০, পুনৰ বসতিত ১,০০,০০০, শালি শস্যত ১,২০,০০০, বৰি শস্যত ১,৭৫,০০০, Cattle loan ত ৪৭,২০০০ টকা দিয়া হৈছে।

Shri Pitsing Konwar — Circle wise কিমান টকা দিয়া হৈছে জনাব লাগে।

Shri Paramananda Gogoi :— তেজপুৰত সাহায্য ৫৫,০০০ শালি শস্যত ১,২০,০০০ বৰি শস্যত ৪০,০০০ টকা দিয়া হৈছে। মঙ্গলদৈত সাহায্য ৭০,০০০, পুনৰ বসতিত ৩৫,০০০ শালি শস্যত ৪০,০০০, বৰি শস্যত ১,৫০,০০০, খোৱা পানীত ৭,৫০০০, Test Relief ত ৬৪,৮৪ টকা দিয়া হৈছে। ধুবুৰীত সাহায্য ১,৫৫,০০০ পুনৰ বসতিত ১,৫০,০০০ শালি শস্যত ৯০,০০০ বৰি শস্যত ২.২৫,০০০, Cheap grain Shop ত ১২,৫০০, Cattle Loan ত ১৪,০০০ টকা দিয়া হৈছে। কোকৰাঝাৰত সাহায্য ১২,০০০ পুনৰ বসতিত ১৫,০০০ শালি শস্যত ১৭,০০০, বৰি শস্যত ১০,০০০, Cattle Loan ত ৬০০ টকা দিয়া হৈছে। গোৱালপাৰাত সাহায্য ৫৫,০০০, পুনৰ বসতিত ২৫,০০০, শালি শস্যত ৩০,০০০, বৰি শস্য ৫০,০০০ Cattle loan ৪৫,৫০০ টকা দিয়া হৈছে। গুৱাহাটীত ৫,৬০,০০০, সাহায্য পুনৰ বসতিত ১,০০,০০০, শালি শস্যত ১,৫৫,০০০, বৰি শস্যত ১,০০,০০০, Test relief ত ১,৩০,০০০, Cattle loan ৪০,৮০০, দিয়া হৈছে। বৰপেটাত সাহায্যত ৩,১৫,০০০ পুনৰ বসতিত ১,০০,০০০, শালি শস্যত ২,১০,০০০, বৰি শস্যত ২,০০,০০০ Test relief ত

৫,৪০,৪৮১, Cattle Loan ৯০,০০০ টকা দিয়া হৈছে। নলবাৰীত সাহায্যত ১,০,০০০, পুনৰ বসতিত ২৫,০০০, শালি শস্যত ১,২৫,০০০, বৰিশস্যত ১,৪৯,৩-০০ test relief ত ১,১১,৭২৪ টকা Cattle Loan ত ৪৭,২০০ টকা দিয়া সাহায্যত ৭৫,০০০ পুনৰ বসতিত ৩৭,০০০, বৰিশস্যত ৫০,০০০, test relief ত হৈছে। শিলচৰত ১১,৭৭০ টকা হৈছে। কৰিমগঞ্জত সাহায্যত ২৫,০০০, পুনৰ বসতিত ৭,০০০, শালি শস্যত ১০,০০০, লুকা দিয়া হৈছে। হাইলাকান্দিত শালি শস্যত ৫০,০০০ বৰিশস্যত ২০,০০০, Test relief ত ২৫,৪৫৭ টকা সাহায্যত ৩৫,০০০ দিয়া হৈছে।

Shri Atul Chandra Goswami :—মাননীয় মন্ত্ৰী ডাঙৰীয়াই নগাওঁ জিলাত কেবল ডিং আৰু মৰিগাওঁ চাকৌলত বানপানী হৈছে বুলি কৈছে কিন্তু কলিয়াবৰ আৰু কামপুৰ চাকৌলত বানপানী হৈ অজস্র মানুহৰ ক্ষতি-গ্ৰস্ত হৈছিল—এখনো কৰণৰা সংগ্ৰহ কৰা হ'ল যে এইবিলাক অঞ্চলত বানপানী নহয় বুলি কব নেকি।

Shri Poramananda Gogoi :—মোৰ প্ৰশ্নটোত যিবিলাক অঞ্চল বেয়াইক ক্ষতিগ্ৰস্ত হৈছে সেইবিলাকৰ কথা কৈছো।

Shri Atul Chandra Goswami :—কামপুৰ বেয়াইক ক্ষতিগ্ৰস্ত হৈছে—কিয়নো আঘোন মাহত পকা ধানৰ ওপৰত পানী উঠিছে অথচ মন্ত্ৰী ডাঙৰীয়াই কৈছে যে ডিং আৰু মৰিগাওঁ চাকৌলত হে বানপানী হৈছে। কলিয়াবৰ চাকৌলত এখন গাওঁত মঠাউৰি চিঙি শুচি গল। আৰু কামপুৰ চাকৌলত একেৰাহে তিনিবাৰ বানপানী হৈ বেয়াইক ক্ষতিগ্ৰস্ত কৰিলে।

Mr, Speaker :—As there are many Members who want to participate in the discussion of this question, I will allow a half an hour discussion on this question,

Shri Atul Chandra Goswami :—তেতিয়া এতিয়াৰ বেভিনিউ মিনিষ্টাৰো তাত আছিল। যান কাটিবৰ সময়ত হায়ং, যোগীজান, জাউনি, জেউনি বিহুবি, শালপাৰা আদিত বেয়াইক পানী হৈছিল।

Shri Lakshmi Prasad Goswami— খান পকা সময়ৰ হিচাবটো দিয়া হোৱা নাই। আগতে *extensively* হোৱা কথাহে কৈছে। মাননীয় সদস্যক বুজোৱা হৈছে যে এই বানপানীত কোন Circle ত কিমান দিয়া হৈছে তাৰ এখন List সদনৰ টেবুলত ৰখা হ'ব।

Shri Kamini Mohan Sarma— অধ্যক্ষ মহোদয়, এই কথা জানিব বিচাৰো যে কামৰূপ জিলাৰ গুৱাহাটী মহকুমাত পানী মেতেকা গুচাবৰ কাৰণে টকা মঞ্জুৰ কৰা হৈছিল পানীয়ে মথাউৰি চিঙি বিলবোৰত সোমাই গোটেই অঞ্চলৰ ঘৰবাৰীৰ ভিতৰত সোমাইছিল, বাষ্টাঘাট বন্ধ কৰিছিল, এই সময়ত কামৰূপ জিলাৰ D. C. Office ৰ আমি সদস্য সকলে কমিটিত সিদ্ধান্ত লৈছিলো যে পানী মেতেকা গুচোৱাৰ বাবে টকা দিয়া হ'বক আৰু এই টকা মঞ্জুৰ কৰা হৈছিল বড়িয়া আঞ্চলিক পঞ্চায়তত ৫৬ হাজাৰ টকা মঞ্জুৰ কৰিছিল মেতেকা গুচোৱা কাৰণে। আৰু স্থানীয় বাইজৰ গৰীৰ লোকসকলে পানী মেতেকা গুচাইছিল। বড়িয়া আঞ্চলিক পঞ্চায়তক যথাযথ ভাবে যি টকা বিতৰণ কৰা হৈছিল সেই টকা বিতৰণ নকৰি আৱদ্ধ কৰি ৰাখিলে আৰু কৈছে সেই টকাৰে ট্ৰেক্টৰ কিনিব। মন্ত্ৰী মহোদয়ে এই কথাৰ যথাযথ ভাবে বিচাৰ কৰি তাৰ বিহিত ব্যৱস্থা কৰিবনে?

Shri Lakshmi Prasad Goswami— মই এই সংবাদ মাননীয় সদস্যৰ পৰা এতিয়াহে পাইছো। এই সংবাদৰ ধৰণ কৰিম।

Shri Kamini Mohan Sarma— মোৰ প্ৰশ্নৰ উত্তৰ কি হ'ল।

Mr. Speaker— ধৰণ লম্বা বুলি কৈছে।

Shri Giasuddin Ahmed— ধুবুৰীত কিয় ইমান কম টকা দিয়া হৈছে? তাত লুইতৰ পানী শুকাই গ'ল নেকি? গোৱালপাৰা জিলাৰ D. C. এ কিমান টকাৰ requisition দিছিলে?

Shri Paramanada Gogoi— গোৱালপাৰা জিলাৰ উপায়ুক্তই যিমান টকাৰ demand দিছিলে সিমানখিনি দিয়া হৈছে।

Shri Dulal Chandra Barua— মই এটা কথা জানিব বিচাৰিছো ঘোৰহাট মহকুমাৰ বেয়াকৈ বিধ্বস্ত হোৱা অঞ্চল বিলাক মাজুলী, কমলাবাৰী, হাতীগড়, চাওঘাট, হাজাৰি আদি ঠাইত বানপানী হৈ মানুহ হাঁহকাৰত

পৰিছে। চৰকাৰে এতিয়ালৈকে যিমান সাহায্য দিব লাগিছিল সিমান দিয়া দ্বিতীয়তে বৰদলনী বেয়াকৈ বিধ্বস্ত হৈছে আৰু তাত ঠিক ভাবে Seed loan আদি দিয়া নাই। গতিকে Cheap grain shop আদি নোহোৱাত মানুহ মৰাৰ সম্ভাৱনা আছে। এই কথা চৰকাৰে জানেনে নাই।

Shri Paramananda Gogoi— মাননীয় সদস্যই যিটো কথা কৈছে। সেইটো আমি অনুসন্ধান কৰি চাই উপযুক্ত সাহায্য দিয়াৰ ব্যৱস্থা কৰিম।

UNSTARRED

QUESTIONS AND ANSWERS

[To which answers were laid on the table]

Re: Issue of Citizenship Certificates to migrants

Shri JALALUDDIN AHMED— asked :

II. Will the Chief Minister be pleased to state—

[a] What is the procedure for issuing citizenship certificates to migrants from Pakistan ?

[b] How many certificates have been issued till August 1970 in the State ?

[c] Whether it is a fact that Sub-Divisional Officer of Barpeta issues the certificates without proper enquiry indiscriminately ?

[d] If so, why ?

Shri Mahendra Mohan Choudhury (Chief Minister) replied.

II. (a)— The Citizenship Certificates are issued in accordance with the provisions under the Indian Citizenship Act, 1955 and rules framed thereunder,

(b)— One lakh fifty three thousands and ninty four.

(c)— No.

(d)—Does not arise.

Re : Questions Position during the Session

Shri Atul Chandra Goswami — এই বিষয়ে আগতেও এটা অনুবোধ কৰা হৈছিল যে কোন কোন বিভাগলৈ কিমান কিমান প্রশ্ন গৈছিল আৰু কিমান প্রশ্নবেই বা উত্তৰ দিলে আৰু কিমান বাকী আছে তাৰ এটা সৰিশেষ আভাস আমি বিচাৰিছিলো।

Shri Hiralal Patowary — অধ্যক্ষ মহোদয় বৰ্তমানলৈ ৫২০টা প্রশ্নৰ ভিতৰত মাত্ৰ ৮৫টাৰ জবাব দিছে বা গীথিনিৰ জবাব আজিলৈকে অহা নাই। এইটো Starred আৰু unstarred প্রশ্ন দুয়োটাৰ ক্ষেত্ৰতেই আছে। যদি এনেকৈয়ে দাবী হৈ প্রশ্ন পৰি থাকে তেতিয়াহলে এইটো কেনে ধৰণৰ চৰকাৰ চলিছে? আমি অনুভব কৰা কথাখিনি চৰকাৰ পক্ষই অনুভৱ নকৰে নেকি? এই ধৰণেৰে প্রশ্ন বিলাকৰ উত্তৰেই নিদিয়ে তেতিয়া হলে তাৰ প্ৰতিকল্পে কি ব্যবস্থা অৱলম্বন কৰিব?

Mr. Speaker — As assured in the House on 8.12.70 I called the Leader of the House and the Leaders of the various Opposition Groups for a discussion in my Chamber of the matters raised in the House about the progress of despatch of Questions from the Assembly and replies received thereto from the Government and other allied matters.

The last date of submitting ordinary questions by the hon'ble Members was 2nd December and all admitted questions were sent to the Government by the 4th December barring a few short notice questions. Further, all the replies received upto 5th excepting one was listed in the order papers upto 8th December. One question was kept pending to be posted on 9th. It was decided that in future whenever replise are received, they should be so listed in the order papers as to cover the question hour. Reminders were issued

to Government from time to time for replies and this should continue to be done.

Hon'ble Chief Minister informed that he had a discussion with the Chief Secretary and that by Saturday next as many replies as possible would be sent to the Assembly Secretariat.

It was decided that the practice of issuing Bulletins daily should be restored.

On the 14th December, the Special motions on the Report of the enquiry on the allegations against the Co operation Minister will be taken up and excess demand will be taken up on the 15th December. On both the days after finishing the above business, if time permits. Private Members' Business listed for 15th will be taken up.

Shri Hiralal Patowary— আজি ১০ ভাৰিখ হ'ল, মাজতো বন্ধ আছে। কিন্তু প্রশ্ন নাহিল। ৮৫টা আৰু ৪৩৫টা এতিয়াও উত্তৰ দিবলৈ আছে। এই প্রশ্নবিলাক শেষৰ দিনা একেলগে দিলে কেনেকৈ হব ?

Shri Dulal Chandra Barua— মহোদয়, আজি বেচিকৈ Supplementary কৰিছো কাৰণে আপুনি বেয়া পাইছে কিন্তু আজি Questions য়েই নাই। কাইলৈ কি অৱস্থা হব কবই নোৱাৰি। এনেকৈ দাবু কৰি প্রশ্নৰ উত্তৰ নিদি পেলাই থয় আৰু অধিবেশন হৈ যোৱাৰ পিছত কাৰোবাৰ তালৈ উত্তৰৰ Post copy পঠিয়াব আৰু ক'ত কি কৰিব। যদি প্রশ্নবিলাকৰ যথা-যথ ভাবে সময়মতে উত্তৰ দিবলৈ অপাৰাগ হৈছে তেন্তেইহলে তেওঁক আমি ৫টাতকৈ বেচি প্রশ্ন কৰিব নোৱাৰো। নাইবা প্রশ্ন কৰাই নিষেধ।

(গোলমাল)

Mr. Speaker— As regards the questions-out of total number of Starred questions- 502, replied till date is 85, and out total number of 85 unstarred questions, replied till date is 10.

Shri Atul Chandra Goswami— আমি ১৯৬৭ চনৰে পৰা সেই একে কথাই কৈ আহিছো। এই ব্যৱস্থা চলি থকাতকৈ আমাকো আপুনি বাতৰি আমি আলোচনা কৰি কিবা এটা ঠিক কৰো যে আমি Questions য়েই হুণ্ডা।

Mr. Speaker— I am circulating the detailed information to all the hon. Memders.

I have already said that the progress is not encouraging. The Chief Minister has assured to get as many replies as possible by Saturday.

Shri Giasuddin Ahmed— Sir, simply giving of assurances like this will not help.

Shri Mahendra Mohan Choudhury— Sir, the Hon'ble member should not make comment before seeing how the assurance is implemented. He should wait and then make comment.

Shri Dulal Chandra Barua— Sir, Government has a separate Cell called Parliamentary Affairs Department. It is found that this Cell is not functioning effectively. Will the Chief Minister be pleased to see that this Wing of the Government is utilised properly ?

Shri Mahendra Mohan Chaudhury— Sir, the Chief Secretary is the Secretary of the Parliamentary Affairs Department: And as I have already said that the Chief Sectetary has given me to understand that by Saturday as many replies as possible would be given.

Mr. Speaker— I also admit that the progress is very discouraging and distressing. That was also felt by the leaders of different Groups on the day when we met, Therefore, there is no other alternative than to ask the

Chief Minister to see as many questions as possible are replied.

Shri Dulal Chandra Barua— Sir, if you exoress your helplessness in this way then justice will not be done to your position. You are the authority of the House and you are not to go on beseeching upon the Chief Minister. You should demand upon the Chief Minister that he must give the replies.

Shri Mahendra Mohan Choudhury— The difficulty has been mostly because the questions have been admitted on 3.12.70 and thereafter, some qusetions have been admitted. Therefore, between 3.12.70 and to day. 10/12/70 (Voice : what other questions ?) I am not saying this is the only reason for which delay has been caused. There are certain other reasons. By Saturday, we shall try our best to get the replies as much as possible.

