

Assam Legislative Assembly Debates

OFFICIAL REPORT

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

BUDGET SESSION

VOLUME II

No. 5

The 26th March, 1970



1988

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**Proceedings of The Ninth Session of the Assam
Legislative Assembly assembled after the
Fourth General Elections under the Sovereign
Democratic Republican Constitution
of India**

The Assembly met in the Assembly Chamber, Shillong,
at 10 A.M. on Thursday, the 26th March, 1970.

P R E S E N T

Shri Mohi Kanta Das, M. A., B. L., Speaker, in the Chair,
Nine Ministers, Six Ministers of State, Three Deputy
Ministers and Thirty six Members.

STARRED
QUESTIONS AND ANSWERS

(To which oral answers were given)

Re : Murder of Siba Gogoi

Shri Bhadra Kanta Gogoi asked :

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

- (a) Whether one Siba Gogoi was murdered on 20th July 1969 under Bordubi Police Station in Dibrugarh Subdivision ?
- (b) If so, whether any person or persons have been arrested by the Police in this connection ?
- (c) Whether one Shri Krishna Gogoi, a Congress Worker was arrested on the night of 10th August 1969 at 11 P.M., and was severely beaten by the Police ?

Shri Bimala Prasad Chaliha (Chief Minister) replied :

26. (a)—Yes. On 20th July 1969 one Siba Gogoi, son of Narayan Gogoi, of Nowgaon, police station Bordubi was killed at Bhadai Panchali, under Bordubi police station and case No. 20 (7) 69, under sections 302/326, I.P.C., was registered in Bordubi police station.
- (b)—In connection with this case Bhadreswar Gogoi and Maheswar Gogoi, both sons of Kamal Chan-

dra Gogoi, of No. 2 Borpathar, under Bordubi police station have been arrested.

- (c)—Shri Krishna Gogoi, son of Budheswar Gogoi, of Bha'dai Panchali, police station Bordubi was arrested on the night of 10th August 1969. This refers to Bordubi police station case No. 19 (7) 69, under sections 147/448/326/307/379, I.P.C., relating to alleged kidnapping of a girl. Shri Gogoi has filed a complaint case in the Dibrugarh Court on 19th September 1969 against 6 police personnel alleging that he was beaten. The complaint case is subjudice.

Shri Bhadra Kanta Gogoi : এই যে কৃষ্ণ গগৈ বোলা মানুহজনে পুলিচৰ against case কৰা বুলি কৈছে সেই মানুহজনক যে বাতি ১১ বজাত ধৰি নাওঁঠ কৰি মুকলি ঠাইত অতি বেয়াকৈ মাৰি ১৫ দিন শয্যাগত কৰিলে সেই খবৰ জানে নে নাই।

Shri Mahendra Mohan Choudhury : উত্তৰত কৈছোৱেই সেই সম্পৰ্কে তেখেতে case দাখিল কৰিছে আৰু মোকদ্দমাটো বৰ্তমান বিচৰাধীন হৈ আছে।

Shri Dulal Chandra Barua : Sir referring to reply to Question No 26 (c), I want to know whether one Shri Krishna Gogoi is a congress worker.

Shri Mahendra Mohan Choudhury : That information I have not got with me.

Re. Construction of Silapathar-Ramdhan Road

Shri Romesh Mohan Kouli asked :

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

- (a) Whether it is a fact that there is a proposal for co construction of incomplete portion of the N.T. Road (Silapathar-Ramdhan road) under Dhemaji N.T. Road division, Chauldhua ?
- (b) If so, whether Government propose to construct this road this year ?

Shri Altaf Hossain Mazumder [Minister of State, Public Works Department (Roads and Buildings)] replid :

27. (a)—Yes.

(b)—the estimate is pending with the Government of India. Commencement of work depends on receipt of sanction from them.

Shri Romesh Mohan Kouli : May I know, Sir, whether this Scheme comes under the Border Road Scheme or is a separate Scheme ?

Shri Altaf Hossain Mazumder : The Assam Government submitted schemes to the GDBR because funds will be provided by the GDBR, i.e., the Government of India.

Shri Dulal Chandra Barua : The question is whether this scheme is included in the Border Road

Construction Schemes or whether funds for the purpose will come from our general budget.

Shri Altaf Hossain Mazumder : Funds for the purpose will come from the GDBR the Government of India.

Shri Ramesh Mohan Kouli : May I know what is the amount earmarked district-wise in Assam if the funds come from the Government of India.

Shri Altaf Hossain Mazumder : They do not make the allotment State-wise but project-wise.

Shri Dulal Chandra Barua : May I know whether it is a fact that the entire amount sanctioned for border roads this year has been allotted to Cachar District only ?

Shri Altaf Hossain Mazumder : No that is not correct.

Shri Dulal Chandra Barua : What is the amount finally sanctioned this year against the projects submitted by Government.

Shri Altaf Hossain Mazumder : This is a very extensive question covering the entire projects of the State. If a separate question is put by the Honble Member, figures can be given.

Shri Dulal Chandra Barua : My question is what is the total amount sanctioned by the Government

of India under the head "Border Road Construction".

Shri Altaf Hossain Mazumder : The amount is not sanctioned in lumpsum. It is sanctioned project-wise. So if a question is put projectwise, the amount sanctioned against that project will be given.

Shri Romesh Mohan Kouli : My question is that if it is under the Border Road Scheme then what is the amount earmarked under this Project and what is the amount earmarked district-wise.

Shri Altaf Hossain Mazumder : This is a project which was selected in the Border Road Scheme. We were asked to submit estimates. Thereafter the Border Road officers came here, examined the alignments and finally accepted the alignments and estimates submitted by us to them. This is still pending with them. As soon as sanction is received the work will be started.

Shri Atul Chandra Goswami : চিনাপথৰ বাগধন ৰোডটোৰ কাৰণে অসম চৰকাৰৰ P.W.D. বিভাগে কিমান টকাৰ Scheme Govt of India লৈ পঠিয়াইছে আৰু কেতিয়া পঠিউৱা হৈছে।

Shri Altaf Hossain Mazumder : (Minister of State)

The estimate was for about Rupees one crore four thousand four hundred and thirty. After 13.12.67 we had correspondence with the Government of India. Their officers came by October 1969. We are now pressing the Government of India to give early sanction to the project.

Shri Dulal Chandra Barua : This proposal was sent in 1967. It is 1970 now. May I know why there has been so much delay in sanctioning the project by the Govt. of India. May I also know when can we expect to receive their final sanction of the scheme and when Government is going to take up this project ?

Shri Altaf Hossain Mazumder : About the delay, the Government of India is in a better position to answer. But as far as the present position is concerned, when we sent our estimates, the same were examined by their officers and after that sanction will be given and as I have already said, in October last the Govt of India's officers came and examined the alignment and accepted the alignments suggested by us. We expect the Govt of India will give the sanction as early as possible.

Shri Dulal Chandra Barua : Sir, it is understood that proposal for this project was sent along-with the proposals for other projects. But when sanction for other projects has come, may I know why sanction for this particular project is not given.

Shri Altaf Hossain Mazumder : As I have already stated, estimates are sent project-wise and the same are examined project-wise. Sanction is also given project-wise.

Re. Appointment of Liaison Commissioner

Shri Maneswar Boro asked :

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

(a) Whether it is a fact that the Assam Government has appointed a Liaison Commissioner in new Delhi ?

(b) If so, the name of the Liaison Commissioner and the salary paid to him ?

(c) What are the functions and powers of the said officer ?

Shri Bimala Prasad Chaliha (Chief Minister) replied :

28. (a)—Yes.

(b)—Shri Ramesh Chandra, I.A.S., Pay-scale Rs. 2,500—125/2—2,750 p.m. The Officer has since been appointed to a cadre post and has also been allowed to continue temporarily as Liaison Commissioner.

(c)—The main object of the creation of the post of Liaison Commissioner is to have a machinery to look after the interests of the State Government at Delhi. The functions of the Liaison Commissioner, Assam are—

(i) General supervision over the work of the Chief Information Officer,

(ii) Over all control and supervision over the work

of the various officers and staff of the State Government posted at Delhi, e.g., Liaison Officer, Care Taker and other staff at Assam House, Delhi.

(iii) Maintenance of Liaison with the various Ministries of the Government of India with a view to expediting action in matters concerning Assam.

(iv) Other functions as may be entrusted to the Liaison Commissioner by the State Government or by the various Departments from time to time with the Chief Secretary's approval.

(v) To represent the State Government in some Conference and discussions so that it may not be necessary to depute officers from Assam to attend each and every such and every such conference or discussion.

Shri Dulal Chandra Barua : May I know from the Minister whether this post has been made permanent ?

Shri Mahendra Mohan Choudhury : No, Sir, it is a temporary post,

Shri Dulal Chandra Barua : Whether this officer has been posted in addition to his own duties ?

Shri Mahendra Mohan Choudhury : At the present moment, Sir, he is doing the job in addition to his duties.

Shri Dulal Chandra Barua : As this officer has been posted there as part-time officer and as he has to go out on tour frequently to function there as Liaison Officer, do Government not consider it proper to appoint an officer permanently there with sufficient staff ?

Shri Mahendra Mohan Choudhury : Yes, it is under consideration of Government.

Shri Dulal Chandra Barua : As has been seen in other States, for instance, the Punjab Government, Haryana Government and Maharashtra, they are having a Secretariat Cell in Delhi so that the officers need not go from here in a batch at the time of preparing the Plan or other things. Those officers of other State Governments are functioning effectively there because they are having a Secretariat Cell. Considering this necessity do Government not consider it proper to open such a Cell for the State of Assam in Delhi ?

Shri Mahendra Mohan Choudhury : Sir, at the present moment, the post has been created on experimental basis. If the work of the officer is found to be useful, the suggestion that has been given by the hon. Member will surely be considered.

(Starred Question No. 29 was not put and answered to as the Questioner was absent at the time)

**Re : Number of unemployed youth in
Karimganj Subdivision**

Shri Rothindra Nath Sen asked :

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

- (a) The total number of unemployed post-Graduates, Graduates, Commerce Graduates, Pre-University Passed and Matriculates in the Subdivision of Karimganj? (Figures may be shown giving the break-up Degree-wise).
- (b) The total number of unemployed under-Matriculates in the Karimganj Subdivision ?
- (c) Whether the Government is aware that most of the Post-Graduates, Graduates, Commerce Graduates have crossed their Government service ages having been unemployed for several years ?
- (d) How and through what method the Government propose to avert the impending social crisis and civic unrest by utilising the services of these unemployed ?
- (e) Whether Government propose to take up this issue of unemployment with a Central Government with a view to create some Industrial Avenues in the District of Cachar to overcome this crisis ?

Shri Kamakhya Prasad Tripathi (Minister, Labour)
replied :

30. (a)—No. of unemployed on the register of the Employment Exchange, Karimganj as on 31st December, 1969 is given below education-wise.

(1) Post-Graduate	...	Nil.
(2) Graduate (Arts and Science).		17.
(3) Commeree Graduate		2.
(4) Pre-University passed		75.
(5) Matriculate	...	338.

(b)—No. of un-employed under Matriculate on the register of Employment Exchange, Karimganj as on 31st December, 1969 was 850.

(c)—In the register of the Employment Exchange, Karimganj as on 31st December, 1969, there were 15 Graduates (Arts and Science and 2 Commerce Graduates between the age of 20-24 years, and 2 Graduates (Arts and Science) between the age of 25-34 years.

(d) & (e)—Enforced Development of our Economy through the plans has been undertaken for the purpose.

Shri Rothindra Nath Sen : Sir, so far as Question (c) is concerned, obviously it is not possible for any Government howsoever enthusiastic the Govt. may be to accommodate all the unemployed youths of all cadres in the State with jobs unless

and until there are industrial ventures. So, whether the Govt. of Assam has taken up the matter of setting up some industries in the district of Cachar in order to cope with this unemployment problem and whether there is immediate chance of locating any industries there ?

Shri Kamakhya Prasad Tripathi : That question can be better answered by my friend on my right, the hon' Industries Minister.

Shri Atul Chandra Goswami : এই গোট্টেই সংখ্যা থিনি জনালে যে Employment Exchange ত Register ব সংখ্যাৰ বাহিৰে Employment Exchange ত Register নাম ভৰ্ত্তি নকৰা post Graduate Commerce Graduate Matriculate কিমান নিবনুৱা হৈ আছে নাজানে নে?

Shri Kamakhya Prasad Tripathi : থাকিব পাৰে; কিন্তু জানিবৰ উপায় হল Employment Exchange ত Registration কম সংখ্যাৰ পৰা কিন্তু Resistationa কৰাৰ পিচত কিছুমানে চাকৰি পোৱাৰ পাচতো চাকৰি পোৱাৰ খবৰ নিদিয়ৈ ফলত প্রকৃত সংখ্যাৰ কথা জনা নাযায়।

Shri Atul Chandra Goswami : আমাৰ দেশত শিক্ষিত নিবনুৱা লোকৰ সংখ্যা কিমান আছে? কিমান শিক্ষিত নিবনুৱা আছে তেওঁলোকক বাধ্যতামূলক ভাৱে নাম ভৰ্ত্তি কৰিবলৈ চৰকাৰে নিৰ্দেশ দিব লাগিব।

Shri Kamakhya Prasad Tripathi : বাধ্যতামূলক নামভৰ্ত্তি কৰিবলৈ কলে বাধ্যতামূলক চাকৰীয়ো দিব লাগিব।

Shri Atul Chandra Goswami : আমাৰ কথা হ'ল যে অকল চাকৰী দিবৰ কাৰণেই নহয়; প্রকৃত সমস্যাটোহে জনাবৰ কাৰণে আমাৰ প্ৰদেশত কিমান Graduate, Matriculate. post Graduate লৰা-ছোৱালী আছে তেওঁলোকৰ নামভৰ্ত্তি কৰিলেহে প্রকৃত নিবন্ধনৰ সংখ্যা জানিব পৰা যায়; এইটো নকৰাৰ কাৰণেহে সমস্যা সমাধানৰ সূত্ৰ উলিয়াব পৰা নাই; অকল চাকৰী দিবৰ কাৰণেই নাম ভৰ্ত্তি কৰিব নালাগে। গতিকে আমাৰ প্ৰদেশত কিমান বোৰ শিক্ষিত ডেকা-গাভৰু আছে তাক ঠিক ভাৱে জানিবৰ কাৰণে সকলোৰে নাম ভৰ্ত্তি কৰিলে ভাল হব বুলি মই ভাবো।

Shri Kamakhya Prasad Tripathi : ইয়াৰ এটা Census হব ধৰিছে।

Shri Rothindra Nath Sen : Sir, since the Ministers have joint responsibility to apprise the House, it is unfortunate that in course of reply to questions, the Minister of Labour has just shifted the responsibility on the shoulder of the Minister for Industries. I want a reply to my question- whether it comes from Minister, Labour or from Minister, Industries, that is a different thing. Now, will the Minister or Ministers be pleased to give a reply to my question viz., whether there is any immediate proposition of establishing some Industries in the district of Cachar to cope with the unemployment problem?