Shri M A. Musawair Choudhury— অধ্যক্ষ মহোদয়, দেখা গৈছে যিজন officer য়ে লোকসভাৰ কাৰ্য্য অৱজ্ঞা কৰে তেওঁক লোকসভাত ভৰ্চনা কৰা হয়। যোৱা বাজেট অধিবেশনতে মুখ্যমন্ত্ৰী ডাঙৰীয়াই প্ৰতিশ্ৰুতি দিছিল যে Pending Questions বিলাকৰ উত্তৰ দিয়া হব কিন্তু যি বিলাক Officer য়ে এই প্ৰতিশ্ৰুতি অৱজ্ঞা কৰিছে তেওঁলোকক ইয়াত ভৰ্চনা কৰিব লাগে।

Mr.Speaker— We have discussed the other day and also today that the matter is very serious one. Therefore I would take serious view of the whole question if things do not improve. We shall have to take some drastic action so that these tnings are not repeated in future and for that purpose we shall have to sit again with the different leaders of the House.

Shri Bahdreswar Gogoi— মাননীয় অধ্যক্ষ মহোদয়, যোৰা বাৰেট অধিবেশনত মোৰ এটা প্ৰশ্নৰ উত্তৰ দিয়াৰ প্ৰতিশ্ৰুতি আছিল। কিন্তু এই অধিবেশনটো তাৰ উত্তৰ দিয়া হোৱা নাই। উত্তৰ দিয়া হব বুলি মুখ্যমন্ত্ৰী আৰু P.W.D মন্ত্ৰীয়ে আশ্বাস দিছিল।

Mr. Speaker— It there is any particular question I would request the hon. Member to discuss the matter with me in my Chamber so that I can take effective steps.

Shri Giasuddin Ahmed— Mr Speaker Sir may I give a suggestions. As soon as the Departments recive the questions, a time limit should be fixed within which time the Officers concerned must submit the replies.

Mr. Speaker - Mr Ahmed, if there is any suggestion from the hon. member these will be considered in a Committee of the House which I have already suggested.

Shri Atul Chandra Goswami— সিদিনা এই অধিবেশনত হাতে হালোৱা সংঘৰ তথ্য সংগ্ৰহ কৰি সদনত জনোৱা কথা আছিল কিন্তু এই অধিবেশনটো জনোৱা আশা দেখা নাই।

Shri Mahendra Mohan Choudhury (Chief Minister)
Mr. Speaker, Sir I beg to move that this Assembly do elect four Members from amongst the Members of the Assam Legislative Assembly to be Members of the Guahati University Court under the provisions of Section 9(1) xxxiii of the Gauhati University Act, 1947 as amended.

Mr. Speaker : Motion moved.

The question is that this Assembly do elect four members from amongst the Members of the Assam Legislative Assembly to be Members of the Gauhati University court

under the provisions of Section 9(1) (xxxiii) of the Gauhati University Act, 1947 as amended.

[The Motion was adopted]

Discussion Supplementary Statement of Expenditure Charged on the Consolidated Fund of the State for the year 1970-71.

Shri Dulal Chandra Barua— Mr. Speaker Sir, before we discuss this matter. I submit that the ruling which I had sought yesterday should be given, otherwise, we cannot proceed further.

Shri Kamakhya Prasad Tripathi — (Minister Finance)— May I point out, Sir that the ruling will be given when the Demands are moved.

Shri Dulal Chandra Barua— This is not the question. We have challenged the validity of the whole Supplementary Demand.

Shri Kamakhya Prasad Tripathi — No.

Shri Dulal Chandra Barua— Yes. I have, and unless these are decided first discussion on this issue cannot be taken up because it is not a part. Unless the issue is decided on these three Demands which are to be moved by the Minister of Transport, no other Demand can be discussed.

Shri Kamakhya Prasad Tripathi — May I point out, Sir ? The points raised as objection refer to demands 22, 25 and 31. The objection was that there was no provision in the original budget. Without provision in the original budget no supplementary Demands can be brought. This objection

tion refers to these three items only. So, when these three items are moved, against each a ruling would be necessary because the Demands are separate. But so far as the other Demands are concerned, this objection does not apply. Therefore, there is no point or question of withholding other Demands.

Shri Dulal Chandra Barua— Sir, we have raised a point of order by saying that we have found serious lacunae in the Supplementary Demand and until a ruling is given by the Chairman on that point of order we cannot discuss the Demands.

Shri Gaurisankar Bhattacharyya:— Sir, to-day is the date of Demands and we want to utilise the time, every minute of it we want to utilise. Therefore, on this point, I think, the matter may stay till it comes in the appropriate time. In the meantime, these items on which there is no question of point of order, these points can be covered. When that particular point will be reached then the point of order may be taken into consideration. Now, here I have got a point of order on certain Demands but so far as the Demand No. 1,2,3— those are concerned, there is no point of order and so why the time of the House not be utilised till that demand comes ?

Mr. Speaker:— I agree with Mr. Bhattacharyya. Other Demands may be taken up now and when those Demands come up, Ruling will be given.

Shri Phani Bora:— Mr. Speaker, Sir; perhaps the Ruling is ready and so it can be disposed of now. That was

discussed on account of general discussion on excess Demand. Therefore, when that general discussion is to be completed it should be completed on the basis of the ruling given on the point of order. If the Ruling is ready on the point of order, then it can be given now.

Mr. Speaker:— I hold that the point of order refers to three Demands. But so far as the other Demands are concerned these will be taken now.

Shri Dulal Chandra Barua— Mr. Speaker, Sir, it is your Ruling? I do not know whether I have been able to make myself understood or not.

Mr. Speaker— Yes.

Shri Dulal Chandra Barua— Sir, I have first challenged the propriety of the Finance Minister, and secondly we have challenged the propriety of the Ministers in-charge of Finance and Transport in placing these three demands in Supplementary demand. Therefore, if you decide that only these three demands cover the point of order then that will decide the first part. Are we to understand that this is your ruling on the first point? and not on the entire list.

Shri Hiralal Patwary— Sir, a point of order. I would like to draw the attention of the House through you to the fact that the Finance Minister has submitted the Supplementary demand at page 64,65 saying that the original amount voted by the Assembly is Rs. 130....

Mr. Speaker— We are concerned with demand No. 2. As regards the point of order affecting all the demands,

these were raised yesterday and I had decided....

Shri Sainen Medhi— Unless it is concluded we cannot proceed on. It has not been concluded.

Mr. Speaker— I told yesterday that the debate was closed on the point of order and the ruling will be given tomorrow.

Shri Dulal Chandra Barua Sir, we are discussing the consolidated fund. That portion of the debate is not complete. Unless it is completed we cannot proceed on

Shri Hiralal Patwary— In the original budget passed by this Assembly the amount voted was Rs. 134,55,58600; but here the Finance Minister has shown that the original amount voted by the Assembly is Rs. 130,31,95,400. How is it?

Shri Kamakhya Prasad Tripathi— There is an errata to the supplementary demand which had been circulated which the hon. Member might read.

Shri Hiralal Patwary— I have not received the correction slip.

Shri Kamakhya Prasad Tripathi— It has been circulated. There are printer's devil everywhere. It is not a question of deliberate showing. If there is any incorrect print then that should be corrected.

Shri Hiralal Patwary— In the correction slip (a copy of which he received in the meantime) also it has not been shown correctly. The original amount voted was Rs. 134,55,58,600. (He showed the original budget). In the correction slip it has been shown as Rs. 134,45,58600. So the correction slip is also incorrect. In view of this how can we proceed with the discussion. This is my point

of order.

Shri Kamakhya Prasad Tripathi— Sir, the point is very clear. The budget which was passed is known that prevails because whatever was passed in the Appropriation Bill, that gives the correct figure. Anything which differs from that figure is wrong. Therefore if the Appropriation gives the figure of 55 lakhs and in the Book it is only 45 lakhs, then 55 lakhs is correct. I admit that there has been printers' devil. If the correction slip is also wrong, that shows that it was at the correcting stage also they committed mistake. Therefore, I say that so far as the original voted amount is concerned, that cannot be changed. That is intransmutable. From that point of view, the correction slip which we have issued was intended to carry the correct figure of the Appropriation Bill. I will just verify and submit to the House what is the correct figure. For example, the figure in the Budget may not be exactly the figure that is given in the Appropriation Bill and if there is any difference in the final figure of the Budget as compared to the figure in the Appropriation Bill, the figure in the Appropriation Bill prevails. Sir, I will find out and let the House know about the correct figure.

Shri Gaurisankar Bhattacharyya— May we take that assurance that if the officers in the Finance Department be found giving wrong figures to this House, they will not be excused and that they will be appropriately punished?

Shri Kamakhya Prasad Tripathi— Yes. But the mistake might have occurred either at the stage when the figures

were sent from the Finance Department or it might have occurred at Printing at the press or at the typing stage.

Shri Debeswar Sarmah—Another point needs clarification. The items in Statement—A are not correct. If these are incorrect, then which items in Statement-A is or are not correct. And the mistakes might have been in some other items also. Unless the items are known in which errors have crept in, the whole thing will be confusing. Will the Finance Minister also clear up in which item, there are mistakes?

Shri Kamakhya Prasad Tripathi— The mistakes are likely to be in other items also. So far as the discussion with regard the charged amount was concerned, great deal of discussion was made with regard to the constitution of the Ministry which was rather a large one. Naturally the size of the Ministry is born out of political realities in a particular State. We are told that the Ministry in U.P. has gone up to 55.

Shri Hiralal Patwary— Sir, what has happened to my point of order?

Shri Kamakhya Prasad Tripathi— It is not a point of order. You have pointed out some mistakes in the figure and I have assured the House that I will find out as to what was the last figure in the Appropriation Account and I will inform the House about the correct figure accordingly.

Shri Hiralal Patwary— Sir, the hon. Finance Minister has issued a correction slip which is also wrong. The original

amount voted was Rs.134,55,600 but in the correction slip, the amount has been shown as Rs.134,45,58,600/-?

Shri Kamakhya Prasad Tripathi — Sir, the hon. Member is not following me. During the last Session a number of Demands were withdrawn and therefore, the figure in the Appropriation Account was different from the figure in the printed Budget Book which he is now reading out. Naturally therefore, what was the actual amount passed in the Appropriation Bill is the correct figure and not the figure that is shown in the Budget Book. The hon. Members point is valid because he wanted to draw my attention about the mistakes and he wanted to assist me to find out as to whether there was any mistake and I have assured the House that I will find out the correct position and let the House know about it. I am thankful to the Hon'ble member for pointing out the mistake. I was saying that most of the discussion yesterday ranged round the creation of a large Ministry. Naturally because that Ministry is not a charged account but voted account, therefore, when the voting on the Demands of the voted account comes, naturally, the members will be able to make pointed attention with regard to voted amount. Political realities determine the size of the Ministry. Two particular things which determine the size of the Ministry are—

(1) first of all the Leader of the Party is selected and then he becomes the Chief Minister, and (2) then he selects his Party members in the Ministry and the Finance Minister is also born after that ; the Finance Minister is not pre-born

to the Chief Minister.

Shri Atul Chandra Goswami— The Chief Minister has done it only to keep his 'Gaddy' in tact.

Shri Kamakhya Prasad Tripathi— It is not so much of 'Gaddy' of the individual Minister. The information related to me is that Shri Dulal Chandra Barua is one of the Ministry maker.

Shri Dulal Chandra Barua— Our democracy is not such that we were going to advise as to who is to be taken in or not to be taken in the Ministry. How can it be ?

Shri Kamakhya Prasad Tripathi— A friendly advice. After all, the hon. Member is a friend of us.

Shri Dulal Chandra Barua — I am thankful to the Finance Minister, but if I make a request to the Chief Minister that this Finance Minister is not efficient and therefore he should not be taken in the Ministry, will the Chief Minister agree to it ?

Shri Kamakhya Prasad Tripathi— Efficiency or inefficiency is often a question of prejudice and also is a question of Party or non-party. If a person is considered efficient in one Party he may be considered inefficient by the other Party. In the political life, these things are always seen.

I was merely replying to the main question raised why is the Ministry so large. I was saying that the Ministry is large no doubt but it will be appreciated that in a Socialistic Society the work of the Ministry goes on expanding. The original duty of the Ministry was law and order and.....

Md. Moinul Haque Choudhury— Yes, yes to please everybody for obvious reasons.

Shri Kamakhya Prasad Tripathi— Whether the hon. Member belongs to party to which I belong or to the Opposite side ?

Md. Moinul Haque Choudhury — Yes yes, I belong to the party to which Shri Tripathi belong. but he has got all his sattelites to malign me.

Shri Kamakhya Prasad Tripathi— The hon. Member has been attacking me always and I accept those attacks as compliments. Because attacks are made over the the people who are known to be important. Those who are unimportant attacks are never made against them.

(Laughter) That is the reasons why I take it as a compliment. Anyway if a hon. member belongs to the party to which I belong and if he wants he can immediately remove me from the Ministry by influencing the Chief Minister. Shri Barua has said that he is going to remove me by requesting the Chief Minister and not only that he was also saying about my inefficiency. In such a case Mr. Haque Choudhury has a greater power or right to get me removed then Mr. Barua that is quite clear because after all he is inside the party. Therefore, I did not take the suggestion of Mr. Barua very seriously because his suggestion will not cut much ice. On the other hand Mr. Haque Choudhury a very important member of our party, a very important Speaker and a very erudite member of the Assembly I hope he will take immediate steps and

request the Chief Minister to remove a misense value which is the Finance Minister. Sir, I was saying that the size of the Ministry has been getting larger because of the Socialistic pattern of society because new subjects are brought over to the Govt.

Shri Atul Chandra Goswami — আমাৰ অনন্ত মন্ত্ৰী সভা যে বহল আৰু ডাঙৰ হৈছে সেইটো আপুনি কব পাৰিছেনে ?

Shri Kamakhya Prasad Tripathi — ময়ো জানো যে মন্ত্ৰী সভা ডাঙৰ হৈছে সচাঁ, কিন্তু মই Politically কব বিচাৰিছোঁ যে— I was saying that in a socialistic pattern of society the functions of the Government are constantly expanding and it is not a static one. In a Police State a static ministry can be conceived. As soon as you take the expanding picture of the Socialistic society, you will find that more responsibilities are taken over by the Government. Take for instance, the Co-operative portfolio. Now in a Police State a Co-operative portfolio is meaningless. We do not want here a static society.

Shri Atul Chandra Goswami— অলপ বৰ্ত্ততা চমু কৰক। এইয়া দৰং বন্ধে নহয় যে দীঘলীয়া বৰ্ত্ততা দিব আৰু আমি ছাত্ৰ নহয় যে শুনি থাকিম।

Shri Kamakhya Prasad Tripathi মাননীয় সদস্যই Democracy ৰ কথা কৈ থাকে। Democracy ত ধৈৰ্য্যৰ প্ৰয়োজন। নিজে কলে যেনেকৈ শুনিবলৈ ধৈৰ্য্য বিচাৰে তেনেকৈ লোকে কৈ থাকিলেও শুনিবলৈ ধৈৰ্য্যৰ প্ৰয়োজন। মাননীয় সদস্যসকলে অলপ ধৈৰ্য্য ধৰি মোক কবলৈ দিয়ক।

Md. Shamsul Huda— আপুনিয়ৈ যদি ৪৫ মিনিট বৰ্ত্ততা দি থাকে তেন্তে Democracy আপোনাৰ হে হব আৰু।

Shri Kamakhya Prasad Tripathi— মাননীয় সদস্যই ইচ্ছা কবিলে ৪৫ মিনিট তর্ক কবিব পাৰে। মই কব বিচাৰিছো—

(Noise)

Shri Atul Chandra Goswami— Socialistic state ত co-operative এ কি কৰিছে। Socialistic state ৰ ইতিহাসত ইয়াক সোণালী আখৰেৰে লিখা থাকিব।

Shri Debeswar Sarmah -- মই ভাবিছো Minister সকলৰ preorgative আৰু privilege বেলেগ। এই বিলাক অপ্রকৃত কথা। গতিকে সেইখিনি কবলৈ এৰি দি মই ক্ষম্তক বিদায় লৈছো। (Shri Sarmah then left the House)

Shri Kamakhya Prasad Tripathi— অপ্রকৃত বুলি কৈছে হয়। বোধহয় আৰু বেছি সময় বাহি থাকিলে তেনেঅৱস্থা হব পাৰে বুলিয়েই মাননীয় সদস্যজন ওলাই গ'ল।

Shri Dulal Chandra Barua— He should maintain the dicency of the House. He is replying to our queries he should be nice and discent. It does not look nice. It hampers the prestige and position of the House.