Shri Biswadev Sarma : If a separate question is put I shall be able to reply.

M. Moinul Haque Choudhury : Mr. Speaker, Sir,

instead of Minister, Finance looking at the Industries Minister to reply, let him answer as Planning Minister as to what amount he has provided under the Plans corrected by Member for meeting unemployment problem in the district of Cachar ?

Shri Kamakhya Prasad Tripathi : Districtwise planning is not done by the Planning Department. The Planning Department provides funds and on the basis of that, the concerned Departments dealing with the subject try to promote the industries. Therefore, within the provision which has been made for industries in the Assam Plan plus what has been promised by the Govt. of India with regard to setting up of industries in Assam like petro chemical industries, paper mill and cement factory can be set up in Assam. These three industries have been promised by the Govt. of India. Now, for the location of these industries, this will be determined naturally after the project reports are finalised. I have no knowledge as to whether the project reports for the paper mill has been finalised because the original thinking was that the paper mill can possibly be set up in Cachar profitably because the largest concentration of bamboo wealth in Assam is in Mizo Hills. Therefore, a paper mill would suitably be located in Cachar from the point of view of availability of raw materials. This is only one aspect

of the question. Now, there are other aspects also which will have to be taken into consideration for siting the industries. Now, that process is not known to me; whether it has been gone through. With regard to cement factory, as far as I know, it is the Bokajan area which has been selected for the purpose. With regard to petro-chemical, partly it is in the State sector and the industry will be taken up by the State Government at a cost of about a crore of rupees. There is another sector which is being taken up by the Govt. of India and which includes non-conventional refinery, processing of crude for production of raw materials for further processing for petro-chemical industries. Naturally that will be decided after the location reports are available. On that basis the results thereof will be again processed into a series of petro-chemical industries. Some of these industries can naturally be located in cachar partly to meet the requirements of Cachar including Mizo Hills. So far as I know these are our thinking in the Industries Department up till now. But final decisions will be taken by the Govt. of India with regard to these industries whether it is petro-chemical industry or whether it is a paper mill.

Shri Rathindra Nath Sen : We are very much thankful for the long and sincere statement made by

the Hon'ble Minister for Planning and Development. But in the meantime may I be permitted, Sir, to inform the Hon'ble Minister for Planning that immediately after the declaration from Delhi by the Prime Minister Shrimati Gandhi that Assam State would be having a second refinery and also a paper mill, the Hon'ble Minister for Industries Shri Sarma was very gay and jolly and he immediately telephoned me to say that after all Cachar was getting at least one of its old demands i.e. the proposed Paper mill. Now Sir, so far as the paper mill is concerned, in course of these three months the position has changed. We have come to know Cachar is going to be deprived of the paper mill. We are not least unhappy if it goes to Jogighopa the Goalpara district is also a very backward district. But the fact remains that since 1958, i.e., since the bye election of Shri Chaliha from the Badarpur Constituency, Cachar is being duped and duped with empty promises. We have seen in the Press that to-day is the 53th birthday of our blessed Chief Minister. On this blessed birthday of our gracious Chief Minister of Assam, may we expect a statement from the Minister of Planning that this long-standing promise to the District of Cachar will now be fulfilled, at least within the year 1970 ?

Shri Kamakhya Prasad Tripathy :

So far as I know the mill which is going to be set up at Jogighopa is a small paper mill. This is being done in collaboration with the Bihar Government. The machinery is already in Bihar and it is being shifted to Jogighopa because we have acquired a shares therein. This will be a small paper mill whose capacity at present is stated to be about 60 tons and

ultimately will be expanded to 100 or 120 tons. The one that is being considered by the Government of India is different from this. The Government of India's mill will be a big-scale paper pulp mill with a capacity of 300 tons. This will be a paper pulp mill and whether any paper mill will be attached to it I do not know. But mainly it will be a paper pulp mill with 300 tons capacity. It will be a major affair because I think there is no other paper pulp mill in India of that size. So, they will have to undertake a project study to find out where and how to site this paper pulp mill. On that point no decision seems to have been taken. Even clearance for this small paper mill in Jogighopa has not been given by the Government of India as yet. When I raised this matter in the meeting of the National Development Council, the Minister of Industries wagged his head, from which it seemed that he was not very favourably inclined to setting up of this mill. But since the Government of Assam have gone far and entered into an agreement, I hope the Government of India would not put a spoke in the wheel, so far as this small paper mill is concerned. Moreover, Sir, this should not be an obstruction for the Government of India to set up one large paper pulp mill in Assam because Assam is the only State in India which has got a such large wealth of bamboos. In fact, apart from the 300 tons capacity paper pulp mill, another half a dozen 100-ton-mills can be set up in this State. Therefore, there is no competition between one mill or the other. The point is that the Government of India has to come to a decision to set

up a paper pulp mill of this size in this state which will cost 30 to 35 crores of rupees. The whole thing is linked up with the proposed Paper Corporation. The Government of India has been talking about a Paper Corporation for the last four years, but nobody knows when it will be set up.

Shri Rathindra Nath Sen :

Will the Hon'ble Minister pursue this ?

Shri Kamakhya Prasad Tripathi :

Yes, I shall pursue this.

Shri Moinul Haque Chaudhury :

On numerous occasions we had ventilated the girevances of Cachar and had been told that some industries would be set up in Cachar and for the last three years or so we have been hearing about setting up of a paper pulp mill in Cachar, but now we find that even this is nowhere. Ther is also no other scheme for settiing up of any other industry in the course of the whole 4th Plan for the district of Cachar. May I know why this is so ?

Shri Biswadev Sarma :

There are certain schemes, but for this I want notice. This question relates to unemployment.

Shri Sadhan Ranjan Sarkar :

May I know whether all the raw materials, i. e., bamboos and other things, will be available in the Garo Hills or Goalpara for the proposed paper mill at Jogighopa ?

Shri Biswadev Sarma :

Yes, Sir.

Shri Sadhan Ranjan Sarkar :

So far as my information goes, 10,000 tons of bamboos will be brought from Cachar to feed the mill at Jogighopa ?

Shri Biswadev Sarma :

That is a wrong information.

Shri Dulal Chandra Barua :

May I know whether any expert committee has been set up by the Government of Assam in respect of location of such industries, e.g., the paper pulp mill ?

Shri Biswadev sarma :

It does not arise out of this question.

Shri Dulal Chandra Barua :

It arises from the replies given. The Finance Minister has made a long statement about the paper pulp mill. My question is whether any expert committee has so far been set up to finalise the location of the proposed paper pulp mill ?

Shri Biswadev Sarma :

I want notice for that.

**Re : Assam - Non-Government School and College
Employees Centralised Provident Fund
Scheme Act, 1969**

Shri Abala KantaGoswami

asked :

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

- (a) Whether Government has received representations from College Ministerial Association and other Associations raising objections to the Assam Non-Government School and College Employees' Centralised Provident Fund Scheme Act, 1969 and some of the rules made there under?
- (b) Whether Government propose to take steps to amend the Act and Rules especially Rule 26 (about interest) and 31 (IV) (about lapsed amount) to meet their objections?

Shri Kamakhya Prasad Tripathi : (Minister, Finance)
replied :

31. (a)—Government have received some representations from the Associations of Aided High School and Aided College Teachers suggesting certain amendments of the Act and the Rules. No re-presentation from the College Ministerial Association has been received.

(b)—Government feel that the amendments proposed by these Associations and such other amendments as may be suggested by others may be discussed by the Board of Trustees after it meets so that there may not be any objection to any proposed amendment from amongst the members of the Board and a comprehensive amendment, wherever found necessary, may be made.

Shri Abala Kanta Goswami :

Sir, when the scheme will be given effect to?

Shri Kamakhya Prasad Tripathy :

It is likely to be inaugurated on the 3rd April, 1970.

Re : **Fee of Advocate General**

Shri Phani Bora asked :

*32 Will the Minister-in-charge of law be pleased to state—

(a) Whether it is a fact that the outgoing Advocate General used to receive Rs. 120 per appearance and the present Advocate General is contracted for Rs. 503 per each appearance ?

(b) If so, why and under what circumstances the enhanced fee has been determined ?

Shri Abdul Matlib Mazumdar : (Minister, Law)

replied :

32. (a)—The fee of the outgoing Advocate General under the existing Rule was Rs. 150 and not Rs.120 per appearance. No contract with the present Advocate General or Rs.500 for each appearance has been made. The present Advocate General has demanded Rs. 510 for each day's appearance in the High Court and Rs.250 for drafting an affidavit. He has also demanded for reservation of a cottage in the Pinewood Hotel free of charge for the days he stays at Shillong. The proposal is under consideration of the Government.

(b) —Does not arise.

Shri Phani Bora :

Sir, before the demand of the present Advocate General

is conceded or any agreement arrived at, has he not been appointed as the Advocate General of Assam ?

Shri Abdul Matlif Mazumdar : Yes, Sir.

Shri Phani Bora :

Sir, whether he has agreed to the terms and conditions laid down by the Government of Assam ? and what are such terms and conditions ?

Shri Abdul Matlif Mazumdar :

There was an Advocate General working with daily fees and other fees and the present Advocate General was supposed to get the similar fees. But the present Advocate General has made a fresh demand.

M. Moinul Haque Choudhury :

Mr. Speaker, Sir, the answer is not clear. We want to know from the Minister on what terms and conditions the present Advocate General has been appointed ?

Shri Abdul Matlif Mazumdar :

The daily fees and other fees for the out going Advocate General was fixed. The present Advocate General was supposed to get these fees and other fees for his appearance in the court.

M. Moinul Haque Choudhury :

Sir, this Assembly must know how the State money is spent. We cannot be satisfied with the answer like this "supposed to be". We want to know specifically under what terms and conditions Government of Assam has appointed the present Advocate General ?

Shri Abdul Matlib Mazumdar :

I have already answered that as an Advocate General for the State was working, the terms and conditions of the Advocate General were also applicable in the present case. But there is a fresh demand from the present Advocate General and the proposal is under consideration of the Government.

Shri Dulal Chandra Barua :

Sir, what is principle followed by the Government for appointing the Advocate General ? Whether there is any norm for selecting an Advocate General ?

Shri Abdul Matlib Mazumdar : The principle is efficiency and legal experience.

Shri Dulal Chandra Barua : Sir, who determine it ?

Shri Abdul Matlib Mazumdar : It is determined by the Government.

M. Moinul Haque Choudhury :

Mr. Speaker, Sir, may I correct that before he was appointed, he gave his terms and conditions. Thereafter, without considering his demand, he has been appointed.

Shri Abdul Matlib Mazumdar : It is not so.

Shri Dulal Chandra Barua :

Sir, whether opinion of the Chief Justice of the High Court was obtained in respect of selecting him as Advocate General ?

Shri Abdul Matlib Mazumdar : No.

Re : Jagannath Barua Road

Shri Jogen Saikia asked :

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

(a) Whether the Government is aware that the Jagannath Barua Road between Jorhat town to Kakilamukh has been very badly damaged due to heavy traffic of vehicles carrying boulders for the Kakilamukh protection works during the last one year ?

(b) Whether Government is aware that this road is beyond repair and needs immediate reconstruction ?

(c) What steps Government propose to take to restore this road for vehicular and other traffic ?

(d) Whether Government propose to restore this road before the next rainy season so that the thickly populated areas served by this road may not be marooned in the rainy season for want of outlet ?

Shri Altaf Hossain Mazumder [Minister of State, P.W.D. (R. & B.)] replied :

33. (a)—Yes.

(b)—The road has been damaged to a great extent but it cannot be said that the damages are beyond repairs.

(c) and (d)—The proposal for extensive restoration of the damages is now under active consideration by the Government, but actual restoration works will be taken up

as and when funds to the extent of requirements are available.

Shri Jogen Saikia :

Sir, I do not understand why this year the road could not be made ready for convenient traffic. Sir, I would like to know whether restoration work will be taken up this year or not.

Shri Altaf Hossain Mazumder :

Sir, this road was used for collection of boulders for the Kakilamukh protection work. Heavy traffic was allowed for the interest of protection work. We have submitted estimates for repair of this road to the Flood Control Department. As soon as we receive funds to the extent of requirement work will be done

Shri Dulal Chandra Barua :

Sir, whether the Government is aware that there are so many representations both from the public and leaders by expressing their grievances either to the E & D or to the P.W.D. for allotting fund for the improvement of the road? How long people will suffer for that?

Shri Altaf Hossain Mazumdar :

I have already stated that we have already submitted an estimate for repair of this road to Flood Control Department and as soon as we receive the same the work will be done immediately.

Shri Jogen Saikia :

Sir, in view of the fact that this road was in existence qu-

ite fit for traffic and it has been badly damaged by the Government vehicles, do not the Government think it to be moral obligation to restore it for the vehicular and other traffic immediately? If they think like this how is it that they do not expedite the matter? The road could have been restored to its previous position with money either from the E & D or P.W. Department. Why should people wait for so many months and years?

Shri Altaf Hossain Mazumdar :

Sir, I have already stated that deterioration of the road has taken place for heavy collection work and the honourable members are also aware that the road was not meant originally for it. We are trying to restore the road at the earliest possible time.

Shri Jogen Saikia :

Sir, what about allocation of funds for this?

Shri Altaf Hossain Mazumdar :

We have not received sanction for that.

Shri Dulal Chandra Barua :

Whether there was any condition with the E&D to ply heavy vehicles on the road? If so, what are those?

Shri Altaf Hossain Mazumdar :

Before starting there was no such conditions. Generally roads are likely to be deteriorated due to plying of heavy vehicles and we are trying our best to maintain the road and for that purpose we have already submitted estimates for sanctioning money.

Shri Mahidhar Pegu :

আমাৰ যোৰহাট টাউনৰ J. Baruah Road টোৰ কাৰণে E.&D. বিভাগৰ তৰফৰ পৰা অজস্র টকা-পইচা খৰচ কৰি আছে আৰু পাথৰ কঢ়িউৱাব হলেহে কিন্তু বাগ্গাটো আনকি গৰুগাড়ী, চাইকেল বা খোজকাঢ়ি যাবৰ কাৰণেও এই J.B. আৰু ককিলামুখ বাগ্গাটো অল্পপযুক্ত। তাৰ কাৰণে বিশেষ ভাৱে পাথৰ কঢ়িউৱাব পৰিপ্ৰেক্ষিতত E.&D. বিভাগে তৎক্ষণাত সংশ্লিষ্ট বিভাগক অনুৰোধ কৰিছেনে? যদি কৰা নাই তেন্তে তাৰ তাদিগা কিয় কৰা নাই?

Shri Altaf Hossain Mazumdar :

Yes, Sir, I agree with the hon' Member that E.&D. should be asked for the money and actually we have submitted an estimate and we are pressing them for it.