Shri Kamakhya Prasad Tripathi— This is not done by the Finance Minister. The hon member made certain remarks which calls for a reply. If the house the undocorous remarks are permitt d and the replies to that are not permitted than those r.marks go unchallenged and that denegrades the position of the House.

Shri Gaurisankar Bhattacharyya— Sir, whether I did not here properly I do not know But probably Shri Sarmah said 'Aprakrita' and not Aprakritastha'.

Shri Kamakhya Prasad Tripathi— I stand corrected because I thought this was 'Aprakritastha' which is a

very strong term. Now, Sir, I would like to say that it will not only be wise for him to remove the Minister but also of the members of this side who think that the Minister in giving inaccurate replies.

Shri Dulal Chandra Barua - You should not be touchy.
(Noise)

Mr. Speaker— The Minister will reply to the points raised yesterday.

Shri Dulal Chandra Barua— Sir, he should act as an aged and experienced man. He should not do like this.

Shri Kamakhya Prasad Tripathi— I do it only when more aged than me misbehave. Now, the size of the Govt. are expanding very fast and as you know Sir in the Soviet Republic there are ministers even for corporations. One of the reasons why we have not been able to do justice with regard to the public sector and perhaps because adequate attention of the Minister has not been applied either in the Centre or in the State. Therefore, Corporations have not been succeeding as per our socialist and democratic pattern. Therefore, it is the duty to the Chief Minister in his wisdom to decide what should be the size of the Ministry at a particular point of time. Now, the Finance Minister was born after this. Naturally, the Finance Minister cannot control the size of the Ministry. But I am sure, the Chief Minister must have considered the financial situation of the State and also the political reality, in deciding the size of the Ministry. Now as regards this Demand these are voted Demands

and not Charged Demands. With regard to the Charged Demands to the a point was raised with regard to telephone bills and it was said that in view of creation of Meghalaya some expenditure on telephone bills would have gone over to Meghalaya. Now, the amount which has been asked for is very meagre; it is only two thousands and it is also difficult to verify why this extra expenditure is necessary. The division of the assets and liabilities between Meghalaya and ourselves is not yet completed.

Shri Gaurisankar Bhattacharyya— No, No, I said something concret in this respect. I said that to my own knowledge and to my information often official telephones are used for private parties not only for local calls, but also for trunk calls. Not only that, sometimes these official phones are hired out by outsider either for cash or for kind. And, therefore, I suggested if not every year, atleast occasionally there should be a through audit. Say, of few offices as to what are the number of calls going out from this telephone to what number, and for what official business. If few sample test checks are made it will be found that this is not only an extravagant expenditure but down right corruption which is being committed by some officers atleast.

Shri Kamakhya Prasad Tripathi— Sir, with regard to this suggestion, I have taken note of it. The hon. Member has pointed out a lacuuna which runs not into thousand not lakhs of rupees. This is a very important suggestion

and by virtue of which any misuse of a large scale order might be correct. I am thankful for having given me this suggestion with regard sample test check.

Now, the other question raised was with regard to the judgement of the Court by virtue of which we are forced to give away a sum of rupees as Charged Account to which this House has no voting power. Naturally, the judgements come and we have not been able to win in some cases most justly or rightly because Executive functions not always in the right fashion. So far as assessment of land values are concerned, on this point Shri Bhattacharjee himself had occasions to point out that valuation of land several times revised by High Court and other Courts. Now, on this point no norm have been fixed and norms cannot be fixed in a changing pattern of society where land value is changing fast.

Shri Gaurisankar Bhattacharyya—The aspect which I said was not that. I said when an explanatory note is given, because it is a charged account and because this is not subject to the vote of the House, that explanatory not should be understandable to the House. Simply by saying we are to pay such and such amount in execution of such and such'—that does not carry meaning.

Shri Kamakhya Prasad Tripathi—That has been correctly pointed out and we will give fuller information to the House.

Now, hon. Member, Shri Bhattacharjee, in his very valuable speech tried to analyse the financial situation

of the State particularly with regard to the loans and outstandings. I am really thankful to him for having taken so much of trouble for this analysis. No doubt, his analysis would be very valuable so far as budget preparations are concerned. He has pointed out that the gradually the receipts of the Budget are getting less and less where the expenditure per year is going up increasing.

Shri Gaurisankar Bhattacharyya— No, I did not say receipts are getting lesser every year; I said receipts are less than what was anticipated.

Shri Kamakhya Prasad Tripathi— I agree that the Budget anticipation in the State has not been fulfilled. But the number of intervening facts which destroy the budget anticipation in the State is larger than in most States.

Particularly ever since 1950 the recurring floods have always prevented realisation of land revenue which the major item. Every time the flood occurs, it occurs in a devastating way and over such wide area that the hon. Members have got an idea to-day from a reply to a question. We have to stop realisation of land revenue in the affected areas. Except a few rich people and the tea gardens the rest of the people get the benefit when the realisation is stopped, and realisation is stopped at the crucial time and no realisation takes place. It is true that a very large figure is outstanding— over Rs. 4½ crores. This is a major factor which affects us in two ways, firstly the realisation of land revenue is stopped and the realisation of loans is also stopped. The realisation of loans also had to be stopped.

when there is natural calamity like flood and cyclone.

Now, so far as the realisation of sales tax is concerned, there has been a great deal of prevention because of a stay order of the High Court. Take for instance, one intrus, namely the motor parts intrus is a very lucrative intrus in the State. The realisation from the intrus has been stayed by the High Court. Naturally when we project our realisation in the Budget, we take into account the sales tax fully but due to the stay order of the High Court the realisation of the sales tax has not been possible and the result has been that our realisation fell far short of what we anticipated.

M Moinul Haque Choudhury— I personally brought this matter to the notice of Mr. Tripathi. I also brought the matter before this House as well as in the party. But even they did not submit the papers to the High Court in order to give time to the defaulters. What is his answer to that ?

Shri Kamakhya Prasad Tripathi— This is absolutely wrong. The hon. Member has the habit of attacking me,

M Moinul Haque Choudhury— You as the head of the Finance Department are making us bankrupt and that is your privilege. You have done so in the Industries Department and you have done it in the State Electricity Board and now you are doing it as a Finance Minister and you expect us to be onlookers.

Shri Kamakhya Prasad Tripathi— You are not an onlooker. You are very much in the picture because you

are in the party. Whatever has been done, the entire party is responsible for it and you cannot make an individual responsible for it: The whole party is responsible for whatever has been done. The High Court is not under the control of the Government.

M. Moinul Haque Chaudhury— But the Government Advocates are under you and they did not allow the proceedings to continue. Once the Chief Justice told them "you submit your written statement and allow the proceedings to continue." But you did not do that, definitely in order to help the defaulters.

Shri Kamakhya Prasad Tripathi— You have double personality. you practice in the High Court as an Advocate and you are also a member of the party. I do not practice in the High Court.

M. Moinul Haque Chaudhury— You are deliberately obstructing the proceedings of the High Court.

Shri Kamakhya Prasad Tripathi— There is no question of deliberately obstructing the High Court's proceedings because the High Court is not under my control.

M. Moinul Haque Chaudhury— The Government Advocates are under your control. You ascertain how many times they were asked to give the written replies to the petitions but the replies were not given for months and years in some cases. Once the Chief Justice went out of his way and said that he has no interest in the case because the Government did not go forward with their replies and help expedite matters. I brought it to this House and

I personally had a talk with you, and then out of my anxiety I brought the matter to the notice of the Chief Minister and the party . And now you charge me of double personally and you try to absolve yourself like Shelley's Skylark .

Shri Kamakhya Prasad Tripathi : I am like Shelley's Skylark, otherwise you would have wiped me out long ago .

Shri Hiralal Patwary: Sir, under what rule the Finance Minister can debate with a Member? You should ask the Finance Minister to sit down .

Mr. Speaker— The rule is that when a Minister is giving reply, if any clarification is required by any hon. Member, that can be asked after the Minister finishes his reply. But in the midst of the speech if things are put like this then it is difficult to observe the rules.

Shri Phani Bora — Last ত কলে একো কয়দা নাই । সিদিনা মুখ্যমন্ত্রীয়ে যেতিয়া মোব against এ allegation আনিছিল সেই সময়ত আমি বিবোধিতা কৰিছিলো, সেইটো সেই সময়ত Proceeding হৈয়ে থাকিল বাইছে হলে নাজানিলে । গতিকে শেষত গোটেই তিনি কথা কবলৈ বৈ থাকিব নোৱাৰো । Point ওলালেহে কব পাৰি আৰু তেতিয়া Accept কৰি লাগে ।

Mr. Speaker — Then the hon. Member should take the permission of the chair and then place his view points and the Minister will take his seat and then he will reply.

Shri Hiralal Patwary— The hon. Member Shri Haque Chaudhury has raised some points and we want the Minister to give his reply.

Shri Kamakhya Prasad Tripathi— So far as the Court cases are concerned, naturally these are pursued by our

lawyers in the court. If our documents are to be presented in the Court, they are to be vetted by the legal remaber and then presented in the Court. Now, this procedure has been going on for years. Formerly the number of people going to court. was very much less and our realisation was better. But now the number of people going to court has increased taking advantage of the democratic State of our society and they are getting the advantage of the stay orders, and it is for this reason our anticipation which was projected in the Budget is not fully realised. This is what I was trying to point out to the hon. Members. Besides there are other facts which have belived our expectation. As I have said, the number of businessmen going to the court has very much increased

Now, our arrear dues, as has been pointed out by the hon. Member, are about Rs.9 crores. The one reason why we have not been able to realise the arrears obviously is due to the fact that whenever the cases are filed in the court, our realisation is stayed. The Finance Commission also based their realisation of the State on the anticipation that the State Government will be able to realise dues substantially. Now it appears that we will not be in a position to realise the dues substantially. We have requested Government of India to take urgent steps so that flood the control steps might be implemented in the State so shat the flood damages might be reduced.

Shri Sailen Medhi - In this connection we brought to an allegation in this House that so far as the tax cases are concerned there was a defect in issuing of a notification

and the Finance Minister reported in this House that the defect was committed by the Government Press. As a result of this, about 520 cases were lying in the High Court and a huge amount is still lying unrealised. We wanted to know what action the Finance Minister has taken against the officer who committed the mistake for which the huge amount of money could not be realised up till now. Due to these things we are facing difficulties and the Government is not taking any action against the officer.

M. Moinul Haque Chaudhury— Mr. Speaker Sir, I have got a submission in this connection. In this particular case because of want of a notification by them 250 or more, might be much more than that number went to High Court and obtained stay order. On the very first case they filed there is no notification. They did not issue the notification and for that 300 or more cases got the stay order passed. That is not all. Stay order is continuing. Secondly because this notification is not there, all these assesment will be declared void. These cases relate to certain period and because of that these will be time barred. It is not so simple as Shri Tripathi has put it. The blame has got to be taken by him or his Secretary or some one else. Then again in the High Court there could have been expeditious disposal by issuing the notification or by facing the High Court timely by giving counter affidavit. Who is responsible for non-realisation, for this delay? On whom he has fixed up the responsibility?

If he has not, then he himself is liable for this. Minister is responsible for the fault of the officer. You know, T.T. Krishnamachari, being a Congress Minister had to go for the fault of his Secretary, Mr. Krishnamachari did not commit any fault but for the fault of his Secretary he had to go. And finally it was decided in the country that Ministers shall have to go for the fault of their officers. That is the theory on which we shall have to work.

Shri Kamakhya Prasad Tripathi,— If for the conduct of our officers we are to go then every Minister will have to go.

M. Moinul Haque Chaudhury— Let him go. You have made State completely bankrupt.

Shri Kamakhya Prasad Tripathi, Let me reply to the point. The matter which has been raised was enquired into and it was found that the gazette notification was not printed by the Press. The gazette notification from the Finance Department was sent to the press timely.

Shri Sailen Medhi— What action was taken against that officer who did not print the notification?

Shri Dulal Chandra Barua— Is the Government Press under some other Government? Is it not under the Government of Assam?

Shri Sailen Medhi— What the Government is going to reply to the Hon'ble High Court? How the Government had sworn in the affidavit in the High Court justifying the Government case?

Shri Kamakhya Prasad Tripathi, We have been advised to withdraw the case and then get the notification corrected.

M. Moinul Haque Chaudhury— May I have a clarification? Already it is time barred. The people paid the tax by their blood and these businessmen will have the same. It will not come to the State coffer. The Finance Minister yet supports, and says if for the fault of the Secretary he has to go then every Minister will have to go. Let them go, I do not care.

Shri kamakhya Prasad Tripathi— I have already said that it is Chief Minister who can take action against the Press.

M. Moinul Haque Chaudhury— Not the Finance Minister, but the Finance Secretary who is directly responsible for this.

Shri Sailen Medhi— It is not a matter of a rupee. it is of several crores.

Shri Dulal Chandra Barua : - We have pointed out to Government times without number. Now the Finance Minister has given up the responsibility to the Chief Minister.

Shri Gaurisankar Bhattacharyya.— Sir, there are two aspects of the matter. There is one aspect of which the Minister, Finance says that the Chief Minister should take steps, that is to say, these officers due to whose negligence this loss could take place. Now so far as these officers are concerned they are not in the House. We know only the Minister and therefore, it is not enough for the Minister to say that it is due to some officers. Constructive liability is always with the Minister. If the Minister

think that some officer or officers are to be dealt with it is the Minister to do so. So far as this House is concerned, it knows only the Minister and not the officers. The other aspect is that whenever the purchases are made the common people, the poor people have pay not only the price of the goods, but they have to pay the sales taxes. Though it is names sales tax, in reality it is a purchase tax because the sellers take the tax from the purchasers (Minister. Finance: it is purchase tax) If it is the question of purchase tax then it is all the more direct. Now purchased tax has been realised from the common people. Because of the lethargy of the Government, because of this comission. because the Government wanted to help these capitalists, we have lost such a huge amount. Of course, we do not know what is in their mind. But the circumstances were that the Government had deliberately with gross negligence, neglected to realise the tax from the collecting capitalists whereas the taxes were already collected from the poor people. Now that because of the lapse of time these capitalists have escaped, they will make profit out of this, and so far as common people are concerned, so far as purchasers are as concerned, they will not get back their money. Therefore, it it the common people who will have suffer in the hands of the Government. All these aspects are to be taken into consideration and if the Ministers do not behave properly to the House to the people then the people shall have to make them behave properly.

Shri Kamakhya Prasad Tripathi— The other point raised was with regard to increased indebtedness. Now with regard to this point, the debt position of the State has gone on increasing. Why the debt increasing? Because, the major part of our budget is based on debt. 70% of the plan depends on the assistance from the Government of India by way of loan, 30% by way of grant. In the earlier plan the percentage was not so much. Loans and grants were made on the basis of new items and on that basis calculation took place. The whole development of country has been based on the twin aspects grants and loans. Naturally when loan is taken, it is taken with anticipation that development will take place in the country and out of the development economic activities will thrive and more and more realisation will be there and income of the State Government will grow but it is now an accepted fact that in the whole economy the amount of injection of loan amount has not been able to produce that amount of return by way of income to the state Government which might wipe out the loan amount in the proper time. Therefore, the loan amount has been increasing. This is the one aspect of the matter.

The other aspect of the matter is that there are States which have gone in for loan for social welfare schemes. I beg again to point out that upto 1967 or 1968 Budget itself nearly 66 crores of loan was taken by the State for

non-remunerative items and that process has not been completely wiped out because once you have a plan for loan if it is your requirement for current debt you are utilising that loan for non-remunerative purposes and the States which have gone for such expenditure their loans have increased and their interest also have have to be paid back without corresponding support from increased finances. Yesterday Shri Bhattacharjee quoted some States to show the per capita loan position and he showed how a State like U. P. had less per capita loan in a particular year. In a more populous State the per capita loan will be less than the per capita loan of a less populous State because in Assam 42./• of the land are vast hills where the population is about 50 per Sq. Mile and here the road requirement per individual, the school requirement per individual, the health requirement per individual is more than in a State where the people are conglumerated together and less number of institutions service them.