Shri Jogen Saikia :

In view of the fact that this road is the only approach road from Jorhat town for carrying materials which are required for construction of spurs at Kokilamukh and this road will also be required in future for the Kokilamukh protection works, do the R&B Department not think it necessary to hand it over to the E.&D. Department for use an approach road so that they may keep the road in good repair.

Shri Altaf Hossain Mazumdar : Gladly we will do that.

Shri Dulal Chandra Barua :

Sir, the P.W.D. is shifting the responsibility to the E.&D and when the E.&D. will be approached, they will also shift the responsibility to the P.W.D. May I ask the hon. Minister-in-charge of E.&D. whether it will be possi-

ble for the Government to allot sufficient fund during the current year for the restoration of this road ?

Shri Mahendra Mohan Choudhury :

It is not the question of shifting responsibility from one Department to the other. The fact is that the road has deteriorated to a great extent and our anxiety has been to restore the road not only for the pedestrians and vehicles but also for the interest of the work itself. we are trying our best to restore and strengthen the road as early as possible but as the fund position in the current year was very bad we could not do that. We hope that we shall be able to undertake the work next year.

Shri Jogen Saikia :

Sir, in view of the fact that about Rs. 67 lakhs has been saved to reduction of number of spurs at Kokilamukh, will Government consider whether a few lakhs of rupees from out of this saving can be made available for the restoration of this road ?

Shri Mahendra Mohan Choudhury :

That is the point we are examining.

M. Moinul Haque Choudhury :

Mr. Speaker, Sir, on a point of order. If a question is put to a Minister he cannot reply to that by talking about inter-Departmental correspondence. It is not proper. If a Minister says that this is under consideration of the Finance Department, this is no answer.

Shri Mahendra Mohan Choudhury :

Minister generally want to give full facts when a ques-

tion is put. In that connection if a Minister discloses in which Department the matter is pending then that cannot be a subject of a point of order.

M. Moinul Haque Choudhury :

It is no answer to a question to say that correspondence is going on between an Under Secretary and a Deputy Secretary or between the two Secretaries of two Departments. That is not a kind of an answer to be given to a question. The question here is what has been done by the P.W.D. to improve the road and it is no good telling that we are in correspondence with some Departments. Government is one and it is the joint responsibility.

Shri Mahendra Mohan Choudhury :

The question was that the condition of the road deteriorated because of the action of the F.C. & I Department because they had to carry heavy loads of boulders to the Kokilamukh protection work. Therefore the P.W.D. referred the matter to the F.C. & I. because it was damaged by the latter and it was the responsibility of the F.C. & I. to repair the road. The F.C. & I. has accepted the responsibility and the Department is going to provide fund for the repair of the road.

Shri Phani Bora :

মাননীয় অধ্যক্ষ মহোদয়, এতিয়া আমাৰ E.&D. বিভাগৰ মন্ত্ৰী ভাঙৰীয়াই P.W.D, বিভাগৰ প্ৰতি sympathy দেখুৱাত আমি বেয়া পোৱা নাই। কিন্তু তেখেতে কৈছে যে শিল কঢ়িয়াওঁতে বাষ্টাটো বেয়া হৈছে আৰু সেই কাৰণে আমাৰ এটা responsibility আছে। এই responsibility কেৱল ককিলামুখৰ

ক্ষেত্রে প্রযোজ্য নে আনব ক্ষেত্রেটা প্রযোজ্য মই সেইটোহে জানিব বিছাৰিছো।

Shri Mahendra Mohan Choudhury :

কোনো বাষ্টা যদি F.C.I. বিভাগৰ বেয়া হৈছে তেন্তে E.&D. বিভাগে ভাল কৰিব আৰু যদি P.W.D. ৰ বাষ্টা বেয়া হয় তেন্তে P.W.D. য়ে ভাল কৰিব।

Shri Jogen Saikia :

Sir, we are thankful to the Minister for Flood Control and Irrigation for taking up the responsibility of restoring the road. Now, may we know whether he will take steps to start the work of restoration in this season ?

Shri Mahendra Mohan Choudhury :

I have already said that we shall start the work next year.

Shri Dulal Chandra Barua :

Sir, the Minister has said that as there is no fund available this year, they will take up the work in the next year. Does the Minister know that unless the road is taken up immediately, even the construction of the spurs will be stopped ?

Shri Mahendra Mohan Choudhury :

Casual repair is going on to keep the road passable.

UNSTARRED

QUESTIONS AND ANSWERS

(To which answers were laid on the table)

Re: Eroded annual Lease Lands

Shri Ataur Rahman asked :

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

- (a) Whether it is a fact that the annual lease lands eroded by rivers are automatically annulled?
- (b) Whether it is also a fact that these lands are mostly thrown up and made arable within the course of years?
- (c) Whether Government is aware that the annual leaseholders are prepared to pay up revenues for eroded land from year to year in expectation of reformation of their lands?
- (d) Whether Government propose to stop annulment of such eroded lands provided revenue continue to be paid keeping as to availability of arable lands?

Shri Mahendra Mohan Choudhury (Minister, Revenue) replied :

- 5. (a)—Yes. According to a procedure prescribed.
- (b)—In the process of alluvion and deluvion of a river, it cannot be definitely said that all eroded lands reappear.
- (c)—Yes.
- (d)—It is under examination.

Shri Ataur Rahman :

Sir, there is a slight mistake in question No. (d). In the fifth line the word "right" should be "tight". Then I have a supplementary. Pending examination will Government see that no further annulment takes place?

Shri Mahendra Mohan Choudhury :

I shall see to it.

Shri Phani Bora :

কিন্তু এটা কথা নহয়। নদীয়ে যদি এটা চাইড ভাঙ্গি লৈ যায়, পানী ওলাই যোৱাৰ পাছত সেই মাটি যদি কাৰোবাৰ একচনীয়া মাটি হয় তেন্তে সেই মাটি automatically তেওঁক দিয়া নহয় কিয় ?

Shri Mahendra Mohan Chaudhury :

মহাশয়, যদি সেই মাটিৰ গৰাকীৰ পট্টা থাকে, আৰু যদি সেই মাটি পট্টাৰ পৰা Cancel হৈ যায় তেন্তে আগৰ পট্টাদাৰে নাপায় আৰু যদি Cancel নহয় তেন্তে পাব।

Shri Phani Bora :

সেই কাৰণে মোৰ প্ৰশ্নটো হৈছে এইয়ে যে আপোনালোকে যদি মাটি খিনি চৰকাৰী কৰি দিয়ে তেন্তে আগৰ পট্টাদাৰ জনৰ অধিকাৰ নাইকীয়া হৈ যায়। তাৰ পাছত যদি সেই মাটি খিনি খেতিৰ উপযোগী হৈ যায়, তেন্তে তাক নতুন মাটি বিছাৰি ফুৰিব লগীয়া হয়। গতিকে এই ক্ষেত্ৰত দেখা যায় যে এবছৰ যদি মাটিখিনি Eroded হৈ যায় আৰু পাছৰ বছৰ যদি সেই মাটি খিনি খেতিৰ উপযোগী হয় তেন্তে সেই মাটিখিনি আগৰ পট্টাদাৰক নিদি কিয় harassment দিয়ে ?

Shri Mahendra Mohan Choudhury :

গড়াখহনীয়াই মাটিখিনি খহাই নিয়াৰ পাছতো যদি পট্টাদাৰে সেই মাটিৰ খাজনা দি থাকে তেন্তে তেওঁৰ পৰা মাটি Cancel কৰা নাযায়। কিন্তু যদি খাজনা দিয়া বন্ধ হয় তেন্তে অদূৰ ভৱিষ্যতত সেই মাটি তেওঁৰ পট্টাৰ পৰা কাটি দিয়া হয়।

Shri Gauri Sankar Bhattacharyya :

মিসকলে 'টান পায় খাজনা' নিদিয়ে সেই সকলৰ কথা বেলেগ। কিন্তু মোৰা এডোখৰ মাটি যদি গড়াখহনীয়াই লৈ যোৱা স্বত্বেও অদূৰ ভৱিষ্যতত সেই মাটি পাওঁ বুলি মই খাজনা দি থাকো তেন্তে সেই মাটি চৰকাৰী কৰে কিয়।

Shri Mohendra Mohan Choudhury :

সাধাৰণতে তেনে কৰা নহয়।

Shri Gauri Sankar Bhattacharyya:

এই সাধাৰণতে কথাটো বৰ বেয়া কথা।

Shri Kondarpa Narayan Banikya :

মোৰ প্ৰশ্ন হৈছে মোৰ অঞ্চলত বহুতো বানবিধ্বস্ত মাটি আছে। ম্যাদী পট্টা থকা স্বত্বেও সেই মাটিবোৰ চৰকাৰে খাচ মাটি কৰিব বিচাৰিছে। এই কথা মন্ত্ৰী মহোদয়ে জানেনে?

Shri Mahandra Mohan Choudhury :

গোৱালপাৰা জিলাত এনেকুৱা পট্টা থকা মাটি চৰকাৰী কৰা নাই। গোৱালপাৰা জিলাত যি বোৰ “এলুভিয়েল” মাটি আছে সেইবোৰ চৰকাৰী কৰা নাই। যিবোৰ মাটি গড়াখহনীয়াত খহি গৈ বালি পৰিছে সেই মাটি পুৰণা পট্টাদাৰক নিদি চৰকাৰী কৰা হৈছে।

M. Moinal Haque Choudhury :

Sir, in view of the fact that the Assam High court has made applicable the principle of reformation in to to on grounds of equity and good conscience which is already applicable under the Bengal Alluvion and Deluvion Regulation to the landholders in Goalpara as well as in Bengal, will Government consider non-cancellation of such kind of land? If anybody's land is eroded by river and reappears in to to namely, in the same sight, he, under the law, gets it. The Assam Land Revenue

The Assam Land Revenue Regulation also recognises it but there is no Act to that effect. Therefore, the Revenue Department did not recognise this principle the Hon'ble High Court now says that the law need not only be written-

even what is accepted by good conscience and equity should also be taken as law. In the case re : Braja Manipuri-vs-State of Assam this principle has been accepted. In view of this will the Govt. re consider the matter.

Shri Mahendra Mohan Choudhury :

Sir, as I said already the land is annulled when there is default of revenue. In default of payment of revenue instead of penalising the patta-holder for a non-existing plot of land the Govt. has decided to annul the land. If the pattadar goes on paying the revenue, I think, the policy of continuing the patta cannot be disputed.

Shri Kandarpa Narayan Banikya :

Sir, according to the Goalpara Tenancy Act the owner of the land has right for 20 years even though it might be eroded. It is seen that in some cases eroded land has been declared khas by the Govt. (Some voice : Don't care the Govt. go to the Court).

Shri Mahendra Mohan Choudhury :

Under the Goalpara Tenancy Act patta continues, and though there is alluvion the right of the pattadar is established.

Shri Promode Chandra Gogoi :

Sir, a point of order. We have seen in the newspapers that Hon'ble Member Shri Banikya has joined the Congress. Now whether belonging to the Congress can he put questions from this side ? (No reply)

Shri A. N. Akram Hussain :

বাজহমত্ৰী ডাঙৰীয়াই এই কথা জানে নে গৰাখহনীয়াই যি বিলাক মাটি ভাঙি

নিয়ে আক যদি সেই মাটি কেতিয়াবা উঠিলে সেই মাটি মহখুটিৰ কাৰণে Settlement দিয়ে। প্রত্যেক মহখুটিকে ১০ বিঘাকৈ মাটিৰ দিয়াৰ কথাটো চৰকাৰে নীতিগত ভাৱে সেই ভাঙি থোৱা মাটি বিলাকৰ পট্টাদাৰ সকলৰ মাটি বিলাক কি মহখুটিৰ কাৰণে ৰাখিছে নে কি ?

Shri Mahendra Mohan Choudhury :

যদি কোনো গাওঁৰ মাটি গৰাখহনীয়াই ভাঙি নিয়ে আক যদি সেই মাটি আকৌ ওলালে মাটি নোহোৱা মানুহক দিয়া হয়।

Shri A. N. Akram Hussain :

মোৰ ছয়গাওঁ সমষ্টিত এনেকুৱা বহুত মাটি মহখুটিৰ কাৰণে বিজ্ঞাভবোৰ ৰখা হৈছে। এই বিলাক মাটি চৰকাৰে তেওঁলোকৰ কাৰণে খুলি দিবনে ?

Shri Mahendra Mohan Choudhury :

সেই বিলাক মই চাম।

Shri Giasuddin Ahmed :

Mr. Speaker, Sir, the question of land affected by alluvion and deluvion is there. It is true that there is remedy u/s 83 of the Goalpara Tenancy Act, but the fact remains that land which were eroded out re-appeared have not been recorded in the name of the old pattadar although there is provision of law. In view of this what steps Govt. proposes to take in this regard ?

Shri Mahendra Mohan Choudhury :

If specific cases are brought then surely the Govt. will look into them. As Mr. Choudhury stated the remedy also lies in the Court,

Re: I. T. I. at Gargaon

Shri Durgeswar Saikia asked :

6, Will the Minister, Labour be pleased to state—

(a) Whether it is a fact that there is proposal for establishment of an I. T. I. at Gargaon within the 4th Plan period?

(b) If so, what steps Government have taken to establish the same?

(c) Whether land has been provided for construction of buildings?

Shri Kamakhya Prasad Tripathi (Minister of Labour) replied :

6. (a)—No.

(b)—Does not arise in view of reply at (a).

(c)—Does not arise

Shai Durgeswar Saikia :

মোৰ প্ৰশ্নটোৰ উত্তৰত “No” অথবা “Does not arise” উত্তৰহে দিছে। এই “No” বিলাকৰ ভিতৰত কৰবাত “yes” নাই নে?

Shri Kamakhya Prasad Tripathi :

I.T.I. বিলাক যে বাঢ়িব নালাগে এই কথা মই কব খোজা নাই। Industrial Developement ৰ Tempo কিছু কমি যোৱাই সেই I.T.I. বিলাক বৃদ্ধিৰ স্তগীত আছে।

Shri Durgeswar Saikia :

গড়গাৱৰ I.T.I. টো খুলিবৰ কাৰণে মাটি লোৱা আদিৰ ব্যৱস্থা হৈ গৈছে। খালি Technical part টোৰ কাৰণে জোৰ দিলেই হয়। কোনো কোনো সময়ত practical মানুহ ONGC আদিত কমি যোৱাৰ কাৰণে বাহিৰৰ পৰা মানুহ আনিছে। গতিকে গড়গাৱৰ কথাটো চৰকাৰে পুনৰ বিবেচনা কৰিবনে?

Shri Kamakhya Prasad Tripathi :

এই বোৰত টকা ধৰা হোৱা নাই। কিন্তু 4th plan সময়ত যদি Industrial Developement ৰ Tempo ই justify কৰিলে ধৰিব পৰা হ'ব।

Shri Phani Bora :

মাননীয় মন্ত্রীমহোদয়ে কৈছে যে সেই বিলাক তেখেতে কৰিব খোজা নাই কাৰণে সেইটো কৰি বেকাৰৰ সংখ্যা বঢ়াব খোজা নাই। কথাটো হৈছে চৰকাৰে নীতি হিচাবে বেকাৰ সমস্যাটো দূৰীকৰণৰ কাৰণে শিল্প সম্প্ৰসাৰণৰ কোনো ব্যৱস্থা কৰিব পৰা নাই আৰু তেনে অৱস্থাত I.T.I. বা তেনে ধৰণৰ অনুষ্ঠানৰ জৰিয়তে আমাৰ লৰা-ছোৱালী বিলাকক কাৰিকৰী শিক্ষা বন্ধ কৰি দিয়াটো নীতিগত ভাৱে গ্ৰহণ কৰিছেনেকি ?

Shri Kamakhya Prasad Tripathi :

তেনে কোনো কথা নাই। কথাটো হৈছে Specialised Training লোৱাৰ পিচত কাম নাপালে মানুহৰ যি বিপদ হয় সেই বিপদ Non-Specialised হলে তেনে বিপদ নহয়।

(Voices)

মাননীয় সদস্যৰ বুদ্ধিমান প্ৰশ্নৰ উত্তৰ অবুদ্ধিমান হলে ভাল নহয়। গতিকে মই কব খুজিছো যে তেনেকুৱা কোনো নীতি চৰকাৰে লোৱা নাই যাৰ দ্বাৰাই Employment বন্ধ হয়। আমি I.T.I. বঢ়োৱাৰ কথাই ভাৱো, কিন্তু I.T.I. পাচ কৰাৰ পিচত ছয়মাহ Apprentice কৰি Certificate লব লাগে। এই স্তৰত বহুত Certificate পোৱা নাই আৰু যি বিলাকে পাইছে তাৰো বহুত unemployed হৈ আছে। সেই কাৰণেই I.T.I. বিলাকৰ সম্প্ৰসাৰণ কিছু বন্ধ হৈছে। ইয়াৰ লগত Industrial Estate বাঢ়ি যোৱাটোৰ সম্বন্ধ আছে। অৱশ্যে ৪র্থ পৰিকল্পনাত গড়গাঁৱত ধৰা নাই।

**Re : Diversion of the National Highway at
Sibsagar Town**

Shri Durgeswar Saikia asked :

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

(a) Whether Government have a proposal for diversion of the National Highway at Sibsagar Town ?

- (b) If so, what steps Government have taken ?
- (c) The amount sanctioned for the said diversion including the amount allotted for the construction of a bridge over Dikho river ?
- (d) How long it will take to complete the same ?

Sari Altaf Hossain Mazumder [Minister of State, P.W.D. (R. & B.)] replied :

7. (a)—Yes.
- (b)—The matter has been taken up with Government of India, Ministry of Transport and their sanction to the estimate of the work is awaited.
- (c)—The question of amount sanctioned for the diversion does not arise in view of reply to (b) above. An amount of Rs. 28,36,000 has been sanctioned by Government of India for the bridge over Dikho river.
- (d)—Not known in view of reply to (b) above.

**Adjournment Motion—Police Atrocities at
the Prince of Wales Technical Institute**

*Shri Dulal Chandra Barua :

Mr. Speaker, Sir, The Motion which I have tabled under Rules 56 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly is a definite matter of recent occurrence and of great public importance. Sir, I took the first opportunity yesterday of placing before you this matter but it could not be discussed yesterday. Sir, this

of P. O. W. Institute, Jorhat held on 23rd March '70 against the illegal trespass and atrocities committed by the Police inside the Rajabari Residential Campus of P. O. W. Institute, Jorhat. The fact in brief is that on 23rd March, 1970 in between 10.30 a. m. a Police party consisting of more than 50 men with guns, Lathies and tear gas shells etc. entered into the Residential Campus of the P. O. W. Institute in the Rajabari area, fired teargas shells, blanks, entered staff quarters and beaten and arrested students inside the quarters, threatened staff members: insulted staff members including Principal."

Therefore, Sir, by considering all these aspects I consider it a fit case to discuss through an adjournment motion. Sir, the incident has agitated the minds of the student community in the State and their sentiments have been wounded by the Police atrocities committed on them. You just imagine, Sir, what may happen in a day or two. After all our student community is very peaceful. They are not like the student of West Bengal or other parts of the country.

So, Sir, considering all these points I once again submit to you that it is fit case to discuss the matter through an adjournment motion so that the House may find out a solution to this matter.

*Shri Phani Bora :

Mr. Speaker, Sir, I support this Adjournment Motion because the incident that has taken place is of extraordi-

nary character. Entry of the police force with arms and all weapons at their disposal within the campus of an educational institution is not a matter of ordinary law and order. When I heard this news not to speak of the students who are there in that particular institution or the staff, I myself felt agitated. What is this ? Where are we living ? The protectors of law have taken law in their own hands and done everything just like hooligans. Sir, this matter is of urgent public importance. We do not want to make any further delay in discussing this matter rather we want to take certain measures in order to counteract the repercussions that may take place and as a result of this there may be some more incidents, Sir, this matter is of very recent occurrence and it has happened only on 23rd instant, and it is also a specific matter. The matter is that the police with arms and ammunition without taking any permission from the head of the institution entered into the campus of the institution and beaten the boys and the staff and arrested the students including the principal. This is very extraordinary. This kind of thing should not be allowed to occur. When we will discuss the Question of law and order we may take this incident into account for our guidance, but this is not so. This is a specific issue and should be specifically discussed in the floor of the Assembly and we may arrive at a decision in respect of taking some immediate action against those culprits. We do not like to allow those people who in charge of law and order

to set up this kind of example and enter into the educational institution without any authority and create atrocities. An immediate action against the culprits should be taken, and pending further enquiry an immediate action is called for and that decision may be taken if we are allowed to discuss this matter in the floor of the House threadbare. Therefore, Sir, I hope you will be kind enough to allow this urgent matter to be discussed here so that the Assembly can recommend to the Govt. any appropriate action without any further delay.

*Shri Jogen Saikia :

অধ্যক্ষ মহোদয়, Administration ৰ সম্পৰ্কে কোৱাৰ লগতে মই কেইটামান fact কলেহে গোটেই কথাটো বুজাত স্তুবিধা হ'ব। সেই দিনা আছিল হলিৰ দিন। সেই দিনা মই গাৱৰ পৰা আহি যোৰহাটত থকাৰ সৌভাগ্য ঘটিছিল। সেই দিনা সন্ধিয়া আহি পাই ঘটনাৰ কথা শুনি মই ঘটনা থলিলৈ গলো। আৰু লগে লগে মই principal লৈ ফোন কৰিলো। আৰু ঘটনাৰ সবিশেষ জানিবৰ কাৰণে D.C. লৈ ফোন কৰিলো। D.C ক নাপায় A.D.C লৈ ফোন কৰিলো। সেই বাতিয়েই মই কেবাজনো ছাত্ৰক লগ পালো তাতে principal আৰু professor সকলকো লগ পালো। তেখেত Hostel ৰ campass তে থাকে আৰু Superintendant জনো তাতে থাকে। তাত গৈ দেখিলো ঘৰৰ বাহৰ বেৰ ভাঙি পৰি আছে। তাৰ ওচৰতে কেইজনমান প্ৰফেচৰো থাকে বুলি কৈছে। তাত বোলে পুলিচে খেদি আহি দুজন লৰাক ধৰি মাৰিলে। বাষ্টাৰ ওপৰতে তাৰ পাচত পুলিছে Shell মৰা শুনা বুলি কৈছে। আৰু তাত ২ জন পুলিছে Blank fire কৰা বুলিও কৈছে। তাত ঘাইল হোৱা লৰা কেইজনক মই দেখি আহিছো। এজনক Hospital ত দেখি আহিছো। তেওঁৰ যথেষ্ট ঘাইল হৈছে। আৰু অন্য এজনক হোষ্টেলত দেখি আহিলো তেখেতৰ গাতো জখম হৈছে। মুঠতে ৩ জনৰ জখম বেচি। তাৰ পাচত আহি জানিলো যে

পুলিছো কেইবাজনো ঘাইল হৈছে। তাৰে এজন Inspector বৰা, তেখেতে চকুত আঘাট পাইছে আৰু চকুটো উখলি থকা দেখি আহিছো। তেখেতে কলে যে crowd টোৱে পিচ ফালৰ পৰা ইটা শিলগুতি আদি মাৰিছিল। আৰু Hospital ৰ ডাক্তৰ সেই সময়ত চাৰ্জত আছিল বৰুৱা, তেখেতে কলে ১৩ জন পুলিচৰ মানুহ ঘাইল হৈছে। বহুতকৈ First Aid দিব লগীয়া হৈছে। ইতিমধ্যে মই principal ক লগ পালো। তেখেতে কলে যে এই কথাটো এতিয়া Subjudice হৈ আছে। এই কথাত আপত্তি কৰিব লগীয়া একো নাই। কাৰণ তাত ১৪৪ ধাৰা জাৰী কৰি থোৱা হৈছিল। তাৰ পাচত লাহতি petrol pump ৰ ওচৰত বাষ্টাত থকা কেইজনমান Mobile বৈ আছে। বাষ্টাত আটাই বিলাক মানুহকে ছাত্ৰ বুলিব নোৱাৰি। কাৰণ হলিৰ কাৰণে বাষ্টাত বহুত মানুহ বৈ আছিল। সেই মানুহ বিলাক আৰু পুলিচৰ মাজত হতাহতি হয়। অৱশ্যে Hostel ৰ Campus ৰ ভিতৰত পুলিচ সোমোৱাৰ কথাটো পুলিছে স্বীকাৰ কৰিছে। তাত কাকো Arrest কৰা হোৱা নাছিল। তাত principal বা professor কাকো মৰা নাই। তেখেত সকলে কলে যে তেখেত সকলক পুলিচে ভাল ভাষাত কথা কোৱা নাই।

কথা হল এইটোৱেই যে ঘৰত বহি থকা অৱস্থাতে ঘৰ-দুৱাৰ ভাঙি, দৰ্জাৰ খিনি একেৰাই পুলিচ ভিতৰ সোমাই আছে কিন্তু কাকো arrest কৰা নাছিল। কিন্তু প্ৰফেচাৰ এজনক অপমান কৰাৰ কাৰণেহে দুখ পাইছো। ইয়াত ঘাইল হোৱা দুজন লোক Hospital ত গৈ মই লগ ধৰি আহিছো। অৱশ্যে লৰা বিলাক Agitated হোৱা নাছিল। কাৰণ Campus ত লৰা কম আছিল। প্ৰায় বিলাক লৰাই ফাকুৱাৰ বন্ধত ঘৰত গৈছে। মাত্ৰ ১৫/১৬ জন মানহে লৰা আছিল। তেওঁলোকক ভয় খুৱাবৰ কাৰণে Blank fire আদি কৰা হৈছিল। তথাপিহে আইন মতে যিখিনি কাম কৰা দৰ্কাৰ সেইখিনি কৰিব লাগে। ছাত্ৰ সকলৰ থৈৰ্ঘ্যৰ কাৰণে তেওঁলোকৰ সচাকৈয়ে প্ৰশংসনীয়।

Shri Giasuddin Ahmed :

পুলিচে যি কৰিছে নকৰিছে সেইটোৰ ভাৱদৰে আলোচনা হ'ব লাগিব।

Shri Jogen Saikia :

এই Case টোৰ সত্যাসত্য নিৰূপনৰ কাৰণে এটা magistateenquiry

হব লাগে— আৰু ইয়াত জড়িত যি কেইজন ছাত্ৰ ঘাইল হৈছে তেওঁলোকৰো এটা Judicial enquiry হব লাগে।

Shri Giasuddin Ahmed :

ইয়াৰ ভাল দৰে আলোচনা হব লাগিব। অকল তাতেই নহয় গোটেই বাজা-জুৰি পুলিচে এনে কাম কৰি আছে।

Shri Mahendra Mohan Choudhury :

Sir, while discussing the admissibility of the motion, I may be permitted to give the facts as has been received from the Deputy Commissioner, Sibsagar. The report is like this. "On March 23rd at about 10.45 hour's,....."

Shri Gaurisankar Bhattacharyya :

এই বকমেই সদায় হবনে? সভাস্থগিত প্ৰস্তাৱটো যদি পঢ়ি দিয়া হয় আৰু তাৰ ওপৰত সপক্ষে বা বিপক্ষে কথা কটাকটি কৰে তেতিয়া হলে পিচত আলোচনা কৰিবলৈ কি থাকিল।

Shri Dulal Chandra Barua :

Sir before allowing him to make the statement the Question of admissibility has to be decided.

Shri Mahendra Mohan Choudhury :

You have also made a statement.

Mr. Speaker :

In connection with admissibility of motion facts are introduced.

*Shri Mahendra Mohan Chaudhury :

"At about 10-45 hours on 23.3.70 some Prince of Wales Technical Institute boys and holi revellers sprinkled coloured water on pedestrians on Mariani road near Rajabari Rly.

level crossing near Prince of Wales Institute despite objection by pedestrians and in defiance of orders promulgated under section 144 Cr. P.C. prohibiting sprinkling of coloured water on public roads and thoroughfares. Police on duty attempted to intervene on which students of Prince of Wales Institute and holi revellers assaulted the police, Havildar and staff on duty. On receipt of information from mobile wireless van Circle Inspector, west along with force arrived at the place of occurrence of holi revellers and the students attacked the party with stones and brickbats. Stone pelting caused injury to Circle Inspector and about 8 other police men. Circle Inspector was admitted in the Hospital. More crowds gathered. Police were pelted upon by crowds and students from Prince of Wales Institute Campus. Police dispersed crowds by chasing them. The unruly portion of the mob entered Prince of Wales campus and continued Pelting stones and brickbats. Police chased them into the campus when more students joined and started very heavy pelting. Police party burst two tear gas shells to disperse unruly mob. Police managed to apprehend five persons including one student from within the campus. Student was arrested near quarter No. 16 of the Prince of Wales campus. Magistrate Rohman and Addl. S.P. visited prince of Wales. Some professors and students of Prince of Wales were agitated that police had entered the campus area. Principal of Prince of Wales Institute requested me for release of the arrested student Gyan Singh. Student released by police on police bail and police picket near campus replaced by fresh batch. D.C. visited Prince of Wales campus

personally at 5. P.M. and met the students being invited by some professors and political parties. Situation now peaceful."

Sir, from this it appears that it is a matter of ordinary law and order. Therefore, it is up to you, Sir, to decide whether the House should be adjourned for discussing this.

Shri Dulal Chandra Barua :

Sir, as has been said earlier, we are pressing for admissibility with facts.