Shri Gaurisankar Bhattacharyya— So far as the roads are concerned, particularly in the Hill areas, as far as my information goes that mostly comes from the Plan budget.

Shri Kamakhya Prasad Tripathi — And I am discussing the Plan budget.

Shri Gaurisankar Bhattacharyya— So far as the plan budget is concerned, it is financed by the Govt. of India, at least in the 6th Schedule districts. Therefor, this argument that because of the existence of the vast hill areas the per capita loan on every Assamese is higher, not only higher

three times higher, than U.P. per capita loan well, I do not think that will be a proper justification.

Shri Kamakhya Prasad Tripathi— That is one of the causes ; that is not the only cause. This is not only with regard to road ; it is also with regard to social welfare. I would also point out Sir, how the number of schools and colleges in terms of population in Assam are higher than the rate in other States in India. Obviously this involves cost which reflects the loan position also.

Shri Atul Chandra Goswami — তেতিয়া হলে আমাৰ দেশৰ ছাত্ৰই নপঢ়িবইনে কি ?

Shri Kamakhya Prasad Tripathi— মই যি কথা কৈছো মাননীয় সদস্যই শুনাই নাই। তেখেতে প্ৰশ্ন কৰিছে যে Per capita In-come ব Incidence অসমত কিয় বেছি হৈছে। ইয়াৰ এটা কাৰণ হৈছে State Sector ব কাৰণে এই Loan বেছিকৈ লব লগা হৈছে আৰু সেই Loan অন্য ৰাজ্যত কৈ বেছি হৈছে, কাৰণ অন্য ৰাজ্যত কৈ আমাৰ ৰাজ্যত বহুতো বেছি বেলেগ বেলেগ ধৰনৰ মানুহ আছে। আৰু আমাৰ দেশত বহুতো সংখ্যা লঘু সম্প্ৰদায়ৰ মানুহ আছে। কিন্তু উত্তৰ প্ৰদেশত একে ভাৱৰ মানুহ থকাৰ কাৰণে তাত বেলেগ বেলেগ ভাষাৰ স্কুল দিবলগা নহয়।

Shri Hiralal Patwary :— আমাৰ বিত্তমন্ত্ৰী মহোদয়ে যিবিলাক কথাৰ দ্বাৰা উত্তৰ প্ৰদেশ আৰু অসমৰ লগত তুলনা কৰিব খুজিছে সেইবিলাক কথা নকৈ ভট্টাচাৰ্য্য ডাঙৰীয়াই যিটোৰ প্ৰকৃত উত্তৰ এই ৮৭ হেজাৰ টকাৰ Social Loan ব উত্তৰ বিছাৰিছে তাৰহে উত্তৰ দিব লাগে। আজি উত্তৰ প্ৰদেশত ১২ কোটি মানুহৰ কাৰণে ১০ কোটি টকা ব্যক্তিগত কামত খটুৱাইছে- আমাৰ দেশত ১ কোটি মানুহৰ কামত ১০/১২ কোটি টকা খটুৱাইছে। আজি আমাৰ শিক্ষা বিভাগটো Defective হৈ পৰিছে। আজি সংখ্যালঘু সম্প্ৰদায়ৰ মনত চৰকাৰেই সংখ্যালঘু ভাব সূমুৱাই দিছে।

Speech not Corrected

54 Discussion on the Supplementary Statement of 10 Dec.
Expenditure

Shri Kamakhya Prasad Tripathi— এইটো আমাৰ সংবিধানে
বাধ্য কৰাইছে যে বেলেগ বেলেগ সংখ্যালব্ধ সম্প্ৰদায়ে বেলেগ বেলেগ
ভাষাৰ স্কুল দিব লাগে ।

Shri Atul Chandra Goswami — অধ্যক্ষ মহোদয় point of
Clarification আজি বিত্থং বিভাগে যি কোটি কোটি টকা আগৰ টকা Realise
নকৰাকৈ ব্যয় কৰিছে এইটো কবিবৰ কাৰণে সংবিধানে ৩ কিবা নিয়ম আছে
নে কি ?

Shri Kamakhya Prasad Tripathi - এই Electricity Board
ক আপোনালোকেই Loan দি আছে আৰু এই বাজেটতো দিবলৈ
বাধ্য হয় ।

Shri Atul Chandra Goswami :— এই ২৬ জন চৰকাৰ যেতিয়া
লৈকে থাকে তেতিয়া লৈকে এইটো চলিয়েই থাকিব ।

Shri Hiralal Patwary— টংলা মডেল স্কুল আৰু নিচোলা মাতা স্কুল
আদিত আজি ২১ বছৰেও নানা আবেদন নিবেদন কৰি চৰকাৰৰ পৰা এটা
পইচা পোৱা নাই ।

Shri Kamakhya Prasad Tripathi :— যিবিলাক স্কুলে পোৱাৰ
উপযোগী হৈছে সেইবিলাক স্কুলে পাইছে । আমাৰ দেশত অন্য দেশৰ
তুলনাত জনসংখ্যা অনুপাতে স্কুল আৰু কলেজৰ সংখ্যা বেছি হৈছে ।

Shri Debeswar Sarmah— সেই কাৰণে এইটো বন্ধ কৰি দিয়ব
ব্যৱস্থা কৰিছেনে কি ?

Shri Kamakhya Prasad Tripathi— আপুনি এই আলোচনাত
নাছিলেই ।

Shri Promode Chandra Gogoi— বিন্ধু মন্ত্ৰী মহোদয়ে অন্যান্য
প্ৰদেশৰ লগত আমাৰ প্ৰদেশৰ যিবিলাক তুলনা দিছে সেইবিলাক সঁচা নহয় ।
কাৰণ আমাৰ প্ৰদেশত ২৫ হেক্টৰ খন গাঁও আছে কিন্তু আজি ২০ বছৰে
৫ হেক্টৰ খন গাঁও এতিয়াও আছে যত মাত্ৰ গড় হিচাবে এখনকৈহে এল.পি,
স্কুল পালে ।

Shri Debeswar Sarmah— মাননীয় অধ্যক্ষ মহোদয় আমাৰ ইয়াত এই

Speech not Corrected

বিষয় বিলাক লৈ ঘেতিয়া আলোচনা হয় এই আলোচনা বিলাক ভালদৰে আলোচনা কৰি কৰিব লাগে। এই টোত প্ৰথমতে আমাৰেই বেছি দোষ। আমাৰ বহুতো মাননীয় সদস্য আমাৰ ভিতৰতে আছোহক; যাৰ অভিজ্ঞতা আমাতকৈ বেছি আৰু আমাৰ যি সকলৰ অভিজ্ঞতা নাই সেইসকলে আপোনালৈ direction পাবলৈ চাই থাকে। মই Parliament তো ৫ বছৰ আছিলো। তাতো এনেকৈ অফিচাৰৰ কথা হুঠে। অফিচাৰৰ গাত দোষ থাকিলেও মন্ত্ৰীয়ে নিজে গাত গাভি লব লাগে। কাৰণ এইবিলাক কথাৰ কাৰণে অফিচাৰ সকল নিজে আহি উত্তৰ দিব নোৱাৰে। এই অৱস্থাত আমি যদি সদনৰ সদস্য সকলে অফিচাৰ সকলক টানো তেনেহলে এইটো বৰ তেখেত সকলৰ প্ৰতি অবিচাৰ কৰা হ'ব। মাননীয় সদস্য এজনে কৈছিল যে অফিচাৰ সকল Reprement কৰা হওক। মই নিবেদন কৰো যে এইটো বৰ ভাল কৰা হোৱা নাই। কাৰণ তেখেত সকল আহি ইয়াত উত্তৰ দিব নোৱাৰে।

অধ্যক্ষ ডাঙৰীয়া আপোনাৰ পৰা আমি direction বিচাৰো। সকলো কথাতে আপোনাৰ পৰা direct control থাকিব লাগে। আমাৰ মাননীয় সদস্য সকলে আপোনাৰ সকলো কথা সৌজন্য পূৰ্ণ ভাৱে শুনিব লাগে। আমাৰ বহুতে Speaker উঠি কথা কৈ থাকিলেও থিয় হৈ কথা কৈ থাকে। এইদৰে Parliament নচলে। যি সকলে Parliament ক বিশ্বাস কৰে তেখেত সকলে Speaker থিয় হলে বহিব লাগে। শেষত মই এইটো কথা কব খুজিছো যে আপুনি আমাক শাসন কৰক। কিন্তু এগৰাকী মন্ত্ৰীয়ে যেনেকৈ আমাৰ বিত্ত মন্ত্ৰীয়ে Provacated মন্তব্য কৰে আমিও বক্তৃতা-মাংসৰ মানুহ তেখেতে উত্তৰ প্ৰদেশৰ এটা তুলনা দিছে মইও তেখেতৰ বক্তৃতা হৈ থাকিম, তেখেতে কৈছে কাৰণেই মই তেখেতক আপোনাৰ জৰিয়ত কব খুজিছো তেখেত উত্তৰ প্ৰদেশলৈ ঘূৰি যাওক গৈ আমি তেখেতৰ বিদায় সম্বাধন জনাওঁ। আজি অসমৰ চুকে কোনে গাৱে ভুঞ্জে আমাৰ মানুহে চিঠি এখনৰ ঠিকনা লিখিব নোৱাৰে। পঢ়িব নোৱাৰে। আমাৰ মাননীয় বিত্ত মন্ত্ৰী ওখ স্তৰৰ মানুহ কাৰনে তেখেত কলেজৰ professor আছিল। তেখেতে নানা

ধৰণৰ provoked মন্তব্য প্ৰকাশ কৰিলে কেতিয়াবা House ৰ সন্মানতো নাই আঘাত কৰিব। কাৰণ এইটো Speaker ৰে authority. আমি পুনৰি যেন্দাৰ, পালিয়ামেণ্টতো ৫ বছৰ আছিলো; আজি আৰু সেই যুগ নাই। আজি সেই আগৰ দিনৰ কংগ্ৰেছো নাই।

অধ্যক্ষ মহোদয় অৰুণ কুমাৰ চন্দ্ৰ যেতিয়া মহান্মদ চাদুল্লাৰ মন্তব্য সভাত আছিল তেতিয়া মন্তব্যৰ ভাগ নলও বুলি আমি কৈছিলো। কিন্তু আজি আৰু সেই যুগ নাই। আজি মই দুখেৰে নৈতে কৈছো যে আজি যেতিয়া Speaker থিয় হৈ কৈ আছিল তেতিয়া মাননীয় সদস্য হীৰালাল পাটোৱাৰী ডাঙৰীয়া থিয় হৈয়ে আছিল তেখেতৰ সন্মান বাখিব লাগে। মাননীয় অধ্যক্ষই আমাক guide কৰিব লাগে। আৰু মন্তব্য সকলক আমি়েই পাতিছো। আমি তেখেত সকলৰ দোলাভাৰী আমি তেখেতসকলক কান্ধত লৈ আছো আৰু কেতিয়াবা কান্ধত হুং লাগিলে উঃস বুলি কওঁ।

Adjournment

The House then adjourned for lunch till 2 P.M.

(The House re-assembled after lunch-break at 1402 hrs. with Mr. Deputy Speaker in the Chair).

Shri Kamakhya Prasad Tripathi — Sir, the hon., Member, Shri Patwary made a question in the morning and so I verified the figures and figures are like this: The budget for 1970-71 was shown as Rs. 134,55,58,60/- of which 2,84,93,50) was for Road Transport under Grant No. 60 and Rs. 1,38,69,700/- was the Capital Expenditure under Road Transport making for a total of Rs. 4,23,63,200/- These amounts were excluded from voting and so ultimately, it was reduced to Rs. 130,31,95,400/-. This is the correct figure as shown in this. I have verified this from the

Gazette. The correction slip was corrected because in this, figure printed was 4 crores 18 lakhs and odd ; it should 4 cores 13 lakhs and odd. the total ultimately came to Rs.134,45,53,826/-.

Shri Hiralal Patwary: মাননীয় বিত্তমন্ত্রী ডাঙরীয়া যিটো কলে, সেইটোব figure column 5 ত আছে ৪১৩০৭৪২৬ : তাব ঠাইত correction কবিলে ৪১৩৫৮৪২৬ : এইখিনি শুদ্ধ কবি column 6 ত কৈছে ১৩৪৪৫৫৩৪২৬ ; ...কিন্তু column 3 ত correction আছে ২৩০৩১২৫৪০০

এতিয়া vote and account প্রায় ৪ কোটি টকা কম পৰিছে ; কিন্তু appropriation Bill খন vote and account ত পাছ কবি বিধান সভাত দেখুৱালে । এতিয়া এই Assembly ত পাছ হোৱা ৬৮৯০৩৫৩০০ টকাৰ তিতবত vote and account ত ১৩০ কোটি টকা নাই ।

Shri Kamakhya Prasad Tripathi— এইটো গেজেট কপি কবি দিছো । গতিকে গেজেট কপিও এইটো ভালকৈ আছে ।

Shri Hiralal Patwary— মই গেজেট কপিটো চাব খুজিছো । নোৱাল পঠায় দিয়ক ।

Mr. Deputy Speaker— Mr. Tripathi, would you continue ?

Shri Kamakhya Prasad Tripathi— The only point on which I wanted to point out. ... (interruption).

Shri Gaurisankar Bhattacharyya— Are you going to reply ?

Shri Kamakhya Prasad Tripathi— The hon'ble Deputy Speaker has pointed out. I was taking the question of U.P. U.P. has the lowest per capita income.

Shri Gaurisankar Bhattacharyya— It was not you but it was I who brought it.

Shri Kamakhya Prasad Tripathi— Yes. I am thankful to the hon' Member for this clarification. Some people thought that I was specially inclined to U.P. So far as the points raised with regard to Purchase Tax, I have verified. The purchase Tax could not be implemented even from the first stage. So nobody has realised any money. The first stage is registration; Before registration could take place, the parties went to the High Court. Nothing was realised by way of purchase Tax.

Shri Gaurisankar Bhattacharyya— May we take it that so far as the people are concerned, the tax has not been realised from them ?

Shri Kamakhya Prasad Tripathi— Yes. No tax has been realised from the people. We did not want to let the parties go. Therefore in the amendment which we have brought, it will be seen that we are trying to give it retrospective effect so that ultimately nothing could be lost to the State.

Shri Gaurisankar Bhattacharyya— In this connection, I hope, I shall be excused for this constant butting in. But probably, there may be some constitutional difficulties in giving this tax measure retrospective effect.

Shri Kamakhya Prasad Tripathi— I appreciate it.

Shri Garisankar Bhattacharyya— That legal aspect may be considered otherwise on that again there may be litigation. So far as the taxation measures are concerned, I think, there are certain limitation with regard to their giving

retrospective effect.

Shri Kamakhya Parsad Tripathi— This will be examined. This has not been realised from the people.

Shri Dulal Chandra Barua— Sir, on a point of clarification, we want to know under what circumstances, this Act was not given effect to ?

Shri Kamakhya Prasad Tripathi— This, I have already said, Sir.

Shri Dulal Chandra Barua— The House had passed the Act in due time and this was sent to Finance. Is it not a fact that due to the fault of the Finance Department, - due to the delaying tactics adopted by it, the Act could not be given effect to, for which the parties concerned got a chance to go to the High Court ?

Shri Kamakhya Prasad Tripathi— We have verified that this was not due to the mistake of Finance. This is due to the Printing Department not having published the notification in the Gazette, for which the notices served by our superintendents on the assesseees earlier became infructuous.

Shri Gaurisankar Bhattacharyya— Finance was the concerning department. When they sent some think the Press, was it not the function of the Department to see that their notification was printed ? Let me take it that what the Finance Minister has said is the whole truth that the Finance Department had sent it to the Printing Department. But was it not the duty of the Finance

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Department to see that it was printed and published ?

Shri Kamakhya Prasad Tripathi— We had seen but the publication in the gazette is the usual procedure. Normally the items of the Finance Department are inevitably published in the gazette. Why it was not published we do not know. Therefore, we are trying to take Steps...

Shri Atul Chandra Goswami— Purchase tax আদায় করা নাই বুলি কৈছে কিন্তু আবার পরাপাট বেচোতে টেক্স কাটি কাটি লৈ গৈছে।

Shri Gaurisankar Bhattachayya— (interrupting) I am extremely sorry that I am standing up again and again and I beg of the House to excuse me. So far as administration is concerned, the Finance Minister knows more than I do ; I have never been an administrator. But the point is that whenever something is sent to Press for printing, the concerned department says "this may be printed in two (or whatever that may be) consecutive issues of the gazetted and so may spare copies may be sent to the Department." That is always done ; of course if it is not done in the Finance Department I do not know. But the Finance Department is not just another Department of the Government, it is the controlling department of all the departments. If the Finance Department is not vigilant enough to see whether its own notification has been published or not, particularly when it involves the question of taxation, then can the Finance Minister say "we did our duty. Our duty ended as soon as we sent it to the Printing Department". This is a very sad state of affairs.

M. Moinul Haque Chaudhury— After the first case was filed in the High Court exactly 3 years ago, Kumbhakarna came to their aid and put them in slumber ! Even then they did not discover it.

M. Shamsul Huda— বিভূমন্ত্ৰী মহোদয়ে কৈছে যে grower পৰা Purchase Tax আদায় কৰা নাই, কিন্তু মই অভিজ্ঞতাৰ পৰা জানো যে ব্যৱসায়ী সকলে এক কেজি মৰাপাটৰ পৰা ৫০ পইচা আদায় কৰিছে কিন্তু মন্ত্ৰী মহোদয়ে কৈছে নাই কৰা। গতিকে এইটো অনুসন্ধান কৰিবৰ কাৰণে এটা কাৰ্য্যালয় বহুৱাব নে ? আৰু ২য় কথা হল যে ব্যৱসায়ীসকলে যদি আদায় কৰা নাই তেনেহলে চৰকাৰে কি পাই tax asses কৰিছে ? আৰু ৩ নং কথা হল যি Tax grower পৰা পোৱা হল সেই খিনি সম্পৰ্কে কি হব ?

Shri Kamakhya Prasad Tripathi— What we have done in the proposed amendment is to exclude the period which was spent in court litigation from the period of limitation.

M. Moinul Haque Chaudhury— That does not end the matter. Who is responsible for all the expenses in the High Court, which runs to lakhs and lakhs of rupees ? The Assam Government as they are multiplying, their lawyers in the High Court are also multiplying and their fees have been paid all these years for there cases. For non-realisation of taxes every month we are paying over one crore of rupees as interest for overdrawing from the Reserve Bank of India. Therefore, it is not so simple a matter as that. Who are the people who have caused this loss to the State ? Who are the people who have been punished ? If none has been punished, the Finance Minister has to take the punishment. He should go out

of the House saying "I take the blame". It is no use throwing the blame on somebody else. For non-realisation of taxes, financial bungling and negligence our cash balances has gone down to such an extent that we are paying over one crore of rupees a month as interest, i. e. , 3 to 4 lakhs every day. Think of it, Sir ! The poor taxpayers of Assam are paying 4 lakhs a day as interest because their cash balance has gone down. The Finance Minister does not seem to think anything serious about it, but I do think it is a very serious matter.

Shri Kamakhya Prasad Tripathi— This payment of one crore of rupees is not due to purchase tax. It is due to the overall financial position of the State.

M. Shamsul Huda— আদায় কৰা নাই বুলি কৈছে কিন্তু তেওঁলোকে Pay কৰিয়ে আছে কিন্তু কমিশ্যন বহুবাৰ সম্পৰ্কে মন্ত্ৰীয়ে একো নকলে দেখোন ।

Shri M.A. Musawwri Chaudhury— যিটো কথা কৈছে সেইটো অতি গুৰুতৰ কথা মই নিজে জুবীয়া কপহী আদি বজাৰ চাই দেখিলো যে প্ৰতি মণ মৰাপাটত ব্যৱসায়ী সকলে ২ টকাৰ পৰা ৩ টকা লৈছে । মই সুধিলো ভোমালোকে মাটিত Tax লৈছা । আৰু Circular দেখুৱা কিন্তু তেওঁলোকে দেখুৱাব নোৱাৰিলে । গতিকে এই বিলাক অনুসন্ধান কৰিবলৈ নহল Investigation কমিটি বহুবাৰ লাগে ।

Shri Kamakhya Prasad Tripathi— Tax টকাত ৩ পইচাকৈ হে দিব লাগে, বৰ বেচি নহয় ।

M. Shamsul Huda — কিন্তু ব্যৱসায়ী সকলে ২টকাৰ পৰা ৩ টকাকাটি আছে ।

Shri Kamakhya Prasad Tripathi— সদস্যসকলে যিটো period ৰ কথা কৈছে সেইটো যাতে আমাৰ against য়ে নাযায় তালৈ চোৱা হৈছে ।

Shri A.N. Akram Hussain— Gazette notification নোহোৱাৰ কাৰণে আৰু Finance বিভাগৰ officer গাফিলতিৰ বাবে লাখ লাখ টকা বৰবাদ হৈ গৈছে সেই টকা কাৰো ব্যক্তিগত সম্পত্তি নহয় এইটো দুখীয়া বাইজৰ বাজহৰ টকা। যিবিলাক Officer য়ে Gazette notification কৰাত গাফিলতি কৰিছে সি যিমানহে উচ্চ পদস্থ কৰ্মচাৰী নহওঁক তেওঁৰ পৰা বা তেওঁৰ সম্পত্তিৰ পৰা ইয়াৰ ক্ষতি পূৰণ আদায় কৰিব লাগিব। গতিকে মই বৰ্তমানে এই বিষয়টোৰ এটা অপ্টিকৰণ বিচাৰিছো।

Shri Kamakhya Prasad Tripathi— ইয়াত অপ্টিকৰণৰ কোনো প্ৰয়োজন নাই। মই বাতিপুৱাই ইয়াৰ উত্তৰ দিছিলো।

M. Moinul Haque Chaudhury— বিত্তমন্ত্ৰী ডাঙৰীয়াই কৈছে যে Finance Department ৰ দোষ নাই সেইটো কেনেকৈ হব। মই Act এখন পাচ কৰিলো কিন্তু Issue হলেনে নাই, সেইটে চোৱা মোৰ কৰ্তব্য। কিন্তু ইমান বিলাক Finance কমিচনাৰ আদিকো স্বত্বেও কিয় Gazette notification দিয়া নাই? Notification পালেহে Officer সকলে assessment কৰিবলৈ Power পাব। আনৰ কান্ধত আৰু কিমান দিন চলি থাকিব। মই এখন Act পাচ কৰিলো, সেই Act অনুসৰি Tax লব পাৰে যদি issue হয়।

সেই notification issue হলে Officer এ assessment কৰাত power পায়। Finance কমিচনাৰ আছে, তেওঁলোকে নাজানে কি যে notification issue কৰিব লাগে। এইবিলাক মানুহ শুই আছিল নেকি? নিজৰ দোষ নাই বুলি কলে কেনেকৈ হব।

Why he has no courage to take the responsibility ?
Why he is throwing the ball to somebody else's court. Why he avoids his own responsibility. When these cases were filed after the first case there was a gazette notification . For 3 years one after another 300 cases were allowed to be accumulated in the High Court ; and thereafter 300 hearing cases had to be paid for. He did not take
Speech not Corrected

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steps for issuing the gazette notification. Who is responsible for this? Is it not his Deptt. Who is responsible? What is the point there I do not understand it.

Shri Kamakhya Parsad Tripathi— I have already clarified this position. There is slight misunderstanding. What happened is that our Deptt. Issued notices from here to the Superintendent that such and such bill has been passed simultaneously to issue notices for printing for the purpose of notification in the gazette. Now, the Superintendent without waiting to see that the notification in the gazette has appeared issued the notification to the Assessee. Now, the gazette notification appeared after that. There is a time lag and because of this time lag certain notices were served earlier than the gazette notification. This is the lacuna. We were advised that these lacunae will not be fatal, Therefore the case was pursued. Thereafter the Advocate General advised that it is better to withdraw the cases. When Advocate General advised us we have withdrawn these cases.

Shri Hiralal Patwary— As regards the clarification submitted by the hon : Finance Minister I have found two bills on appropriation Accounts were passed by this August House. One point is that on first of April a bill was passed amounting to Rs. 68 crores 19 lakhs 35 thousand and 300 hundred and another bill was passed on 13th June, the figure under this bill, I have given earlier : Now, Sir the total amount comes under voted

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account 199 crores 22 lakhs 30 thousand 700 hundred . This amount has been voted by the Assembly and the hon: Finance Minister has shown only one item . Both these bills were passed by the House but here he has shown only 130 crores . I am passing these two bills to you for consideration . ৬৮ কোটি টকাৰ হিচাব দিয়া নাই ।

Shri Kamakhya Prasad Tripathi— I have already said that the amount on vote on account is included in the final appropriation accounts which was passed ;

Shri Hiralal Patwary :— ৬৮ কোটি টকাৰ হিচাব দিয়া নাই ।

Shri Atul Chandra Goswami— ৬৮ কোটি টকাৰ লালবাটি চলিল ।

Shri Hiralal Patwary— এখন বিল ৬৮ কোটি ৯০৫০০ টকা আৰু এখন বিল হৈছে ১৩০ কোটি ৩১২৫৪ টকা । দুয়োখন বিল assembly এ পাচ কৰিছে । এই দুয়োখন বিল যোগ কৰিলে ১৯৮ কোটি হয় ।

Shri Kamakhya Prasad Tripathi— (Minister)— So there is no difficulty at all. The problem is very easy. The first 68 crores was taken on vote on account. Vote on account is taken pending the passing of the budget. So the amount taken on vote on account is included in the final budget. And only 68 crores was put on vote on account which was including 38 crores which was finally passed. So there is no discrepancy.

Shri Hiralal Patwary— তিনি মাহৰ কাৰণে ৬৮ কোটি টকা with draw কৰিছে । assembly ও এই বিল দুখন পাছ কৰিছে । এই ৬৮ কোটি টকা include কৰিছে । এই আইনৰ জৰিয়তে ৬৮ কোটি টকাৰ লগত ১৩০ কোটি টকা যোগ কৰিলে ১৯৮ কোটি টকা হয় আৰু withdraw কৰিব পাৰে ।

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৬৮ কোটি টকা বাদ দিলে কোনো প্রশ্নই নাছিল। কিন্তু সেই টকা বাদ দিয়া নাই।

Shri Kamakhya Prasad Tripathi— এইটো হ'ব ৬৮ কোটি টকা খৰচ নহয়। যেতিয়া আমি সেই বিল পাচ কৰো সেই সময়ৰ খৰচ নহয়। বাজেট আলোচনা দীঘলীয়া কৰিবৰ কাৰণে ৩১ মাৰ্চৰ ভিতৰতে পাচ কৰিব লাগে। vote on Account ললে এপ্রিল মে মাহত চলাবলৈ সুবিধা হয়। আৰু এই টকাও তাৰ ভিতৰতে সোমাই থাকে। যদি ধৰক বাজেট মে মাহত পাচ হয় যেতিয়া হলে তাৰ আগৰ কেই মাহ অৰ্থাৎ বিত্তীয় বছৰৰ শেষৰ পাচত মাজৰ কেইমাহ চলাব পৰাকৈ এইটো কৰা হয়।

Shri Dulal Chandra Barua— বিত্তমন্ত্ৰীয়ে কৈছে যে ৩ মাহৰ কাৰণে vote on Account ত লোৱা টকা খৰচ নহয়। আচলতে এই ৩ মাহৰ ভিতৰত পুৰা নহলেও কিছুমান টকা খৰচ হয়। এই খৰচটো কিয় দেখুৱা হোৱা নাই। এই খৰচটো ভাগ কৰি অথবা বিয়োগ কৰি দেখুৱাব লাগে। কিন্তু ইয়াত গোটেই ৬৮ কোটি টকা সোমাই গৈছে। গতিকে এই ৩ মাহৰ ভিতৰত অফিচাৰৰ দৰ্শনা আদিত যি খিনি খৰচ হৈছে সেইটো ইয়াত দেখুৱাব লাগে।

Shri Kamakhya Prasad Tripathi— মই কব খুজিছো যে ১৯৭০-৭১ চন আৰম্ভ হয় ১লা এপ্রিলৰ পৰা। ইয়াৰ পৰা ৩১ মাৰ্চত ১৩০ কোটি আৰু এই টকাটো votes on Account কৰি দিয়া হৈছে, তাৰ ভিতৰৰে। গতিকে এই ১৩০ কোটি টকা বাজেটত পাচ কৰিছে আৰু এতিয়া পৰিপূৰক লাগে ৬৮ কোটি।

Mr. Dy. Speaker C.

Shri Hiralal Patwary— মন্ত্ৰী মহোদয়ে যিটো কৈছে সেইটো মই আৰু ভালকৈ, দেখুৱাব খুজিছো।

Mr. Dy Speaker— **Mr. Patwary**, you have asked certain clarifications from the Minister and the Minister has given the clarification. So debate cannot go on like this.

Shri Hiralal Patwary— মোৰ Point of order আৰু মই আপোনাৰ পৰা এটা কলৌ বিচাৰিছো কাৰণ Minister এ কথাটো যি জানে সহজ বুলি কৈছে সিমান সহজ নহয়। মোৰ Point of order এইটোয়েই
Speech not Corrected

যে সদনত যি আইন পাচ কৰা হয় সেই আইন Re- Real নকৰা পৰ্য্যন্ত বলবৎ থাকে। গতিকে সেই আইন বলবৎ আছে। সেই আইনখন হৈছে Assam Act 2 of 1970.

Assam Act II of 1970: received the assent of Governor on 31st March '70. Assam Appropriation (Vote on Account) Act, 1970 published in Assam Gazette Extraordinary Gazette dated 1st of April, 1970 এই বিলখনৰ ভিতৰত Vote on Account ৰ শিতানত গ্ৰান্ত ডিমাণ্ড কৰিছে সেইটো Item 3 grant originally voted by the Assembly, 68 crores 90 lakhs 35 thousands and 3 hundred ... the sume authorised to be withdrawn from out of the Consolidated Fund of the State of Assam by this Act shall be appropriated for the service purpose expressed in the Schedule in relation to the year ending 31st March, 1971. এইটো Assembly য়ে ভোট কৰিছে। ৬৮ ৯০,৪০০ টকাৰ। এইটো খৰচ হয়তো নহব পাৰে কিন্তু Assembly এ ভোট কৰিছে। আৰু ইয়াৰ Period, One crore 31 lakh 95 thousand 4 hundred, the sum of rupees authorised to be paid and applied from out of the Consolidated Fund shall be appropriated for the service and purpose expressed in the Schedule I relation to the year ended with 31st day of March, '71. গতিকে এই বিলখন ১৯৭১ চনলৈকে ধৰি ভোট কৰিছিল। Assam Act 1v of 1970 received the assent of the Governor on the 11th June 1970. The Assam Appropriation II Act, 1970 published in Assam Gazette Extraordinary dated 30th June, 1970. তাৰ পাচত আকৌ voting কৰিছে ১৩০, ৯৫,৪০০ টকাৰ। Assembly has voted this, It has been passed by the Assembly' received the assent of the Governor.

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গতিকে এই ছয়োখনতে সময় খৰি টকাটো withdraw কৰিছে।

গতিকে এই ছলোখনৰে voting হৈ গল।

অৱশ্যে বছৰটোৰ ভিতৰত কিমান টকা খৰচ হব সেইটো বেলেগ কথা। এই
ছয়োটাতে Supplementary.

সেই কম হব লাগে। আৰু ছয়োখনতে দেখুৱাব লাগে।

গতিকে এইটো ছয়োখনতে দিয় নাই? দ্বিতীয়তে যিটো টকা Repit
হৈ গল সেইটোও ইয়াত দিয় নাই এইটোয়েই মোৰ Point of order.