Shri Mahendra Mohan Choudhury :

One thing is yet to be said, Sir, there are two cases lodged by the police for sprinkling of water in defiance of Section 144 and beating of police personnel on duty. No case from the side of the students or Holi revellers so far has been instituted and the development is awaited in this behalf.

Shri Dulal Chandra Barua :

Sir, as has been stated by myself and by Shri Bora, this cannot be called a matter for ordinary law and order. My contention is that this is more than ordinary law and order, of extraordinary nature. As I have said, Sir, some students might have committed something wrong and according to law they are to be arrested. But to keep the sanctity of the institution previous permission of the authority of the head of the institution ought to have been obtained. But they did not do so as has been stated by themselves. They entered the campus of the institution and fired

tear gas, assaulted the students there inside the campus itself. Therefore, if it is treated as ordinary law and order we cannot accept this from our side because the sanctity of the institution is to be honoured. This of course does not mean that an institution should harbour or give protection to criminals whoever he or she might be.

In a resolution Sir, it has been said that pending judicial enquiry in the matter the Police personnel responsible for the incident be arrested. Unless we discuss this matter we will not get any assurance on that point from the Government. On that day also about the happening of Now-gong we did not get anything neither from the Government nor from you, Sir, on the findings of the happening which was brought in the form of an Adjournment Motion. In the demand of the students also it has been said that those who are found responsible should be put under suspension till the enquiry is over. They have given an ultimatum and unequivocally resolved that if the district authority fails to satisfy both the demands of the students before 28th of March, 1970, the members of the students will be compelled to take such necessary action as the situation demand and I am reported that two of the staff already have given notice to the Deputy Commissioner. Therefore by merely saying that this comes under ordinary law and order does not serve the purpose. Unless, through discussion, we find out a solution, I am afraid, the situation might take a very bad turn. Considering all these aspects, Sir, I hope you will be kind enough to allow us to discuss this matter.

Mr. Speaker :

I have heard both the sides. I reserve my ruling till 31st of March, 1970. It will be taken up on the 31st of March, 1970.

*Shri Phani Bora

আপুনি এই Resreve ৰাখিছে। Ruling দিওঁতে দিওঁতে অলপ দেৰি হব কাৰণ মাজত বন্ধ আছে। কিন্তু আলোচনা কিছু হৈছে যদিও Practically ভালকৈ হোৱা নাই বা এনে ধৰণে আলোচনা কৰা নাই। সেই ফালৰ পৰা Complete ই কৰিলে।

মই এইটো কথা জানিব বিচাৰিছোঁ যে গভৰ্ণমেণ্টৰ পৰা Adjournment motion ৰ কি Ruling দিয়ে দিব। গতিকে এনেকুৱা এটা ঘটনা মন্ত্ৰী মহোদয়ৰ বিবৃতিত প্ৰকাশ পাইছে যে Campus ত সোমাইছে, মাৰপিট কৰিছে Case চলিছে আৰু Arrest ও কৰিছে আৰু এনে ধৰনৰ ঘটনা যাতে ভবিষ্যতে ঘটিব নোৱাৰে তাৰ কাৰণে Protection দিব লাগে। ইতিমধ্যে ঘটনা বেছি হব পাৰে আৰু ঘটনাই বেলেগ ৰূপ লব পাৰে বুলি চৰকাৰে কিয় মানি নলয়। তদুপৰি ইয়াৰ Judicial enquiry কৰিবৰ কাৰণে কিয় ৰাজি নহয়। মই কব নোৱাৰোঁ। এইটো আলোচনা কৰি এই মুহূৰ্ততে Judicial Enquiry ঘোষণা কৰিব বুলি আমি দাবী কৰিছোঁ। যেতিয়া চৰকাৰে এইটোৰ এনেকুৱা এটা ঘটনাৰ কথা সম্পূৰ্ণ ভাবে জানিও Judicial Enquiry কৰাৰ আগতে কিয় ঘোষণা কৰি দিব নোৱাৰে মই ভাবি নাপাওঁ তথাপিও আমি সুবিধা দিছোঁ সময়ো দিছোঁ আৰু দাবী কৰিছোঁ যে আতি সোনকালে Judicial Enquiry হব লাগে।

Shri Mahendra Mohan Choudhury:

অধ্যক্ষ মহোদয় ইতিমধ্যে মই যিখন Report পঢ়িদিছোঁ এইটো D.C ৰ পৰা আহিছে। তাত উল্লেখ আছে যে D.C য়ে নিজে সেই ঘটনা স্থলিলৈ গৈছিল। এই বিষয়ে প্ৰফেচাৰ আৰু ল'ৰা ৰিলাকৰ সৈতে কথাও হৈছে। এই বিষয়ে তেওঁলোকে তদন্ত নকৰা নহয়। আৰু এই ঘটনাৰ বিষয়ে আৰু কিবা তদন্ত

প্রয়োজন আছেনে নাই এই কথা আমি বিবেচনা করিম। আর আবেলি সदनত এই বিষয়ে মই এটা বিবৃতি দিম।

**Re : Incident at the Anjali Cinema House, Shillong
involving a young girl**

Shri Rothindra Nath Sen

Sir, It is not a pleasant task on my part just to come with a matter taking advantage of the zero hour but I am grateful to you for giving me the opportunity to bring to the notice of the House a very unpleasant and ugly incident that took place last night in Anjali Cinema Hall and inadvertently, in the later part of the night, I had been dragged from the Assembly Hostel and got involved in the incident. I want to apprise this House and particularly, the Minister in charge of Home portfolio to see that law does not respect any person whomsoever he might be. Sir, what happened last night in the evening show at Anjali Cinema is this:

One girl about 16/17 years of age, named Leena Roy, daughter of one Shri Mahendra Roy of Laban went to Anjali Cinema to see a picture with her younger brother. She took her seat in the Balcony. At about 7 in the evening, while they were sitting there in the dark one Chowkidar or orderly or someone of the Cinema entered the Cinema Hall, went to that particular girl in the Balcony and to her utter surprise told her that somebody from her house had come to give some information. That innocent girl who appeared in the School Final examination only the other day relying on the Chowkidar went out and

found the proprietor of the Cinema House Shri Mahavir Goenka, a fairly old gentleman, and according to me till yesterday. I knew him to be a nice gentleman, was standing there and Shri Goenka took the girl in an adjoining bath room, furnished with coaches and chairs and styled as bathroom-not a bath room for the cinema goers but a bath room for the proprietor or other VIPs, and asked the girl to stay there so that the person who had come to meet her could be brought to that place. The girl till then could not realise the depth of the situation and entered the room. The moment she entered the room, Shri Goenka closed the door from outside and locked it. Then she understood the whole crux of the affair and started screaming and crying alloud but unfortunately nothing came out from her shouts. Some how or other she broke the handle of the door and tried the ventilator; got up on the chair and couch just to attract the notice of passers by. Mind you, Sir, this was past 7.00 P.M. last evening. Dr Subrata Das, M.B.B.S. who resides near the Anjalee Cinema and prof. Martin Narayan who was also there heard the cry of the girl through the ventilator. Dr. Das rushed out of his house and went there. He found some woman screaming inside. Then Prof. Narayan also went there and called for the police. In the meantime there was no sign of this Goenka. The show was going on. The police came, broke open the door and rescued the girl. She was brought to the Police Station and according to her statement she said she tried to catch hold of Shri Goenka but he was no more there. According to the information received from the Police last night when I have been dragged

at 12.30 at night and returned at 1-30 in the morning, according to their information the police came to enquire of Goenka in the Bijou Cinema. The entire Police force, Police Inspector, S. Is and constables, a good gang of police cordoned the entire Bijou Cinema. The show was going on but after the show all the visitors came out from the Anjalee Cinema but the picture was going on reels after reels. So the police could not enter there. I am sorry I mean the Bijou Cinema. Shri Mahvir Goenka came and took shelter there. According to the Police Mr. Goenka was in the Operator's room in the Bijou Cinema. Time was moving on, it was already half past twelve. Some Bengali gentleman rushed to the Assembly Hostel. I was fast asleep. He knocked the door and said 'please come with me there is a serious incident and unless you come all will feel helpless. The Police could not do anything, they could not enter the Bijou Cinema.' It was difficult on my part to believe that a person like Shri Goenka could stoop so low. Anyway to oblige this gentleman—even Dr. Gupta of the Shillong Civil Hospital was also there to call me out—I came out. It was then 12.35 A.M. They took me in a car upto Bijou Cinema. I found the Police there. Fortunately for me I saw Mr. Gaurisankar Bhattacharjya my leaders in his side of the House coming out of the Bijou Cinema. I stopped the car and called him and enquired of him as to what has happened. He said he could not contact Mr. Goenka. Then I asked should we go inside. The Police said there were no visitors inside the House but the show was going on. This was only to obstruct

the Police personnel to enter the Cinema House to apprehend the reportedly guilty person—Shri Goenka. Mr. Bhattacharyya in this wisdom said why should we encroach in their premise, and that it would be unwise on our part to encroach. I said 'since you do not consider it wise then why should I enter' and gave up the idea of entering Bijou Cinema.

Then I asked the Police about the girl. They told me to go to the Police Station because the girl was there, They said 'you will hear the whole story from her.' I went to the Police Station and found the girl there. According to me her age will not be more than 17 years. She has appeared in the School Final Examination only 3 days before. I found her in a very shaky condition, She has a fair complexion. I asked her about her identity. She gave me the entire report. I asked her "Do you know that it was Mr. Goenka?" She said 'I am a resident of Shillong and I know Shri Goenka at least by name, face and appearance.' Then I again questioned her how this gentleman looked like-whether he is fat and so on. In this way I tried to ascertain whether she is correct in her statement. Her report about the person concerned revealed that he was Shri Mahavir Goenka. Sir, after that I again came to the Bijou Cinema and I found that the show was still going on. It was past one in the morning. I again met the Police officers and asked them "Can't you go inside?". They said they enquired of the Manager whether there was any publicity that there was to be a double attraction of the show. The Manager reluctantly said that

there was no such publicity but that he has been asked by the proprietor to continue the show. Sir, after that I know nothing more. I came back to the Hostel and slept. I do not know whether that gentleman has been apprehended.

I brought this matter before the House so that there may not be any hush hush in the affair. But to say that when the Cinema owners are getting their licenses from the Government, Government has certain amount of other duties as well to see to the safety of persons who may be endangered by the goondas or even by loose characters of the cinema business. I understand that the Anjalee Cinema area falls within the Meghalaya State. I do not know much about this. But if it is within the purview of the Assam Govt the Minister incharge of Home portfolio now should atleast make enquiries as to the authenticity and truth of the matter. As I have already mentioned some names like that of Prof. Narayan who is very well known to the Honble Members of this House and also some Govt servants like the Police personnel and others, this Government may kindly make an enquiry into this matter so that henceforward atleast the security of womenfolks in the Cinema Houses is not jeopardised.

*Shri Phani Bora :

Sir, henceforward the womenfolk will be protected. That I understand. But this is a very serious matter for this Assembly. When the matter has been raised in the House

with your permission in the zero hour and when it has become the property of the Assembly, the Assembly has a right to know whether that particular gentleman who is called Mahavir Goenka or Hanuman Goenka or whatever he is, this brute of a man has got to be brought to book. And if it is not done legally, now-a-days time has come that something is being done and will be done even if it is not legal. This kind of thing is a horrible thing and these capitalists with the power of money, if they think they can do anything of the kind, they will be beheaded and their heads will be flown on the streets. The time has come, and, therefore, the Government has got to take serious note of it and immediate action is called for. This gentleman will have to be arrested and he will have to be put under the prison bars, whatever his money may be, whatever his prestige may be. Whatever a big man he may be for some people, for us he is nobody- he is a rat. We can behave with him as he has behaved- we can behave with him like a deceased rate. So, he must not be allowed to go scotfree. This is our demand that when this matter has come up to the floor of the House we cannot give it up without proper enquiry and the Government is requested to take immediate action as this is something which cannot be tolerated.

Shri Gaurisankar Bhattacharyya :

Sir, Mr. Sen has mentioned my name, and from it will appear that I also know something of the matter of last night. It was about 11-30 p.m. or 11.35 p.m.

something like that. I was asleep when I was roused from my bed by one Mr. Markos and another Khasi gentleman. They came and said that they have been sent by some people including Prof. Martin Narayan to contact me as something very serious has happened. I said "what is that"? They said, "You please come to Police Bazar and see yourself". I asked, "what is the matter?" They said that "some of our people are there in the cinema house. Something has happened and the police cordoned the cinema house-nobody is allowed to go in or come out." Till then they did not disclose as to what the matter was. I went there and met some police officers. I asked "what is the matter over there?" They said, "Nothing". I said, "There must be something; otherwise how is it that you are so many?" Probably the gentleman who was standing there did not know me. I asked "Is there any bar for going inside for anybody?" They said, "there is no bar". Then I said "why the gates are closed". They said, "there was some trouble". In the meantime, another officer came and called me aside. He said that there is a complaint lodged in the Thana by a girl that she was confined in the Anjalee Cinema by some people and that the alleged culprit or culprits have taken shelter here and therefore, we have come to surround the house and to get the man". I said then "why should you be here why do you not go in and have the people arrested?" They said that "he is hiding here behind the operator's room and probably we cannot

enter there'. I said "probably if you have got search warrant you can go inside". They said "if you kindly accompany us and be a witness we will go". Then I accompanied the three police officers. There was another gentleman of Laban-side and a Muslim gentleman also, was there. We went. We did not meet anybody except the youngest brother of the proprietor, not Mahavir but Shankar. We enquired of him "where is Mahavir?" He said he did not know. We waited for some time-we expected Mahavir to come but he was not coming. It was getting 12 or probably it was past 12 p. m. So naturally I said, "you wait there, I go because it is past 12 p.m." So I came out and while I came out and was about to return to the Hostel, Mr. Sen reached there in a car. He stopped me I said, "do you know the details of the matter?" Then he gave me a description of the matter which he has given now. He said "how is it that the cinema is continuing even after 12-30 p, m.?" I said that we are told that they are having double show. I made an enquiry and it was reported that there were some people inside. "Shall we examine it" ? he said. I said "should we ? After all why should we go inside the cinema House ? Without tickets ? Do you advise us to go there ?" He said "No". I said, "If you think so, let us not go inside. Probably we can proceed to the thana". Then he said, "Why should you go unsolicited ?" Then I returned to the Hostel.