Shri Kamakhya Prasad Tripathi— Votes on Account
ত যিটো বাজেটে পাচ কৰে সেইটো আগতেই কৰিব লাগে তেতিয়া হলেহে
সুবিধা হয়।

Shri Gaurisankar Bhattachayya— Shall I go a little
out of the way, Sir, just to save the time of the House? The Minister may kindly refer to Articles 202 to 206 of the Constitution of India in this connection :

Shri Kamakhya Prasad Tripathi— I agree with the hon. Member that Article 206 is the relevant Article.

Shri Gaurisankar Bhattacharyya— Article 206 is subject to Articles 203 and 204. For any part of a year there can be vote on accounts, there can be vote on credit and there can be exceptional grants. Article 206 (a) deals with vote on accounts, Article 206 (b) is about vote of credit and Article 206 (c) is about exceptional grants. These are all subjects to Article 203 and 204 and these are exceptional provisions in emergency. Now no expenditure can be made without a legislation, that is, without passing the Appropriation Act, and that Appropriation Act automatically covers the whole financial year, and the Appropriation Act comes

under Article 204. So, what was spent under Article 206 become, by virtue of Article 203, 204 and 205, automatically a part of the Act. The only thing is that this ought to have been explained.

Shri Hiralal Patwary— I think my leader Shri Bhattacharjee has an idea that this is for three months or two months but it is not so.

Mr. Deputy Speaker— It is so. Article 206 (a) runs like this: "to make any grant in advance in respect of the estimated expenditure for a part of any financial year pending the completion of the procedure prescribed in article 203 for the voting of such grant and the passing of the law in accordance with the provisions of article 204 in relation to that expenditure." Whether that has been mentioned specifically in the Act or not, this cannot over-ride the provisions of the Constitution. The Constitution says that Article 206 is subject to the provisions of Articles 203 and 204. Therefore, that Act cannot over-ride the constitution.

Shri Hiralal Patwary— But in the Bill nowhere it has been mentioned.

Mr. Deputy Speaker— That may be a mistake. Even hundreds of mistakes cannot over-ride the provisions of the Constitution.

Shri Hiralal Patwary— I am not going against the Constitution. A law has been passed by the Assembly and that law says that the expenditure is for the whole year. It is definitely a mistake give bluff to my

own conscience.

Mr. Deputy Speaker— Government cannot draw money in view of the provisions of the Constitution.

Shri Dulal Chandra Barua— The only point is that there should have been a mention about this.

Mr. Deputy Speaker— I do not contest that. There might or might not be any mistake but the point is that even if there is mistake, that mistake cannot override the provisions of the Constitution. That is why the apprehension expressed by Shri Patwari that both the amounts will be withdrawn is not founded on law. It cannot be done in view of the Constitutional provisions.

Now, Mr. Tripathi.

Shri Kamakhya Prasad Tripathi — I have concluded.
Ruling by the Chair Supplementary Demand relating to the Transport Department.

Mr. Deputy Speaker— Now, before I pass on to item No. 3, I want to give my ruling. I promised to give my ruling on the point of order that was raised yesterday by Shri Dulal Chandra Barua. The ruling, unfortunately, has gone into a few pages and I hope the hon-Members will listen to me patiently.

Yesterday during the general discussion on the supplementary demands for grants for the year 1970-71 hon. Member Shri Dulal Chandra Barua raised a point of order challenging the authority of the Government to move demand Nos. 22, 25 and 31 contained in pages 33, 36 and 48 of the list of demands. The point he

raised was that the Government in the last Budget Session some demands of the same nature were brought and after discussions in the House the Government thought it fit to withdraw the same, and since there was no corpus allotted in the original annual financial Statement for the year for the services involved in these demands, there could be no question of a further demand to supplement the same. Several hon. Members of the Opposition, including Shri Gaurisankar Bhattacharjee, leader of the United Legislature Group has pointed out that these demands offends the provisions of Article 205 (1) (a) of the Constitution and even if these demands are considered as new schemes within the meaning of the said article, then there was a violation of Rule 141(4) of the Rules of procedure and Conduct of Business in the Assam Legislative Assembly. Hon. Member Shri Sailen Medhi supporting the contentions of Shri Barua placed a ruling of the Hon'ble High Court of Madhya Pradesh at Nagpur in Misc. Petition No. 152 of 1954 (AIR 1955 Nagpur II).

The law governing the procedure to be followed in respect of supplementary, additional and excess demands in state is laid down in Article 205 of the Constitution of India. According to this Article the Governor may cause to be laid before the House a statement showing the estimated amount of supplementary or additional expenditure in two cases— (a) If the amount authorised by any law made in accordance with the provisions of the Appropriation Acts for the year to be expanded for a particular service for the current

For the current financial year is found to be insufficient for the purpose of that year and (2) When a need has arisen during the current financial year for supplementary or additional expenditure upon some new services not contemplated in the annual financial statement for that year, The question of laying a statement showing excess expenditure comes if any money has been spent on any service during financial year in excess of the amount granted for that service and for that year.

In England a supplementary estimate may be presented either for a further grant to a service already sanctioned by Parliament in addition to the sum already demanded for the current financial year, or for a grant caused by a fresh occasion for expenditure that has arisen since the presentation of the sessional estimates. In India the need for supplementary or additional grants may arise when the amount specified in the annual estimate for a particular service is found insufficient for the purposes of the current year or for some new service not contemplated in the ordinary estimates for that year. The need for supplementary demands in growing societies frequently arise as the annual financial statement is prepared sufficiently in advance of the year in question and during the currency of the year needs may arise which could not be foreseen at the time of preparing the annual financial statement. The system of bringing the supplementary demands only ensures the control of the Parliament of the Legislatures over public expenditure. In absence of any such provision, as Dr.

Ambedkar in the Constituent Assembly has rightly observed "it would be impossible for the Government to carry on without Parliament being called from day to day".

As regards the excess grants the procedure is that when the amount granted for any service is found insufficient for the purposes during the financial year and the department sometimes is obliged to spend the excess it does so by drawing such amount out of the Contingency Fund. A Contingency fund is created for a State under Article 267(2) of the Constitution according to which the State Legislature by law establishes a new Fund of the nature of an imprest into which are paid from time to time such sums as are determined by law and the said fund is placed at the disposal of the Governor of the State to enable advances to be made by him out of such fund for the purposes of meeting unforeseen expenditure pending authorisation of such expenditure by the State Legislature by law under Art.205 or 206 of the Constitution.

Now the questions involved in this point of order are as follows—

(1) Whether the demands in question are supplementary demands or excess demands.

(2) If the demands are supplementary in nature in which of the two categories as shown above it could be placed and whether the procedure laid down for bringing different categories of such demands in the Rules of procedure and Conduct of Business of the House has been followed in these cases, and,

(3) If these are excess demands whether it could be brought in the present from,

For convenience of discussion I take up the demands one by one—

(1) Demand No.22 - This demand as the explanatory note clearly points out is on Account of the additional need for more pool cars for the use of V.I.P.s and State Government officials and for meeting the expenditure in connection the pay and allowances and honoraria of the existing staff of the pool transport Deptt. The demand also shows that a grant for the purpose was originally voted by the Assembly for the purpose but the funds falling short of the actual need this demand for supplementary expenditure has been brought. This demand, therefore, comes well within the scope of the first category of the supplementary demands involving no new schemes. It is not necessary, therefore, to go through the special procedure laid down under Rule 41 [4] of the Rules of procedure and Conduct of Business in the Assam Legislative Assembly. Since no amount has been spent it does not come within the scope of excess expenditure necessitating a separate procedure for laying the demand. Hence I hold that this demand is in order.

(2) Demand No. 25 :— This demand has, admittedly, been necessitated for payment of salaries and allowance of the employees of the erstwhile State Transport Department which became defunct on the midnight of 31st March and 1st April, 1970 on the transference of the

State Transport Undertaking to the Assam Road Transport Corporation. These amounts were dues to the employees which accrued in the previous financial year for meeting which provisions were generally made in the previous years budget. Any short-fall in provisions ought, in the ordinary course, to have been brought as supplementary demands in the pertinent year. This was either not done or done inadequately. Hence an outstanding remained on 31.3.69 to be paid by the Government for the previously year to the employees who were till them employees of the Govt. To meet this necessity an amount of Rs. 9,34,650,00 was drawn from the Contingency-Fund as shown in the explanatory note; The Finance Minister has apprised the House that the amount was drawn on 24.3.70 and was disbursed on 31.3.70. There was a good deal of discussion on this point. It was pointed out by the hon'ble Members speaking in favour of the point of order that in the current year's original financial statement no such demand was raised and no grant was voted. On the contrary, a proposed demand was withdrawn at the time when the original financial statement was passed by the House. The Govt. on the other hand held that this was new demand as envisaged in Art. 205 (1) (a) of the Constitution and it was within the competence of the Assembly to pass such a demand. On the point of law, I do not agree with the hon'ble member Shri Garu-isankar Bhattacharyya who says that the demand was not for a new scheme but for an old scheme of service. The

words new service in Article 205 (1) (a) are qualified by the words "not contemplated in the annual financial statement for that year." This means that a service which may be otherwise old can be new for the purpose of the supplementary demands if it was not contemplated in the annual financial statement. It also cannot be said that this service was envisaged or contemplated in the annual financial statement because at an earlier stage before it was passed such a service was contemplated but the demand was later withdrawn. For the purposes of this Article the financial statement is the financial statement which has finally emerged. The demand would have therefore been quite within the scope of second category of the supplementary or additional demands. The Nagpur decision pointed out by the Hon'ble Member Shri Medhi only corroborates what been stated above. The ruling runs thus : The provision i.e. (Provisions of Article 205 (1) (a)) can be availed of only if the money already voted for a particular purpose in the budget is insufficient or when a need arises after the budget was passed for incurring a particular expenditure or when some new services not contemplated in the budget has been started." It is exactly a new service not contemplated in the budget which has been stated.

As regards non-compliance with Rule 141 (4) of the Rules of Procedure and Conduct of Business in the Assam Legislative Assembly it has been held by the hon'ble High Court in the very same decision that" the Assembly

being the master of its own procedure could condone irregularities in the procedure followed by the Govt." It was within the competence of the House to condone the irregularity if it chose to do so. But in this particular case the demand is wholly not a demand for supplementary or additional expenditure. The demand being for Rs. 11,47,517 and Rs.9,34,650.00 out of it being already met out of the contingency fund this is partly an excess grant and partly a demand for additional expenditure for a new service, not contemplated in the years financial statement. The demand is anomalous. The Minister, Finance has also after good deal of discussions agreed that the demand was of the nature of an excess demand as the amount was already expended by drawing from the Contingency Fund. There is an altogether different procedure for bringing excess demands. Hence I hold that this demand is out of order and it could not be placed to the vote of the House in the present form. Government, if they so desire, may come in proper form and proper manner for this grant.

(3) Demand No. 31 :— This demand is a token demand necessitated by the exigency of Govt. having to participate in the State Road Transport Corporation by contributing to the share capital of the latter, as the explanatory note reveals. This is an investment as contemplated in the Head of the Account which runs as follows :—

"Capital Outlay on Industrial and Economic Development—1

Investment in other Commercial and Industrial Undertaking." An amount has originally been voted in the annual financial statement for the year under this head. The amount required now is in addition to the amount already voted. The State Road Transport Corporation is a commercial undertaking and the Government is well within its bounds in demanding an amount for investment in the same under this Head. Such a demand is valid demand within the meaning of Article 205 (1) (a) of the Constitution. The item of expenditure envisaged is, however, for a new scheme as contemplated in Rule 141 (4) of the rules of Procedure and conduct of Business in the Assam Legislative Assembly which demands that all material details of such a scheme shall as far as practicable be supplied to all members at least five clear days before the demand is made. This means that a memorandum showing the details should have been made available to the hon. members five days before, which was not done in this case. But as has already been pointed out the House is competent enough to waive this procedure and if the House chooses to do so the demand could be validly put to the House.

Objections have been taken in the procedure followed in bringing some of these demands in contravention of the financial rules framed by the Government itself as contained in the Budget Annual. For instance the assets of the erstwhile State Transport Department of the Government

of Assam have already passed on to the State Road Transport Corporation as Government's share capital. This amounts, in terms of money, to a withdrawal of amounts from the Consolidated Funds and it was without prior approval of the House. This is clearly a breach of the Government's own financial rules as contained in para 95 which runs as follows— "No expenditure can, therefore, be incurred in anticipation of a Supplementary or Additional Grant or Appropriation and no expenditure under a head (minor or sub-head) against which no provision exists can be incurred prior to provision made ... by a competent authority." This was to say the least irregular.

The law, however, in this respect is that such irregularity does not vitiate the demand, The Nagpur High Court has held in the aforesaid rule follows— "Even though that is so we are unable to interfere because the rules ignored by the State Government were made by the Finance Department and the Budget was prepared by the Finance Department itself and after its approval by the Council of Ministers introduced by the Finance Minister under whose direction the Finance Department works. The Finance Department having made the rules could waive non-compliance with them".

The contention on the score of non compliance with the financial rules of the Government is therefore answered accordingly. It is however, expected of Democratic Government of a civilized society that it honours the rules framed by itself.

The total effect of these decisions are that demand No. 22 will be taken up for consideration in due course by the House while the demand No. 25 will not be taken up in the present form and the demand No. 31 will be taken up if the House agrees to waive the irregularity of procedure committed in not complying with the provisions of Rule 141(4) of the Rules of Procedure and Conduct of Business of the Assam Legislative Assembly. The point of order is disposed of accordingly.

ইয়াত দুখন Act আছে। এখন ৭১ চনৰ ৩১ মাৰ্চ পৰ্যন্ত আছে। If is not a part. If it is a part. মানি ললোহেতেন যে ৩ মাহলৈকে টকা লৈছে Automatecally সেই টকা তেওঁলোকৰ লগত যোগ হৈ যাব। I do not like to Challenge the decision of the Chair but I cannot give bluff to my own Conscience. মোৰ বিবেকক মই ধাক্কা দিব নোৱাৰো। মই এইটো Challenge কৰিছো।

Voting on Supplementary Demands... Demand No.1-"11-Taxes on Vehicles"

Shri Debeswar Sharmah — Is the Demand No. 25 a Supplementary one or it is an Excess Demand ?

Mr. Deputy Speaker— It is anomalous partly it is an Excess Demand and partly it is a Supplementary Demand.

Shri Prabin Kumar Chaudhury (Minister Transport)
Sir, on the recommendation of the Governor of Assam, I beg to move that an additional amount of Rs. 3,81,592, be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending the 31st March, 1971, for the administration of the head "11.-Taxes on Vehicles".

Mr. Deputy Speaker— The Motion is moved.

Now the cut motions.

Shri Hiralal Patwary— On a point of order, Sir,

চাৰ, আপুনি এতিয়া যি Ruling দিলে সেইটো শুনিলো। তাত
বিত্ত নীতিৰ কথা উল্লেখ কৰিছে। এইটো শুনি এই ক্ষেত্ৰত আপোনাৰ
জৰিয়তে সদনৰ দৃষ্টি আকৰ্ষণ কৰিব খুজিছো।

Exclamatory note item number 2 আছে।.....

Mr. Deputy Speaker— Which Demand you are referring to ?

Shri Hiralal Patwary— Demand No. 1., Sir.

Mr. Deputy Speaker— Let the Cut Motions be moved.

M. Shamsul Huda— Sir, I bego to move the Cut Motion.

Shri Hiralal Patwary— নিয়মমতে ৫ দিন আগতে Memorandum দিব লাগে। ইয়াত ২ লাখ ৫৬ হাজাৰ ৫২৭ টকা, এইটো
২তুন টকা।

Shri Atul Chandra Goswami— Sir, I support the Point of Order এই কেইটা newly created post সেই কাৰনে ইয়াৰ
বাবে মেনোবেডাম দাখিল কৰিব লাগে। কিন্তু দাখিল কৰা নাই। গতিকে
এইটো গ্ৰাহ্য হ'ব নোৱাৰে।

Mr. Deputy Speaker— There is another Cut Motion by Shri Promode Gogoi.

Shri Promode Chandra Gogoi— Sir, I beg to move that the total provision of Rs. 3,81,592, under Supplementary Demand No. 1 Major head "11.-Taxes on Vehicles", at page 1 of the List of Supplementary Demands be reduced to Re.1, i.e., the amount of the whole

Supplementary demand of Rs. 3,81, 592, do stand reduced to Re. 1.

Shri Prabin Kumar Choudhury — Sir, this is not a new scheme. We had 9 Enforcement Inspectors now we have increased it to about 17 Inspectors. These are only new posts.

Shri Atul Chandra Goswami — উপাধ্যক্ষ মহোদয়, এই newly created post কেইটা কেনেকৈ তৈয়াৰ হ'ল কিমান টকা লাগে, সেইবিলাক পৰিস্কাৰ কৈ দেখুৱাব লাগে। Ruling তো এইটো উল্লেখ কৰিছে।

Shri Pramode Chandra Gogoi — উপাধ্যক্ষ মহোদয়, কালিও এইটোত Point of order raise কৰিছিলো আজিও এইটো Rule 141(4) reads as follows: "When a demand or any part of it relates to any new scheme or revision of scales of pay or allowances or creation of a new appointment, all material details of such scheme or revision or appointment shall as far as practicable be supplied to all Members at least five clear days before the demand is made."

গতিকে উপাধ্যক্ষ মহোদয়, তেখেত Supplementary Exclamatory note ত কৈছে যি এইটো হৈছে newly created post এইটো বিভাগীয় সৃষ্টি। কিন্তু Rule (4) মতে নতুন Scheme বা নতুন post হ'লে তাৰ details অন্ততঃ ৫ দিন আগতে সদস্য সকলক দিব লাগে। সেই ক্ষেত্ৰত এই Points of order raise কৰে।

M. Shamsul Huda — উপাধ্যক্ষ মহোদয়, এই Grant ত তেখেতে এটা কথা কৈছে সেই ক্ষেত্ৰত এই Points of order raise কৰে।

মন্ত্রী মহোদয়ে এই আচনি Establishment ৰ কাৰণে লৈছে। যদি মুখ্যমন্ত্রী মহোদয়ে বাননিয়ন্ত্ৰণৰ কথা ওলালে সদনত আহিব নালাগে বুলি ভাবে তেনেহলে কেনেকৈ হ'ব। Creation of new post সেইটো নতুন আচনি গতিকে এই ক্ষেত্ৰত Points of order stand's কৰে।

Mr. Deputy Speaker— I have heard both the sides about the Point of order. The rule is this.

The Rule says that when a demand or any part of it relates to any new scheme or revision of scales of pay or allowances or creation of new appointment all material details of such scheme or revision or appointment shall as far as practicable be supplied to all Members.

Here what has been envisaged in this Rule is that if any posts are created which are entirely of a new nature it will be hit by the Provision of Rule 141(4); but in this case the scheme is not new. Appointment of Inspectors of Enforcement is a scheme which is already in execution of the Government. Addition of a few posts does not go to the extent of making it a new scheme. The scheme is already there. Therefore, it does not relate to any new scheme' and on that score this demand cannot be hit. Revision of scale of pay or allowance or creation of new appointment there the word used is 'new'. If the meaning of the word 'new' is extended to such an extent then it will include the Appointment of a new officer in an already existing post. It has got its limited application. If it would have actually envisaged creation of new posts then the word 'post' would have been used.

Shri Dev Kant Baruah— There are three parts to this.

(1) When a demand or any part of it relates to any new scheme.

(2) revision of scales of pay or allowances. (3) creation

of new appointment. There is no difference between appointment and post. Unless you create a post you cannot appoint.

Mr. Deputy Speaker— I have also tried to analyse in the same way hon Member Shri Barua has done. I have discussed the first part. As regards the third part what he is pointing out is that 'new appointment' and 'post' are co-terminus. I cannot agree with him in that.

Shri Dev Kant Baruah— In English language there is the word synonymous. There may be two words meaning the something in English language there are always more than one word having the same meaning.

Mr. Deputy Speaker— Mr. Barua perhaps also knows that the same word may be used in many different meanings.

Shri Gaurisankar Bhattacharyya — Sir, you are adorning that chair and we are here down below, It will not look well if we just make excuses because your words would be final even in the matter of grammar not to speak of interpretation of rules. Therefore, it will probably be better if you allow us first of all to thrash out the thing including grammar and etymology. Then you can give your considered opinion in the matter instead of making cross arguments.

Mr. Deputy Speaker— You have already had the opportunity.

Shri Gaurisankar Bhattacharyya— It was not known to us that you will immediately go to give your ruling. We would earnestly request you to give us an opportunity. The Rule says that when a demand or any part of it relates to any new scheme or revision of scales of pay or allowance or creation of new appointment..... What is the difference between a new appointment and an old appointment. For example, here there is a post and a man retires and a new man comes in. That is not a new appointment because the post is there. That is a new appointment where the post originally did not exist and has been created and a man has been appointed. That would be a new appointment. The Minister has stated that there were already provision for nine appointments. So far as the filling up of these nine vacancies are concerned—the appointment of persons to these nine posts— even if they are new men, will not be new appointments. When then will be new appointments— when all these will be covered and if an appointment is to be made, how can that be made? Then that can be made as a new appointment. Therefore, a post is to be created. So it is just like keeping the rice within the paddy. The post is the paddy and rice is the appointment. Since you get the rice after removing the husk, you get the appointment only if there is post. There cannot be rice without husk. The paddy plant just do not give only rice. The give the rice inside along with the husk. So long as that rice is not there that is only a patan. There may be some

posts lying as "patan" (not filled up). But if rice is there inside the husk, it is not a "patan", but a "paddy". But here in this case, the husk is not there. So these cannot be a new appointment without the husk. What the Minister has probably done is that exceeding the limit of nine some more appointments have been made for which there was no provision in the budget. Therefore, these are new appointments. That is our understanding.

Otherwise, how can there be new appointment. There cannot be any new appointment if there is no post; there can be appointment only if there is post. So, all these new appointments will be absolutely meaningless unless the House loses all sense of grammar and sense of English. This cannot be included in the Rule.

Shri Dev Kant Barooah - Sir, I would appeal to him to set some light on the issue - whether creation of appointment means creation of new post.

Shri Kamakhya Prasad Tripathi - Sir, the erstwhile Professor of English termed the Finance Minister as changing his colour to some extent. But my interpretation is this - expansion of existing cadre for which the post is created and passed by this House is not new appointment. If we take the other interpretation, new appointment means expansion of the cadre. For example, if tomorrow suddenly in case of emergency, we require 2 policemen, that will be the case of new appointment and so some distinction will have to be made; of course, it will have to be okayed. The point which was made by Shri

Bhattacharjee is very interesting. If the 'husk' is there, then why the department should come to this House. 'Husk' means sanction ; if the sanction already exists, there is no necessity to come to this House. When the 'Husk' itself is not there, that point will never arise. I am not trying to be an intellectual dishonest in this matter.

Shri Dev Kant Barooah— New appointment means creation of new posts ; unless there is post there cannot be appointment. In this case, the problem is whether the House will insist, if there is additional appointment, one or two, on having... (interruption ..)

Shri Gaurisankar Bhattacharyya— We atleast ought to have known what that post is.

Shri Dev Kant Barooah— The Finance Rule is that this House is responsible for any expenditure of the Consolidated Fund of the Government which comes from the people. Therefore, being the custodian of the peoples' money, we should see that the money is well spent. If any amount is to be spent, this has to be sanctioned by us for every pie of it. If any schme has got to be granted, the House will certainly grant it. The House has granted crores of rupees. But then the House is to be informed that these posts are necessary.

Shri Prabin Kumar Choudhury (Minister Transport)— Sir, here it is written in the Rule that payment shall as far as practicable (interruption.)

Shri Dulal Chandra Barua— Sir, the case has been established by us. The whole question that we want is

about the procedure.

Mr. Deputy Speaker— Let it be replied one by one. Mr. Barua has put a question and let the Minister reply it.

Shri Prabin Kumar Choudhury— Sir, we had 9 Enforcement Inspectors and after that we have increased by 17 and we had 12 Enforcement checkers but we had increased it to 20 and we have 24 L. D. Asstts.

*Shri Dulal Chandra Barua — Sir, as has been suggested by Shri Barooah, who also once adorned exalted position, this is minor thing and we also do not want to stand as stumbling block. Sir you have also a few minutes ago ruled out certain things. Sir, this may be a small matter but what it has depicted is a very bad thing on the part of the Government machinery that they are not following the financial rules. Why they could not follow the rules and regulations framed by themselves. Sir, it is very necessary on the part of the government, especially on the part of the Finance Department to scrutinise everything nicely before placing this to this House. Sir, many of the items of the Transport department is being put in the last hour so that these cannot be discussed and finished by guillotin. We have also become a little bit intelligent now-a-days. We know the cunningness of the department and also the Minister concerned and therefore let him say that they will try to rectify this thing future.

Shri Dev Kant Barooah— If the Hon'ble Minister gives the assurance that in future he will abide by are rules, and you, Sir, by taking the sense of the House,

* Speech not Corrected.

can condone this.

Shri Mahendra Mohan Choudhury (Chief Minister)— Certain anomalies have cropped up in making side item and some contrary interpretations are also given. Generally, when there are two interpretations of a thing, the final interpretation will come from the Chair. But want ever anomalies have been pointed out, surely, they will be rectified so that in future the anomalies do not occur. We shall look into it.

Shri Hiralal Patwary— Sir, this is the second time that I have assurance. Once Shri Ali Ahmed when he was the Finance Minister of Assam, we got a categorical assurance that he will be strictly following the rules. I am happy now that I have got assurance from the new Chief Minister and I shall wait how this assurance is going to be implemented.

*M. Shamsul Hudda— উপাধ্যক্ষ মহোদয়, আজি আমাৰ মন্ত্ৰী মহোদয়ে ইয়াত ৩ লাখ ৮১ হেজাৰ ৫৯২ টকা Sales Demand হিচাবে আমাৰ আগত মঞ্জুৰীৰ দাবী দাঙি ধৰিছে যে তেখেতৰ বিভাগক এইখিনি টকা ল'গে। কিন্তু যি কেইটা বিষয়ৰ কাৰণে পইসা বিছাৰিছে সেই কেইটা বিষয় দেখিছো এই কেইটা An additional amount of Rs. 6,100 is required to meet the expenditure on account of the pay of District Transport Officer, Shillong and Secretary Regional Page 42 Transport Authority, Tura.

আমি ভূৰাৰ কথা লৈ নাযাওঁ আমাৰ ইয়াতে, Shillong ত যিটো District Transport Office আছে তাৰ বাবে ৫ হেজাৰ ১ শ টকাৰ মঞ্জুৰী তেখেতে বিছাৰিছে। কিন্তু এই বিগত কাল ছোবাত এই বিভাগৰ উন্নতি কি হৈছে? আজি এহাতে আমাৰ পৰা অতিবিক্ত টকাৰ মঞ্জুৰী বিছাৰিছে। কিন্তু হিলা

*Speech not corrected

গুৱাহাটীৰ ঘিটো লাইন, ইয়াত যি বিলাক জাতীয়ে মাল পত্ৰ কঢ়িয়াই তাত অৰাজকতা চলিছে। মাল পত্ৰ, যাত্ৰী কঢ়িওৱা গাড়ীবোৰে দেখিছো টেক্সত কাঁকি দিছে। ইয়াৰোপৰি হাজাৰ হাজাৰ S. M. T. কাঠ কঢ়িয়াই লৈ যায়। সেই গাড়ী বিলাকৰ পৰা টেক্স আদায় কৰিব পৰা নাই। আনকি এইটো দেখা যায় যে বেনামী কৰি ছিলঙৰ পৰা কাঠবোৰ বিভিন্ন ঠাই লৈ বুক কৰা হয়। বেনামী মানুহে কাঠ লৈ যায়— তাৰ পৰা এই বিভাগে টেক্স আদায় কৰিব নোৱাৰে। Private বাছৰ ক্ষেত্ৰতো একেই কথা। ছিলঙত অসম গবৰ্ণমেণ্টে Corporation গাড়ী চলাইছে। Private বাছবিলাকত আমি দেখিছো বহু সংখ্যক মানুহ বিনা টিকেতে আছে। দবাচলতে বিনা টিকেতে অগা যাত্ৰীৰ পৰা ভাৰা আদায় কৰে, এইবোৰ পইচা ব্যক্তিগত পকেটলৈ যায় চৰকাৰৰ ভৰাললৈ কোনো দিনে এই পইচা নাহে।

কেৱল এইটোয়েই নহয় আজি আমি অন্যান্য জিলাতো, বিশেষকৈ নগাওঁ জিলাত দেখিছো অলপতে Transport organising general manager জনে ভূবাগাওঁ, লক্ষা, জুবীয়া আদি লাইনত over load ৰ সংক্ৰান্তত জড়িত হোৱাৰ কথা চৰকাৰক সোৱাত বিশ্বাস কৰা নাছিল। জেনেৰেল মেনেজাৰ জনে মন্ত্ৰী মহোদয়ক লগতলৈ নগাওঁ জিলালৈ গল Transport administration আঁছেনে নাই ভাবি আমি আচৰিত হৈছো। য'ত ৩০ জন যাত্ৰী নিব লাগে তাত ১২০ জন নিয়ে, এইটো কল্পনা কৰিব নোৱাৰা কথা। অথচ দেখা যায় Control কৰিবৰ কাৰণে D.T.O. আছে। কিন্তু control কোনো বকমে সম্ভৱ নহয়। আপদে নিৰাপদে over load চলিয়েই আছে। এই over load Passenger সকলৰ পৰা যি Tax পাব লাগে তাক চৰকাৰক পৰিশোধ নকৰে। ৩০ জনৰ যি Sale tax অৰ্থাৎ Passenger tax দিব লগা হয় সেইখিনিহে দিয়ে Over load ৰ টেক্স নিদিয়ৈ।

ইয়াৰ ওপৰি আক এটা কথা হল অসম চৰকাৰৰ যি Transport গাড়ীয়ে Passenger Tax দিয়ে আৰু যিবোৰ Private Bus Tax দিয়ে তাৰ মাজত এটা স্বৰ্গ মৰ্ত্ত পাৰ্থক্য আছে।

সময় বৰ কম। গতিকে মই বেছি কথা উল্লেখ কৰিব নোখোজো। মাত্ৰ এইটো কথাৰ চৰকাৰৰ দৃষ্টি আকৰ্ষণ কৰো যে আজি চৰকাৰে যি বৰ্দ্ধিত হাৰত

* Speech not Corrected.

D.T.O আৰু Enforcement অফিচাৰ নিয়োগ কৰিছে সেই সকলৰ দ্বাৰা পৰিবহন বিভাগৰ ওপৰত চৰকাৰে কোনো প্রশাসনীয় কাৰ্য্য গ্ৰহণ কৰিব পাৰে। এইবোৰত যাতে উন্নতি কৰাৰ ব্যৱস্থা চৰকাৰে কৰে তাৰ বাবে চৰকাৰক সোঁৱৰাই দি মই কৰ্ত্তন প্ৰস্তাৱটো ডাঙি ধৰিলো।

*Shri Dulal Chandra Barua— Mr. Deputy Speaker Sir, while supporting the cut motion under this head I want to make a few observations. Sir, this money are generally sanctioned for its proper utilisation and giving benefit to the people but the entire amount which has been sanctioned has been wasted. Neither it could give benefit to the common people nor it could bring revenue to the State Exchequer. Now, in the Explanatory Note it has been said that an additional amount of Rs. 5,100 is required to meet the expenditure on account of the pay of District Transport Officer, Shillong and Secretary Regional Transport Authority'. Sir, so far my information goes not only this District Officer but also the Regional Office, I am not going to display all these things here, if you happen to go through this you will find they are instead of helping the people they are rather harassing our people. Instead of removing the corruption they are including in corruption and these things were brought to the notice of the Govt. by our Leader during the last Budget Session.

A concrete proof has been laid before this August House but even then the then State Minister incharge of Transport and now a fullfledged Cabinet Minister and also the Chief Minister assures that the entire workings of this organisation will be looked into but no

* Speech not corrected.

action has yet been taken. Therefore, Sir may I request the new Chief Minister to take cognisance of the fact which were brought before this House from this side of the House and appoint a High Power.