Now, this much so far as my knowledge goes. But from the surrounding circumstances and also from what

Mr. Sen has reported, it appears that something very serious must have taken place. The law must not be a respecter of any person. It should be properly and evenly meted out whoever may be the guilty person. He should be brought to book and should be adequately punished. This assurance we want from the Government. We do not want to give any opinion. But the narration as it has come out and the surrounding circumstances show that the matter is really very serious. And if some exemplary and deterrent measure is not taken when such incident took place in the capital itself, in the heart of the town and not at some late hour in the night but in the early evening and when people alleged to be involved in it are not ordinarily known ruffians but who pass as very honourable gentlemen - when these cinemas are involved here - the Government should see that appropriate and adequate measures are taken and that this matter be investigated into not by ordinary persons but by very expert and fearless people and people of established repute in the matter of investigation:

Shri Dulal Chandra Barua :

Sir, in addition to what has been said, there is only one thing which I want to add. The cinema halls are meant for enjoyment of the people and not for immoral activities. Just because somebody has got money and because somebody has got certain facilities, can they do whatever they like according to their whims ? That cannot be allowed to continue. Therefore, apart from the legal investigation and punishment which has been suggested, may I submit to the Govt. that

if these things are indulged by the proprietors of cinema houses here, will it not be possible on the part of the Govt. to stop and cancel the licences of such cinema houses ? Because to-day this matter is being discussed in the House and tomorrow it will come out in the press and time may come when even these cinema houses may be raided by the youngsters, after all this has affected the feelings of the people. Therefore, till the investigation is complete, I submit that these two cinema houses owned by this proprietor should be closed down.

Shri Mahendra Mohan Choudhury :

Sir, I am very much shocked to hear about the incident, as narrated by my friend Honble Shri Sen. I did not hear anything about it till I heard the story from him. From our side no villain would be tolerated and all possible action against any villain will be taken by the Government. About other matter which has been suggested by my Honble friend Shri Dulal Chandra Barua, it is a matter of law. That can also be examined.

RULING BY THE SPEAKER

ADJOURNMENT MOTION

Large scale eviction of landless cultivators from wasteland

On the 18th March, 1970. Shri Phani Bora gave notice of an Adjournment Motion to discuss the situation arising out of large-scale eviction of landless cultivators from waste land under Forest Reserve and Government Reserve in the State.

The Chair ruled out the Adjournment Motion on

the 26th March, 1970. In his ruling, among other things, the Speaker pinpointed that "The urgency must be of such a character that the matter really brooks no delay," "The fact that a grievance is continuing for some time robs it of its character of urgency," "Adjournment Motion does not lie when facts are in dispute or before they are available," and finally that the hon. Members would have ample opportunity to discuss the matter in the current Session of the Assembly.

The full text of the ruling is as follows :

On 18th March, 1970, Shri Phani Bora tabled the following Adjournment Motion in the House :

"That the Assembly do now adjourn to discuss the situation arising out of large-scale eviction of landless cultivators from waste land under forest reserve and Government reserve in the State."

In the explanatory note he stated inter alia that "in the course of eviction people were brutally assaulted, house burnt and a reign of terror was let loose in many cases. In protest the landless people had squatted and demonstrated before D.C.s and D.F.O's offices at various places of the State. While speaking on the admissibility of the Motion, he further added that people were arrested. The D.F.O., Kokrajhar, resorted to beating of persons—the landless poor cultivators and set fire to the beard of an old Muslim gentleman. Hundreds and thousands of people had demonstrated before D.C.s and D.F.O's offices and demanded land for landless people and stoppage of eviction. He further stated that his motion fulfilled all the conditions and so it should be admitted.

Hon. Member Shri Giasuddin Ahmed who was one of the signatories to the Motion, participating in the discussion stated, among others, "that in the course of eviction some women were raped. Such were the reports coming from Amtola Reserve. Hon. member, Shri Shamsul Huda, while participating in the discussion, stated, among others, that though eviction may be a matter of ordinary administration of law, burning of houses, raping of women, setting fire to the beard of an old gentleman are not embodied in the programme of eviction.

The Minister for Parliamentary Affairs opposed the Motion on the following grounds :

1. That the Motion is initiated on vagueness.
2. That the matter is not of recent occurrence.
3. That the eviction of encroachers has been continuing for a long time. So it is a continuing matter and cannot be the subject matter of an Adjournment Motion.
4. That the hon. Members will get ample opportunity to discuss the matter while discussing the Governor's Address where the Governor had particularly mentioned about the Government Land Settlement Policy.
5. That burning of beards of persons, committing rape on women, etc., are imaginary stories. These are serious matters, reference to which should not have been made without definite proof. If there are actually facts about such incidents, the matter should be brought before a Court of Law for adjudication.

After hearing both sides, I reserved my ruling till the Assembly reopens after recess,

As I have already held in my previous rulings, the business of the House should not be adjourned, and order paper of the day should not be upset except under very pressing circumstances. The crucial test is always as to whether the question proposed to be raised has arisen suddenly and created an emergent situation of such a character that there is a prima facie case of urgency and the House must leave aside all other business and take up the consideration of the urgent matter at the appointed hour. The urgency must be of such a character that the matter really brooks no delay. Nothing should be introduced extraneously in the order paper of the day unless the occasion is of such a character that something very grave, something which affects the whole country, its safety, its interest and all that is happening and the House must pay attention to it immediately.

In the present motion the Movers seek to discuss the situation arising out of mass - scale eviction of landless cultivators from waste land under Government and forest reserve accompanied with assault, arrest and burning of houses. The programme of eviction as stated by the Minister for Parliamentary Affairs is continuing from a long time and it may continue till encroachment in these reserves continues. So the matter has not arisen suddenly. It is a continuous one. The fact that a grievance is continuing for some time robs it of its character of urgency. I may

be permitted to quote Kaul's "Practice and Procedure of Parliament" at page 384 in this context. "A matter which has been continuing for some time cannot be raised through adjournment motion". So the motion does not fulfil the test indicated above. Moreover eviction of encroachers from Government and forest reserves is a matter of ordinary administration of law.

As regards allegations of rape and burning the beard of a member of the minority community, although the allegations are serious, they were not mentioned in the notice of the motion. These are matters for adjudication by Courts of Law. Moreover, these facts are not admitted by the Government so the facts are in dispute. "Adjournment Motion does not lie when facts are in dispute or before they are available." —Kaul, Page 383.

As regards the alleged excesses such as assault arrest and burning of houses, in the course of eviction, these can be discussed in various ways in the current session of the Assembly. One of the purpose for an Adjournment Motion is for discussion of an urgent matter of public importance when there are no other parliamentary opportunities for discussing the same. Hon. Members will have ample opportunities to discuss the matter during the debate on Governor's address where the Governor has made reference to the land settlement policy of the Government, general discussion of the budget or by tabling a motion under the Rule. Kaul's Practice and Procedure of Parliament at page 384 states as follows:

"A matter even of very recent occurrence is not urgent if an opportunity for its discussion will arise in the ordinary course of business within a reasonably short time. It has been held that an adjournment motion on a matter which can be raised during debate on the motion of thanks on the President's address, budget discussion etc., to be held in the same session is not in order. Similarly a matter which can be raised under any other procedural device, viz. calling attention notice, questions, short notice questions, half an-hour discussion, short duration discussions, etc cannot be raised through an adjournment motion."

Under the circumstances stated above and in view of the fact that the hon. Members will have an opportunity to discuss the matter during the current session of the Assembly, I am constrained to disallow the motion.

Adjournment Motion—Police atrocities at Bhur-bondha, Kaliabor (Nowgong).

On 17th March, 1970, hon. Members Shri Atul Chandra Goswami, M. Shamsul Huda and M.A. Musawwir Choudhury gave notice of an Adjournment Motion for discussion of the following matter :

যোৱা ইং ১৮/২/৭০ আৰু ১৯/২/৭০ তাৰিখে কলিয়াবৰ সমষ্টিৰ অন্তৰ্গত ভূৰ বন্ধাত পুলিচৰ বৰ্বৰ আক্ৰমণ, নাৰী ধৰ্ম আৰু লুণ্ঠন কাৰ্যাৰ দ্বাৰা গণতান্ত্ৰিক আদৰ্শ আৰু ধৰ্ম নিৰপেক্ষতা ভঙ্গ আৰু উক্ত অঞ্চলত ব্যাপক সন্তোষৰ সৃষ্টিৰ ফলত উদ্ভৱ হোৱা পৰিস্থিতি।

Besides the Movers of the motion, hon. Members Shri Kamini Mohan Sarmah, Shri Moinul Haque Choudhury and

Shri Dulal Chandra Barua participated in the discussion as to the admissibility of the motion. During discussion following facts were elicited :

On 18th and 19th February a batch of Nowgong Police raided at night in Bhurbandha area, severely assaulted the inhabitants including women thereof with lathis causing grievous injury to one Altaf Ali Gaonbura, set fire to the beard of an old Mus'im gentleman, broke open the houses for assaulting the inmates, outraged the modesty of a woman and thus created a reign of terror in the area. It was submitted that the motion had fulfilled all necessary conditions of Adjournment Motion and as such it should be admitted.

Shri M. M. Choudhury, Minister for Parliamentary Affairs, opposed the Motion on the following grounds among others :

1. That is not of recent occurrence.
2. That there are parliamentary opportunities to discuss the matter such as in the debate on Governor's Address, during general discussion of the Budget or by tabling a motion or resolution in the current session of the Assembly.
3. That at the instance of the Deputy Commissioner a magisterial enquiry was held and 5 cases have been lodged by the aggrieved parties against police and these cases are pending before the Court of Law for adjudication. The matter which is sub-judice in a court of law cannot without prejudice to the case be brought forward for discussion,

After hearing both sides, I asked the Minister for Parliamentary Affairs to place records before me to show whether the involved officers have been suspended and whether the matter is a sub-judice one.

The Minister for Parliamentary Affairs submitted to me all relevant records for my perusal. On perusal of the records the following facts were elicited :

On 17th February, 1970, on the complaint of one Abdul Jabbar, about theft of his chillies, when S. I. Shri R. Bhattacharya along with two constables, attempted to apprehend the alleged culprit, Shri Abdul Khalek, at No.4 Bhurbandha, they were assaulted by some people. One of the constables, Shri Dimbeswar Bordoloi managed to escape reported the matter to the A.S.I. in charge of Ambagan Camp who proceeded to the P. O. with his staff and took the S.I. and the constable for medical help at Ambagan and then to Rupahihat P.S. where the S. I. lodged a written ejahar mentioning the names of 35 accused persons by names and 56/60 others.

At Rupahihat case No. 12, dated 17th February 1970, under sections 143/49/333/342/386/377. I. P. C. was registered by O. C. Rupahihat. In the night of 18th February, 1970 the police conducted a raid in Bhurbandha area and arrested 39 persons. Hon'ble Members have stated above that during the raid the atrocities mentioned by them were perpetrated by the Police. From records supplied by the Minister, I find that following 5 complaint cases were filed in the Nowgong Court by the persons aggrieved :

1. Nowgong C. R. case No.516/70, under section, 323/457/342, I.P.C. filed by Jahara Banu of Bhurbandha against O/C. Rupahihat P. S., O/C. Kaliabor P. S., A. S. I. Kaliabar P. S. and 9 constables. The accused persons were summoned under section 457/323, I.P.C. fixing the next date on 7th May, 1970.
2. Nowgong C. R. case No.551/70, under sections, 325/342/114, I. P. C. filed by Shri Altab Ali, Gaonburah of Bhurbandha (Barghuli) against in-charge of Lawkhowa P. I. P. in-charge of Ambagan outpost and constables of Ambagan outpost. Complainant was examined on 27th February, 1970. Accused persons were summoned under sections 323/242/114, I. P. C. fixing the next date of hearing on 9th April, 1970. 2. At
3. Nowgong C. R. case No.549/70 under sections 323/457/342, I. P. C. filed by Shri Ali Akbar of Bhurbandha against O/C. Rupahihat P. S., some 7/8 constables and Thakuria Police. The complainant was examined on oath on 27th February, 1970 and he was asked to prove his case fixing the next date of hearing on 24th March, 1970.
4. Nowgong C. R. Case No.600/70, under sections 376 (Rape) 457/354/323, I. P. C. filed by Shri Md. Sadak Ali of Bhurbandha against A. S. I. and one constable of Ambagan. The complainant was examined on oath on 4th March, 1970 and directed to prove his case fixing the next date of hearing on 26th March, 1970.
5. Nowgong C. R. Case No.602/70, under sections, 323/354/379

I. P. C. instituted on the complaint of Musmt. Umar Kusum of Bhurbandha against In-charge, Ambagan, Rupahihat Police Outpost, O/C, Rupahihat P. S. and 7/8 constables and Thakuria Police. The complainant was examined on 4th March, 1970. The accused persons were summoned under sections 323/379/426, I.P.C. fixing the next date of hearing on 1st April, 1970. None of the accused persons were suspended.

All these complaints have been filed in the court having lawful jurisdiction, In all of them cognisance has been taken by the court concerned and all of them are pending in the courts for adjudication. The complaints concern the same matter as referred to in the Adjournment Motion. So they must be held as sub-judice pending in the courts of law for adjudication and discussion on them is debarred under Rule 57 (iv) of the Rules of Procedure for the Conduct of Business in the Assam Legislative Assembly. I may be permitted to quote from Kaul's Practice and Procedure of Parliament (page 391)—

“A matter is not sub-judices until the legal proceedings actually start but the moment a complaint is filed or a petition launched involving jurisdiction of any of the courts in India, the court is seized of the matter and to that extent the jurisdiction of the House to discuss the matter is barred.” So I am constrained to disallow the motion.

Calling Attention to a matter of Urgent Public Importance—Extravagance in the State Electricity Board.

Shri Bhadra Kanta Gogoi :

Sir, I beg to call the attention of the Minister of Power (Electricity) under Rule 45 of the Rules of procedure and Conduct of Business in Assam Legislative Assembly to the news item appearing in the "Assam Bani", dated 27th February, 1970 under the caption "ৰাজ্যিক বিদ্যুৎ বৰ্ড এটা ফুটা কলহ"

Shri Biswadev Sarma ([Minister, Power (Electricity)]) :

অধ্যক্ষ মহোদয়, এই সম্পৰ্কত সদনত এটা বিবৃতি দিছিলো। তাকে আকৌ মই দোহাৰি দিছো।

অসম ৰাজ্যিক বিদ্যুৎ ব'ৰ্ড সংগঠিত হয় ১৯৫৮ চনৰ জুন মাহৰ পহিলা তাৰিখে। সেই সময়ত আমাৰ ৰাজ্যখনত বিদ্যুৎ উৎপাদনৰ সৰ্ব্বোচ্চ ক্ষমতা আছিল কেৱল ১৪ মেগাৱাট, ইয়াৰে ৮.৪ মেগাৱাট হ'ল উন্নত জলবিদ্যুৎ কেন্দ্ৰৰ পৰা পোৱা। বিদ্যুৎ পৰিবহন ব্যৱস্থাৰ নামত কেৱল মাত্ৰ ১১ কিল'ভল্ট শক্তি সম্পন্ন ২৮ কিল'মিটাৰ লাইনহে আছিল। অসমৰ জনমূৰা বিজুলী শক্তিৰ ব্যৱহাৰৰ নিৰীক্ষা আছিল, সৰ্বভাৰতীয় হাৰৰ ২৩.৭ ইউনিটৰ তুলনাত মাত্ৰ ১.৬১ ইউনিট।

আমাৰ এই সীমান্ত ৰাজ্যখনত বিজুলী শক্তিৰ উৎপাদন আৰু সৰ্ব-বহাৰৰ নাটনিৰ প্ৰতি লক্ষ্য ৰাখি সদ্য ঔদ্যোগিকৰণ আৰু অৰ্থনৈতিক উন্নতিৰ অৰ্থে অসম ৰাজ্যিক বিদ্যুৎ বৰ্ডে প্ৰথমৰ পৰাই অধিক বিজুলী শক্তি উৎপাদনৰ বিষয়টোত মনোনিবেশ কৰে আৰু খবটকীয়াকৈ কেইটামান বৃহৎ আকাৰৰ বিদ্যুৎ উৎপাদনৰ আঁচনি হাতত লয়। সেইহেতুকে এক বুজন ধৰণৰ মূলধনেৰে বৰ্ডৰ পুঁজি গঢ়ি তুলিব লগা হয়।

উজনি অসমৰ ৬৯ মেগাৱাট শক্তি সম্পন্ন নামৰূপ টাপ বিদ্যুৎ কেন্দ্ৰক ভিত্তি কৰি গঢ়ি উঠে ৬৬ কিল'ভল্ট পৰিবহন ব্যৱস্থা (Grid) আৰু নামনি অসমৰ বাবে, ৫৪ মেগাৱাট শক্তি সম্পন্ন উমিয়াম জলবিদ্যুৎ আঁচনিৰ প্ৰথম আৰু দ্বিতীয় পৰ্যায়ৰ লগতে ১১.২ মেগাৱাট শক্তি সম্পন্ন উমক্ৰ জলবিদ্যুৎ আঁচনিক সংলগ্ন কৰি গঢ়ি উঠে ১৩২ কিল'ভল্ট শক্তি সম্পন্ন নামনি অসম পৰিবহন ব্যৱস্থা (Lower Assam Grid). এই মধ্যবৰ্তী সময়চোৱাৰ ভিতৰতে উন্নয়নমূলক বিভিন্ন আঁচনি সমূহৰ জৰুৰী চাহিদা পূৰণৰ বাবে বহুতো ক্ষেত্ৰত

যথেষ্ট মূলধন খটাই, লাভজনক নোহোৱা স্বত্বেও কেইবাটাও সৰু, বৰ ডিজেল চালিত বিদ্যুৎ কেন্দ্ৰ প্ৰতিস্থা কৰিব লগা হয়।

বিদ্যুৎ উন্নয়নৰ আঁচনি সমূহ হ'ল বৃহৎ মূলধন সাপেক্ষিক। এনে আঁচনিৰ কাম আৰম্ভ হোৱাৰ দিন ধৰি বিদ্যুৎ উৎপাদনক্ষম হোৱালৈ ভালেখিনি সময় লয়। অসমৰ ভৌগোলিক পৰিস্থিতিৰ লগত জড়িত আন কিছুমান সমস্যাৰ বাবে এনে আঁচনি সমূহ সম্পূৰ্ণ কৰি তোলোতে কেতিয়াবা অধিক পলম হৈ যাব লগাত পৰে।

এই ৰাজ্যখনৰ বিদ্যুৎ উন্নয়নৰ আঁচনি সমূহ কাৰ্য্যকৰি কৰিবলৈ যাওঁতে, ধাৰ কৰা মূলধনৰ ওপৰত নিৰ্ভৰ কৰিব লগা হৈছে। বিদ্যুৎ বৰ্ডৰ তেনেকোনো সুকীয়া মূলধন বা পুঁজি নথকাত ধাৰত অনা ধন সমূহৰ ওপৰত নিৰ্ভৰ কৰিয়েই আঁচনি সমূহত হাত দিয়া হয়। এই আঁচনি সমূহ সম্পূৰ্ণ কৰোঁতে যথেষ্ট সময় লয়। আনহাতে স্তূত পৰিশোধৰ দায়িত্ব আহি পৰে ধন পোৱাৰ লগে লগেই। ইয়াৰ পৰাই সহজে অনুমান কৰিব পাৰি যে বিদ্যুৎ বৰ্ডে এই বৃহৎ আঁচনি সমূহত ন্যস্ত কৰা পুঁজি ধাৰত আনিব লগা হোৱা বাবে আঁচনিৰ কাম সম্পূৰ্ণ হৈ উঠাৰ আগৰে পৰাই স্তূতৰ বোজাও লব লগা হয়।

সাধাৰণতে যি কোনো এটা বিদ্যুৎ আঁচনিৰ কাম সম্পূৰ্ণ কৰি তোলোতে ৬৭ বছৰ সময় লাগে আৰু তাৰ পৰা লাভজনক উৎপাদন ক্ষমতা পাবলৈ আৰু লাগে ৫৬ বছৰ। কিন্তু এই গোটেই কালচোৱাৰ ভিতৰত ধাৰত অনা মূলধনৰ ওপৰত স্তূতৰ দায়িত্বও পুঞ্জীভূত হৈ গৈ থাকে। তাৰ ফলস্বৰূপে বিদ্যুৎ বৰ্ডৰ বিত্তীয় ছবিখন দেখাত বেলেগ হৈ পৰে।

অসম ৰাজ্যিক বিদ্যুৎ বৰ্ডখন ৰাজহুৱা খণ্ডৰ ব্যৱসায়িক সন্থা হলেও এই অনুস্থানৰ ওপৰত কিছুমান সামাজিক অৰ্থনৈতিক (Socio-Economic) দায়িত্বও আছে। ৰাইজৰ উপকাৰ জনক কাৰ্য্যত লিপ্ত (Public utility service) অনুস্থান হিচাবে এক বিশাল জন-সাধাৰণৰ সুখ-সুবিধাৰ প্ৰতি লক্ষ ৰাখি চলিব লগা হোৱাত লাভ অৰ্জন কৰা ছৰৰ কথা বহুতো ক্ষেত্ৰত লোকচান কৰি হলেও ৰাইজৰ স্বার্থৰ বাবে কাম কৰি যাব লগা হয়।

অসম ৰাজ্যিক বিদ্যুৎ বৰ্ডে গ্ৰাম্য বৈদ্যুতিক আঁচনি খনক জাতীয় আঁচনি হিচাপে হাতত লৈছে। মহাৰাষ্ট্ৰ, গুজৰাট, পঞ্জাব আদি ৰাজ্য সমূহৰ দৰে

অসমত গ্ৰাম্য বৈদ্যুতিকৰণ আঁচনি সদ্যহতে অৰ্থনৈতিক দিশৰ পৰা লাভজনক নহয় যদিও এই আঁচনিত বাইজৰ স্বাৰ্থৰ প্ৰতি লক্ষ্য ৰাখি বিশেষ মনোযোগ দিব লগা হৈছে।

ভাৰতৰ আন আন ৰাজ্য সমূহত গ্ৰাম্য বৈদ্যুতিকৰণ লাভজনক হোৱা স্বত্বেও ৰাজ্য চৰকাৰৰ তৰফৰ পৰা এনে আঁচনিৰ কামত আৰ্থিক সাহায্য দিয়া হয়। উদাহৰণ স্বৰূপে কব পাৰি, ১৯৬৯-৭০ চনত মহাৰাষ্ট্ৰ ৰাজ্যিক বিদ্যুৎ বৰ্ডে গ্ৰাম্য বৈদ্যুতিকৰণ আঁচনিৰ শিতানত ৰাজ্যিক চৰকাৰৰ পৰা পাব লগা আৰ্থিক সাহায্যৰ পৰিমাণ হ'ল ২'১৮ কোটি টকা। কিন্তু অসম ৰাজ্যিক বিদ্যুৎ বৰ্ডক এই আঁচনিৰ কামৰ বাবে কোনো সাহায্য চৰকাৰৰ ফালৰ পৰা দিব পৰা হোৱা নাই। আনহাতে পৰ্বত প্ৰধান অসমত পাহাৰ অঞ্চলৰ গাওঁবোৰত বৈদ্যুতিকৰণ কাৰ্য্য হ'ল ব্যয় বহুল ও কষ্টকৰ। এই আঁচনি সমূহৰ সৰহ ভাগেই সদায় লাভজনক হৈ নাথাকে। এতিয়ালৈকে গ্ৰাম্য বৈদ্যুতিকৰণ আঁচনিৰ শিতানত ৰাজ্যিক বিদ্যুৎবৰ্ডে মুঠ ৬'৬১ কোটি টকাৰ মূলধন খটাইছে। চলিত পৰিকল্পনাত এই আঁচনিৰ প্ৰাধান্যতাৰ হেতু এই শিতানত অহা কেইবছৰৰ ভিতৰত বিদ্যুৎ বৰ্ডে ক্ৰমে বৰ্দ্ধিত হাৰত আৰু মূলধন খটাব লগীয়া হব।

জলবিদ্যুতৰ ক্ষেত্ৰত অসম অতি সম্পদশালী ৰাজ্য। কিন্তু যি কোনো বিদ্যুৎ আঁচনি হাতত লোৱাৰ পূৰ্বেই প্ৰতিটো আঁচনিৰ কামতে বৈজ্ঞানিক পদ্ধতিত জৰিপ আৰু পুঞ্জানুপুঞ্জ ৰূপে পৰীক্ষা বা প্ৰাকৃতিক অনুসন্ধান আদিৰ প্ৰয়োজন। এনে সকলোবোৰ জলবিদ্যুৎ আঁচনিৰ কাম প্ৰথমৰ পৰাই অতি ব্যয় বহুল। এনেবোৰ অনুসন্ধান কাৰ্য্যত সদ্যহতে আৰ্থিক প্ৰত্যাৰ্পন পোৱা নেযায়। আনহাতে, যথা-যথ অনুসন্ধান আৰু উপযুক্ত তথ্য পোৱা নগলে তেনেকোনো আঁচনিৰ কামত হাত দিয়াও নেযায়। বৰ্তমানলৈকে বিদ্যুৎ বৰ্ডে এনে অনুসন্ধান (survey) কাৰ্য্য চলোৱাৰ বাবে মুঠ ১'৫ কোটি টকা খৰছ কৰিব লগা হৈছে।

ৰাজ্যখনৰ সৰ্ব্বতোমুখী উন্নয়ন আৰু ঔদ্যোগীকৰণৰ উদ্দেশ্যে বিজুলী শক্তিৰ বৰ্দ্ধিত চাহিদা পূৰণৰ বাবে আৰু বৃহৎ আকাৰৰ বিদ্যুৎ আঁচনিৰ কাম হাতত লব লগা হব পাৰে সেই হেতুকে অহা কেইবছৰৰ ভিতৰত এনেধৰণৰ 'অনুসন্ধানমূলক' আঁচনিৰ কামত Investigation Work) আৰু বেচি পৰিমাণে মনোনিবেশ কৰিব লগা হব।

যোৱা পঞ্চবাৰ্ষিক পৰিকল্পনা সমূহৰ কালচোৱাত অসমত আশাতীত ৰূপে উদ্যোগীকৰণ হৈ উঠা কথাটোৱেও ৰাজ্যিক বিদ্যুৎ বৰ্ডৰ ওপৰত পৰোক্ষ ভাৱে কিছু প্ৰভাৱ বিস্তাৰ কৰিছে। কিয়নো উদ্যোগ সমূহ গঢ়ি উঠাৰ ওপৰতে বিজুলী শক্তিৰ ক্ৰয়-বিক্ৰয় নিৰ্ভৰ কৰে। অৱশ্যে চীনৰ ভাৰত আক্ৰমণ আৰু পাকিস্তানৰ যুদ্ধ, আদি সমস্যাৰ বাবেও ভাৰতৰ এই সীমান্ত ৰাজ্যখনত সদ্য উদ্যোগীকৰণত কিছু বাধাৰ সৃষ্টি কৰিলে। প্ৰসঙ্গক্ৰমে কব পাৰি যে পূৰ্বৰ চুক্তি অনুযায়ী কেৱল নামকণ সাৰ কাৰখানাই বিদ্যুৎ বৰ্ডৰ পৰা কিনিব লগা সম্পূৰ্ণ খিনি বিজুলী শক্তি এতিয়াও ব্যৱহাৰ কৰিব পৰা হৈ উঠা নাই। তাৰ ফলস্বৰূপে বিদ্যুৎ বৰ্ডে প্ৰায় ২ কোটি টকাৰ আয় হেৰুৱাব লগা হৈছে। সেই একে দৰেই পূৰ্ব পৰিকল্পিত মতে কাগজৰ কল, তেলশোধনাগাৰ আদি বৃহৎ উদ্যোগ সমূহ সময়তে প্ৰতিষ্ঠা হৈ উঠাৰ বাবেও আৰু দুই এক পূৰ্ব প্ৰতিষ্ঠিত মজলীয়া ধৰণৰ উদ্যোগ বন্ধ হৈ যোৱাৰ ফলতো বিজুলী শক্তিৰ কিছুমান বুজন ব্যৱহাৰীৰ সংখ্যা কমিযোৱাত বিদ্যুৎ বৰ্ডৰ আয়ৰ ক্ষেত্ৰত ব্যাঘাত সৃষ্টি হৈছে।

তথাপিও, ইতিমধ্যে সম্পূৰ্ণ হোৱা বিদ্যুৎ যোগানৰ কেন্দ্ৰবোৰৰ পৰা বিজুলী সৰববাহ কৰি বিদ্যুৎ বৰ্ডৰ উপাৰ্জন ক্ৰমে বাঢ়ি অহা দেখা গৈছে। ১৯৬৮-৬৯ চনত বৰ্ডৰ আয় আছিল ৩,০১২,৫২৬৮ টকা ১৯৬৯-৭০ চনত আয় হয় ৩,৬০,৩০০০ টকা। ১৯৭০-৭১ চনত এই আয়ৰ পৰিমাণ ৪,৭৬,১৮০০ টকা হবগৈ বুলি আশা কৰা হৈছে। অৱশ্যে ইতিমধ্যে যদি চৰকাৰে নিৰ্দেশ দিয়া মতে বিজুলী শক্তিৰ 'টেৰিক' বা দামৰ সালসলনি কৰা হয় বৰ্ডৰ আয় আৰু বাঢ়িব।