Enquiry Committee to find out in what way it is department is working and in what way they are herassing the people, and how they are indulging in corruption from top to hottom in the name of doing benefit to the people. Now, Sir, coming to the Second Explanatory Note' an additional amount of Rs. 2 Lakhs 56 thousand 527' has been given. Sir, here I have got a complaint about it. I want to know from the hon. Minister Incharge of Transport what was the procedure adopted in respect of appointment of these people. I have been told even by the hon. Minister when he was an ordinary Member like us in what way they were making the appointments. Now, under the leadership of the Minister of state for Trnsport favourities and nepotism is going on. I want a categorical reply from the Minister how the appointments in respect of ticket checers are made. I have nothing to say if my brothers and sisters.

I have nothing to say if my brothers and sisters from Booko constituency are absorbed in there posts. But my point is that why proper procedure is not followed in respect of appointment to these posts, such as, inforcement crriker and the checker. If the hon'ble Minister places a list of these appointments then the House will know how the authority is indulging in favouritism and nepotism

* Speech not corrected

while making the appointments. Now, if this staff is meant for public utility service then the House will have no objection to vote on this Demand but if it is meant for furthering the ends some political party then the House. I think, will not vote on this Demand. After all the Transport Department is meant for the benefit of the people. On the other hand it should augment the revenue of the State. But from our experience it is found that neither any improvement has been effected in the administration of the Department nor it has been able to collect revenue for the State. Next, Sir, it appears from the mode of recruitment to the above post, that these appointments are made just to keep some people in favour of a particular political party and for collection of money for the next general election. If this is so, we condemn it vehemently.

Now, Sir, it is also seen that an additional amount of Rupees one lakh is required to meet the expenditure in connection with the payment of allowances, etc to the staff under the Commissioner of Transport in general and sixth Schedule areas. Under this department, Sir, I would like to point out another matter—that is in respect of appointment of DTOs. Sir, this Department is Directly against the provision of the Constitution. They are not following any rules or procedure in the matter of appointment of DTOs. Sometime back a few favourites of our Minister in-charge of Transport were appointed under Regulation 3 (f) in the post of DTOs. But these

people could not qualify in the interview taken by the ATSC. And the APSC submitted a list to the Govt. for appointment to such posts. But till today these people have not been appointed to the post of DTOs while the favourities of the Minister, they are still continuing as DTOs. Why this mockery, Sir ? Let the Govt. tell us clearly, is there to collect money for our next general election ; this man is my brother ; that man is my son-in-law'. Let then say so clearly. APSC made some elections. These people have been deprived of their legitimate claim while the under advantage has been given to those persons rejected by the APSC. Sir, I would like to draw the attention of the Chief Minister to this matter so that he may look into this and take proper action in the matter. Another not of gross injustice to which I would like to draw the attention of Chief Minister is that, Sir, there is no reservation of vacancy for our brothers belonging to Scheduled Caste or Scheduled Tribes. While making the advertisement the Transport Department do not mention the number of vacancies reserved for our Scheduled Caste or Scheduled Tribes and as a result the people belonging to that category are deprived of their legitimate claim which is guaranteed by the Constitution. I hope the Govt. will take a serious note of it and remove this discrepancy.

Now, Sir, here again, a provision is made to purchase 4 new jeeps for the enforcement work. They want not only additional hands but they want also some new jeeps. May I ask the Minister in-charge by that will he earn a profit or add some revenues to the State Exchequer ? If he can show that he is going to earn some profit out of

this the House will readily agree to such expenditure. Last year Sir, there were huge some of money in arrears in the shape of taxation on vehicles. No efforts had been made to collect these arrears. The DTOs are pursuing the cases of those only who have not a taxi and are driving themselves to to maintain their livelihood. They are not following the cases of those who have got 30 or 40 number of vehicles. The DTOs are running after the poor people, the unemployed educated youth who got a taxi and driving himself just to maintain his livelihood. The unemployed educated youth finding no other alternative finding no other alternative took taxis and started driving themselves. Government is after those graduates who have started their own livelihood by driving auto-rickshaws. Our Finance Minister and the Minister incharge of Transport have no sympathy for those people but they are showing all kinds of favour to the capitalists. This sort of discrimination should be removed and the capitalists should be made to pay taxes so that their Department can bring some revenue to the State exchequer at a time when the State is passing through financial crisis.

* Shri A.N. Akram Hussain— উপাধ্যক্ষ মহোদয়, এই পরিবহন বিভাগটো মোব ভাষাত কবলৈ গলে এটা দুৰ্নীতি পৰায়ণ বিভাগ। তাত যি সকল কৰ্মচাৰী নিয়োগ কৰা হৈছে যেনে D.T.O আৰু আমাৰ শ্রীহুলাল বৰুৱা ডাঙৰীয়াই কোৱাৰ দৰে ডেওঁ লোকে যুগ্য লোকক নাৰাখে মাত্ৰ কোনে কিমান টকা সংগ্ৰহ কৰিব পাৰে এই দৌৱেই হল D.T.Oৰ মাগকাঠ। Regulation 3(f) যি সকলে কাম কৰি আছে সেই সকলে কাম পোৱা নাই। আৰু D.T.O বিলাকে দুৰ্নীতি মূলক ভাবে টকা সংগ্ৰহ কৰি চিলঙলৈ পঠায় বুলিও আমি শুনিবলৈ পাইছো। এই বিষয় মই Finance আৰু Transport

Minister কো কৈছো। গুৱাহাটী ধূপধৰা লাইনটোত বাচত ইমান বিলাক যাত্ৰী লয় আৰু তেওঁলোকক টিকত নিদিয়ৈ উলমি উলমি যায়।

তাৰ পাচত তুৰাৰ পৰা গুৱাহাটীলৈ বা গুৱাহাটীৰ পৰা তুৰালৈ যি খন বাচ চলে সেই বাচ খনৰ নাম “অসম পাকিস্থান চোৰাং বেপাৰৰ মেইল” বুলি মানুহৰ মাজত জনাজাত। সেই বাচ খনত পাকিস্থানৰ পৰা সকলো চোৰাং বস্তু আছে বা ইয়াৰ পৰাও চোৰাং বস্তু পাকিস্থানলৈ যায়। এবাৰ এই গাড়ী খনে বহু পৰিমাণে ইলাচি পাকিস্থানৰ পৰা আনোতৈ কুৰুগাইত ধৰা পৰে। তেতিয়া Driver জন নামি গৈ ধমকি দি কয় যে তোমালোকে কৰ গাড়ী ধৰিছা এই খন Minister ৰ গাড়ী। এই দৰেই যদি Minister ৰ গাড়ীৰ নামত পাকিস্থানৰ পৰা চোৰাং বেপাৰ অসমলৈ চলে বা অসমৰ পৰা পাকিস্থানলৈ চলে এইটো বৰ দুখৰ কথা। সেই কাৰণে মই কব খুজিছো যে সেই গাড়ী খন বন্ধ কৰি তাৰ ঠাইত Corporation ৰ গাড়ী দিয়ক-নহলে সেই লাইন-টোৰ প্ৰতি বাইজে বিতুষ্ট হব।

[Bell]

এই পৰি বহন বিভাগৰে M.V.I নামৰ এজন অফিচাৰ আছে। তেওঁ মটৰ পৰীক্ষা কৰে। তেওঁ থাকে গুৱাহাটীত বৰ পেটাত আৰু বৰপেটাৰ গেৰেজত পৰি থকা গাড়ীও টকাৰ জোৰত গুৱাহাটীত Fitness Certificate পায়। এই দৰেই এই বিভাগৰ কাম চলিছে গতিকে মই মুখ্য মন্ত্ৰী ডাঙৰীয়াৰ দৃষ্টি আকৰ্ষণ কৰি কওঁ যেন এই বিভাগৰ প্ৰতি চোকা নজৰ ৰাখে আৰু এই অপকাৰ্য্যৰ পৰা যি ছুৰ্ণাম হৈছে সেই ছুৰ্ণামে যেন তেখেতক ছুৰ নোৱাৰে।

* Shri Probin Kumar Choudhury— উপাধ্যক্ষ মহোদয়, ১৯৭০ চনৰ ১লা এপ্ৰিলৰ পৰা মেঘালয় ৰাজ্য প্ৰতিস্থা হয়। আৰু সেই সময়ত আমি ভবা নাছিলো যে চিলং আৰু তুৰাৰ D.T.O. দুজন অসমৰ লগত থাকিব পিচত Act মতে দেখা লগ যে এই আটাই বিলাক মটৰ Tax অসমৰ ভিতৰতে পৰে। আৰু সেই কাৰণেই আগতে টকাৰ মজুৰী বিচৰা নাছিলে। কিন্তু এতিয়া গাক পাহাৰ আৰু K & J Hills এই দুয়োখনৰ কাৰণে পুনৰ টকা

* Speech not corrected

ধৰিব লগীয়া হৈছে।

উপাধ্যক্ষ মহোদয় মাননীয় সদস্য শ্ৰীতুলাল বৰুৱা ডাঙৰীয়াই D.T.O. ৰ বিষয়ে ইয়াত Regulation 3 [f]ৰ মতে Appointment দিয়া হৈছে। আমাৰ অসমত ৯টা D.T.O ৰ Post আছিল। তাৰে এজন ঢুকাল, এজনে অবসৰ ললে এজনে Regine দিলে আৰু এজনক Desmiss কৰা হল। Regine দিয়া জন হল Scheduled Tribes, আৰু Desmiss কৰা জন হল Scheduled Caste ৰ এই ৪টা খালি Post ৰ এজন M.V.I ক প্ৰমোচন দিয়া হল। আৰু বাকী তিনিজনক Regulation 3[f]3 Appointment দিয়া হল। ইতিমধ্যে P.S.C এ পৰীক্ষা ললে। আৰু এই Post কেইটাৰ নিয়োগৰ ক্ষেত্ৰত যোৱা Assembly ত Schedule Cast আৰু Scheduled Tribes Representation দিবলৈ দিলে। সেই হিচাবত D.T.O কেইজন Scheduled Caste, Scheduled Tribes আৰু plains Tribes হ'ব লাগিব। সেই কাৰণে এজন Hill Tribe ৰ মানুহক লোৱা হল যদিও P. S. C এ এজন Graduate আৰু এজন Under Graduate ৰ নাম পঠাইছিল— কিন্তু কি কাৰণে Under Graduate জনৰ নাম দিছিল ক'ব নোৱাৰো। আমি Qualification বিচাৰিছিলো Graduate. গতিকে আমি আকৌ Public Service Commissions লৈ Scheduled Tribes আৰু Scheduled Caste নাম পঠাবলৈ কলো।

Shri Maneswar Boro :— Public Service commission এ যুগা বুলি পঠোৱা স্বত্বেও তেওঁলোকক কিয় নাম দিয়া নহল।

Shri Prabin Kr. Choudhury :— আমি Hills Tribes ৰ Graduate আৰু Under Graduate দুজনৰ ভিতৰত Graduate জনকে Appointment দিলো। বাকী Plains Tribes ৰ নাম পঠোৱা নাছিল আৰু Scheduled Caste ৰ নামো পঠোৱা নাছিল। আমি P. S. C. ক নাম পঠাবলৈ কওতে তেওঁলোকে Qualified Candidate নাই বুলি কলে। আৰু আমি পুনৰ Advertisement কৰিবলৈ নিৰ্দেশ দিলো।

* Speech not corrected

Shri Atul Chandra Goswami :— Scheduled Caste ব M. V. I. নাছিল নেকি ?

Shri Prabin Kr. Choudhury :— হয়, আছিল । কিন্তু Graduate নহয় ।

Shri Atul Ch. Goswami :— তাৰ পৰা প্ৰমোচন দিব নোৱাৰিলে ।

Mr. Dy. Speaker :— Order ! Order !

Demands Nos 1-24,25 and 26-37

Mr. Deputy Speaker— Order, order. It is 4 o Clock. All discussions are closed and the Cut Motions on Grants are guillotined. I shall put the demands. I put that, the Demands No.1 to 24 be passed.

Demands No.1 to 24 are passed.

The Demand No.25 is dropped. So far as Demand No.31 is concerned, I think according to my ruling, the irregularities committed in not circulating the details of demands at least 5 days before, are waived. (Voice from the Opposition : No, no)

Then I put the question that the irregularities committed so far as Demand No.31 is concerned, by not complying the provision of Rule 141[4] be waived.

Shri Debeswar Sarmah :—উপাধ্যক্ষ মহোদয়, আপুনি question টো put কৰাৰ আগতে মই এটা কথা কব খুজিছো । আমাৰ convention আছিল irregularities waved কৰাৰ ক্ষেত্ৰত House ৰ Consent লোৱা হয় । এইটো লোকসভাৰ Convention, আমাৰ ইয়াত কি কৰিছে নেজানো । এটা পক্ষৰ Majority আছে যেতিয়া pass হবই ।

Mr. Deputy Speaker— I wanted to take the sense of the House.

Shri Debeswar Sarmah— It may be so. But there is an established convention that if there is a single dissensive

voice there is not waived.

Mr. Deputy Speaker — The question here is not of Rules but the irregularities committed. I have asked the sense of the House. The House wanted the question to be put.

So I put the question again. The question is that the irregularities committed so far as the Demand No. 31 is concerned in not complying with the provision of Rule 141(4) be waived.

Those who are in favour of the motion shall stand up.

Shri Gaurisankar Bhattacharyya — Sir, you may ask them to stand up, but we want that the name be recorded. (When some members from the Government side sat down) Sir, why your Officer is taking the signature from the seated members?

(Repeated voice from the Opposition. "We will not allow this. We want to go to the lobby.")

Mr. Deputy Speaker — The members stood up first and now they are seated.

Shri Gaurisankar Bhattacharyya — There is no question of standing. If it is to be a standing affair they should remain standing (Shri Dev Kant Barooah: Sir, as you know I am a hert patient so I may be allowed to sit.) We are seated here in this side. If your Officer is getting the signatures of the seated members from that side why then they are not coming to us? We do not agree to this. We want to go to lobby.

Shri Mahendra Mohan Choudhury— (Chief Minister)
May I point out here, Sir, that those who have risen in
their seats only have the right to vote, others cannot.

Shri Gaurisankar Bhattacharyya— You gave the
Order, Sir, that.....

Mr. Deputy Speaker— Yes, I agree with you.

(এটি স্বৰ : বহি বহি দিলে নহব।)

Shri Debeswar Sarmah— অধ্যক্ষ মহোদয়, এটা কথা বুজিবলৈ মই
যত্ন কৰিছো যে মাননীয় ভট্টাচাৰ্য ডাঙৰীয়াই কথা কলে আমি মনোযোগেৰে
শুনো। তেখেতনো এতিয়া কিয় ইমান Excited হৈছে?

Shri Gaurisankar Bhattacharyya— আমাৰ তাল-পুতল কথা
নহয়। আমি যি কণ্ড ডাঙৰকৈয়ে কণ্ড।

Shri Debeswar Sarmah— ইয়াত Lokasabha ৰ আৰু আমাৰ
বিধানসভাৰো Rule আছে।

Shri Soneswar Bora— উপাধ্যক্ষ মহোদয়, থিয় হলে বহিব লাগে
বুলি ক'ত Rule আছে?

Shri Debeswar Sarmah— ববাই এটা ভাল Rule উলিয়াইছে।
মই কৈছো ইয়াত দুখন Rule আছে। ক'ত আছে, দেখুৱাই দিলে হয়।

Shri Atul Chandra Goswami— অধ্যক্ষই কলে থিয় হবই লাগিব।
গতিকে Rule দেখুৱাই কোনো লাভ নাই।

Shri Gaurisankar Bhattacharyya— বহি বহি চহী কৰিলে
আমি এইটো গ্ৰহণ কৰিব নোৱাৰো। নহলে কথা বেয়া হব।

Adjournment

The House divided with the following result:—

Ayes— 53

Noes— 29

The motion was adopted.

Mr. Deputy Speaker— The irregularities are waived. I now put Demands Nos. 26 to 37.

The question is that Demands Nos. 26 to 37 be passed.

The motion was adopted.

Mr. Dputy, Speaker— The House stands adjourned till 9 a.m. tomorrow.

Adjournment

The Assembly then adjourned till 9 A.M. on Friday, the 11th December 1970.

Shillong,
The 10 December 1970

U. Tahbildar,
Secretary,
Legislative Assembly, Assam.