ইতিমধ্যে ৰাজ্যিক বিদ্যুৎ বৰ্ডে কাৰ্যক্ষমতা বৃদ্ধিৰ বাবে ভালে কেইটিমান ব্যৱস্থা হাতত লৈছে। বিজুলী শক্তিৰ অপব্যৱহাৰ আদিৰ প্ৰতি চকুদিবলৈ দুটা পৰিদৰ্শক দল গঠন কৰা হৈছে। গুৱাহাটীৰ নিচিনা প্ৰধান চহৰবোৰত বিজুলী সৰববাহ নিখুঁট ভাবে ৰাখিবলৈ আৰু গ্ৰাহক সকলৰ সুবিধাৰ অৰ্থে ভালেমান আধুনিক ব্যৱস্থা পাৰ্য্যামানে লোৱা হৈছে। মিতব্যয়তাৰ ফালৰ পৰা বিদ্যুৎ পৰিবহন ব্যৱস্থাৰ (Grid) সম্প্ৰসাৰণৰ ওপৰত বিশেষ গুৰুত্ব দিয়া হৈছে, যাতে পাৰ্য্যামানে, ব্যয়বহুল ডিজেল কেন্দ্ৰবোৰ অনতিপলমে বন্ধ কৰি দিব পৰা হয়। পৰিবহন ব্যৱস্থাৰ ব্যয় সাঙ্কেচনৰ বাবে ৰি. ইন.ফৰ্চ কংকৃতৰ খুঁটা তৈয়াৰী কাম ইতিমধ্যে বৰ্ডে নিজে হাতত লৈছে।

এই সকলোবোৰ স্বতঃ চতুৰ্থ পৰিকল্পনাৰ শেষলৈকে বিদ্যুৎ বৰ্ডৰ কিছু পৰিমাণ ঘাটী বৈ যাব। এই বিষয়ে বিদ্যুৎ বৰ্ড সম্পূৰ্ণ সচেতন।

নানান বাধা বিধিনি স্বতঃ অনমৰ বিদ্যুৎ পৰিকল্পনাৰ ক্ষেত্ৰত একেবাৰে চানুকীয়া অৱস্থাৰ পৰা আবন্ত কৰি এই বাৰ বছৰৰ কালচোৱাৰ ভিতৰতে ৰাজ্যিক বিদ্যুৎ বৰ্ডে ভাৰতৰ বৈদ্যুতিক মানচিত্ৰত অনমৰ স্থান প্ৰতিস্থা কৰিবলৈ সক্ষম হৈছে যদিও অনমত ঔদ্যোগিক আৰু বাণিজ্যিক বিকাশত পলম হোৱালৈ চাই ব্যৱসায়িক মহা হিচাপে লাভান হ'ব। ৰাজ্যিক বিদ্যুৎ-বৰ্ডক কিছু সময় লগাতো অস্বাভাৱিক নহব।

বাতৰিত প্ৰকাশিত বিদ্যুৎ বৰ্ড সম্পৰ্কীয় নিৰ্দিষ্ট বিষয় সমূহ সদনৰ ৰাজহুৱা হিচাপ পৰীক্ষক মণ্ডলীৰ দ্বাৰা যথা-সময়ত বিবেচিত হ'ব।

M. Moinul Haque Choudhury :

Mr. Speaker, Sir, in his reply the Minister has been kind enough to state about the income of the Board but he has carefully avoided telling us what is the expenditure of the Board. Am I correct that this Board is unable to pay even the interest on the borrowed capital out of its income far less contributing anything to the general exchequer despite the fact that 1/3rd of the total plan money of the past few plans were sunk in the Board ?

Shri Biswadev Sarma :

I have already stated that the State Electricity Board has not been able to pay any interest to the State.

M. Moinul Haque Choudhury :

What has been done to cut down the expenditure on the huge staff of officers without any work. What they are doing and why we are paying when they cannot even pay the interest for the loan far less contributing to the exchequer ?

As whose ornaments they are there ?

Shri Biswadev Sarma :

We are trying our best to minimise the expenditure.

The Assam Municipal (Amendment) Bill, 1969.

Shri Mahendra Mohan Choudhury (Minister, Parliamentary Affairs) :

Mr. Speaker, Sir, before taking up item No.3, I want to move a motion. I have already given a copy of the motion. Under Rule 91 of Rules of Procedure and Conduct of Business I beg to move that the debate on the Assam Municipal (Amendment) Bill, 1969, as reported by the Select Committee be deferred till a later date of this Assembly.

Mr. Speaker :

The motion moved. The question is that the debate on the Assam Municipal (Amendment) Bill, 1969, as reported by the Select Committee be deferred till a later date of this Assembly.

(The motion was adopted).

The Assam Separation of Judicial and Executive functions Bill, 1969.

Shri Jogen Saikia :

Sir, I beg to move that the Assam Separation of Judicial and Executive Functions Bill, 1969, be referred to a Select Committee consisting of the following Members :

1. Shri Abdul Matlib Mazumdar, (Minister in-charge, Legal Affairs.)

2. Shri Moinul Haque Choudhury
3. Shri Jogen Saikia
4. Shri Ataur Rahman
5. Shri Altaf Hussain Majumdar
6. Shri Ranendra Basum tiri
7. Shri Debeswar Sarmah
8. Shri Gaurisankar Bhattacharyya
9. Shri Ramesh Mohan Kouli
10. Shri Benoy Krishina Ghose
11. Shri Sailen Medhi

Six members will form the quorum and the Report of the Select Committee to be submitted on or before 31st August, 1970.

Mr. Speaker :

Motion moved. There is another motion from Shri Dulal Chandra Barua. As regards this there can be no motion but it may come as an amendment under Rule 73 (a).

Shri Dulal Chandra Barua :

This is a motion in the form of an amendment,

Mr. Speaker :

I cannot accept that interpretation. If it is treated as an amendment it will be an identical amendment.

Shri Dulal Chandra Barua :

Sir, I beg to move that the Assam Separation of Judicial and Executive Functions Bill, 1969, be referred to a Select Committee for proper scrutiny and report by 10th May, 1970.

I put the amendment of Shri Jogen Saikia. The question is that the Assam Separation of Judicial of Executive functions Bill, 1969 be referred to a Select Committee consisting of the following Members :

1. Shri Abdul Matlib Mazumdar, Minister in charge, Legal Affairs.
2. Shri Moinul Haque Choudhury
3. Shri Jogen Saikia
4. Shri A taur Rahman
5. Shri Altaf Hussain Majumdar
6. Shri Ranendra Basumatari
7. Shri Debeswar Sarmah
8. Shri Gaurisankar Bhattacharyya
9. Shri Ramesh Mohan Kouli
10. Shri Benoy Krishang Ghose
11. Shri Sailen Medhi

Six members will form the quorum and the Report of the Select Committee to be submitted on or before 31st August, 1970.

(The motion was adopted)

Shri Dulal Chandra Barua :

Sir, my submission is that the reporting time should be advanced. May I request the Mover of the amendment to consider this in view of the fact that unless this is done there

will be suffering to be faced by the Judicial officers.

Mr. Speaker :

The Committee will consider this. The House has already accepted that the report should be submitted by 31st of August, 1970.

ADJOURNMENT

The House then adjourned for lunch till 2 p.m.

(After lunch)

Re : Adjournment motion - Police Atrocities at the
Prince of Wales Technical Institute,

Shri Mahendra Mohan Choudhury (Minister) :

In the first half of today's session there was some discussion about the Prince of Wales Technical Institute where an incident took place on the 23rd March '70. Sir, we have decided and ordered for a Magisterial Inquiry on the whole affair. Secondly about the Shillong incident, Sir, I called the I. G. of Police and discussed with him the situation. I have instructed the I. G. to take all possible steps so that the culprit can be apprehended and brought to book. The alleged culprit has not yet been arrested. Police are making search to find him out.

Shri Dulal Chandra Barua :

Sir, may I know whether the Police who have been found responsible for the incident that took place in the Prince of Wales Technical Institute will be put under

suspension in order to have a smooth enquiry ?

Shri Mahendra Mohan Choudhury :

Sir, the difficulty is that merely on an allegation nobody can be suspended. If a prima facie case is established against any of the officer appropriate action will be taken against him.

The Assam Finance Bill, 1970

Mr. Deputy Speaker :

Here is a message from the Governor. 'I recommend under Art. 273 of the Constitution for consideration of the Assam Finance Bill, 1970 by the Assam Legislative Assembly'

Shri Kamakhya Prasad Tripathi (Minister Finance) :

Sir, I beg to move that the Assam Finance Bill, 1970 be taken into consideration.

In this connection I beg to inform you, Sir, that the only changes made are—formerly income upto Rs. 3,000 was exempt. Now we have exempted Rs. 5,000 to give relief to the lower bracket as was asked by the hon^{ble} members in the Opposition in the last Session. Then in order that we may not lose we had to make some changes in the intermediate slabs and finally we raised the top level tax to 0.62P instead of 0.60 P. That means there has been a rise of 0.2 P in the rupee in the highest bracket. These are the only changes made this year.

Shri Dulal Chandra Barua :

Sir, in this connection I want to make certain observations. In the Statement of Objects and Reasons it

has been stated "it is proposed to extend the exemption from liability to pay the Agricultural Income-tax to the income group upto 5,000 instead of 3,000 as at present there by benefiting the less well-to-do section of the people". I would like to know from the Hon'ble Finance Minister who would be the assessing authority about such kind of valuation. Whether there is a machinery for correctly evaluating the different income groups and whether that machinery is a reliable one.

Shri Kamakhya Prosad Tripathy :

We have already got a tax machinery. We have got a Commissioner of Taxes and his whole organisation is charged with collection of taxes not only these tax but also sales tax and other taxes which are prevalent in the State.

Shri Dulal Chandra Barua :

My contention is that this tax will affect the agricultural group, viz., the peasants. This Government is very much expert in collecting revenue from the poorer sections of the people. My whole contention is whether we can have any guarantee from the Government side that no unnecessary harassment or false assessment will be made by the Governmental machinery, so far as the common people are concerned.

Shri Kamakhya Prosad Tripathi :

The hon. members know that there has not been a single complaint of harassment in the implementation of our tax laws so far. There is no reason whatsoever now to think that suddenly our Department will go berserk

and start harassing people. That suspicion may not be in the mind of the hon. Member,

Shri Sailen Medhi :

Sir, in considering the Assam Finance Bill we have to consider some specific acts of the Government. Sir, in the Statement of Objects and Reasons, our Finance Minister has stated "the Assam Agricultural Income - tax Act, 1939, and the Assam Purchase Tax, act, 1967, require that the rates of Agricultural Income- tax and the Assam Purchase Tax to be charged in any particular year shall be specified in the Assam Finance Act for the year. The rates under the Assam Purchase Tax are proposed to be left as they are. It is proposed to extend the exemption from liability to pay the Agricultural Income-tax to the Income group upto 5,000 instead of 3,000 as at present, thereby benefiting the less well-to-do section of the people. It is also proposed to raise the rates of taxes in the higher income groups to compensate the loss from the exemption limit and to increase revenues. Hence the Bill. 'In the Financial Memorandum it has been stated "The Act will be administered by the existing staff. Hence no extra expenditure is involved. The raising of the exemption limit will entail a loss of revenue about 20 lakhs but there will be an increase of revenue about 35 lakhs by raising the rates in the higher income groups."

Sir, if we raise the exemption limit from 3000 to 5000, we will definitely be getting less revenue from agricultural income-tax, but the Minister has stated that this will

be compensated by raising the rate in the higher income groups and thereby he also hopes to get an extra 15 lakhs of rupees. In this connection, Sir, I want to point out that we should try to realise the arrear taxes. It is largely due to unrealised arrear taxes that our budget has such a gloomy look. The arrear taxes come to about 4 crores of rupees and the amount of unrealised loans and interest comes to more than 38 crores of rupees. Government have been unable to realise these arrears of taxes, loans and interest. I would, therefore, point out that unless our machinery for collecting taxes is strengthened unless Government take specific steps for proper realisation of taxes and other arrears, we will not be able to get Rs. 35 lakhs by raising the rate of taxes for higher income groups. Sir, what have we seen? For agricultural income-tax alone, two crores of rupees remain unrealised up till now and the total arrear taxes, as I have already said, come to 4 crores of rupees. The Finance Minister could not specifically state before the House that the machinery has been revitalised. Unless this is done, we cannot say that we would be able to get the additional 15 lakhs, as proposed in the Bill. We want to know categorically what steps Government are going to take to realise taxes, both current and arrear. If the Finance Minister proposes to strengthen the Tax Department, some extra staff will be required and we will have to incur some additional expenditure for the staff and other administrative activities. I would, therefore, like to know how Government propose to realise the arrears

and also this additional 15 lakhs of rupees. I would like to know what steps are going to be taken in this direction.

Shri Kamakhya Prasad Tripathy :

Sir, with regard to realisation of loans and interest, this is not relevant so far as this Act is concerned. With regard to the tax realisation machinery for this Act, we have got a very adequate machinery which has been functioning very well. In point of fact, our realisation of agricultural income tax from the tea industry has been better than realisation from other industries. The greatest difficulty with regard to realisation of agricultural income tax from the tea industry has been the persistent intervention by the High Court and stay orders. These stay orders have for a long time held up realisation in many cases. We have been trying to expedite matters but the process of expedition in the High Court has not been as we desire. Therefore, a considerable amount of money on account of this tax is held up.

Secondly, we had passed this purchase tax Act on raw hides and jute about $1\frac{1}{2}$ years back, but I regret to say that up till now we have not been able to realise a single furthing because the High Court has stayed realisation and unless the order of the High Court is vacated we are not in a position to realise anything from these commodities. We have moved the High Court and we hope that order will be vacated. Once the orders of the High Court are vacated we will be in a position to realise the unrealised amounts both of the purchase tax as well

as of the agricultural income tax.

With regard to sales tax- though this is not a matter which comes under the purview of this Act - the greatest leakage in realisation of tax in Assam is taking place by diversion of goods from railways to road carriage. These road carriers, I am told deliver their goods to merchants at night and our officers do not function at night. Therefore many of the deliveries go undetected. Two things we have done. Firstly, we have opened a gate at the point of entry from Bengal. That gate has already been opened. Now, the Deptt. keeps track of what are the lorries coming and where they are going. But uptil now we have not been able to connect the Deptt. by a teleprinter service. We have a plan to connect the teleprinter service to Gauhati so that the Gauhati Officers may know which are the trucks moving and thereby we will be able to verify whether it has been delivered at the right spot and in that case we will be in a better position to keep check. Therefore, Sir, we do not think it necessary to appoint more officers for the implementation of this Act. We think that the officers who are engaged for the purpose would be adequate. If at any stage it is found that the number of persons engaged for the realisation of tax is not adequate then naturally we would be appointing necessary personnel for this task. Sir, the amount which will be increased is only about Rs.15 lakhs which is very insufficient and it will touch intermediate and higher slabs and it will not touch the lowest point. I would hope in view of this clarification the hon. Members will accept what I have said.

Mr. Deputy Speaker :

Order, order. The question is that the Assam Finance Bill, 1970 be taken into consideration.

(The motion was adopted)

Shri Kamakhya P. osad Tripathi :

Sir, I beg to move that the Assam Finance Bill 1970, be passed.

Shri Dulal Chandra Barua :

Sir, before the passing of the bill I want to make certain observation. The hon. Minister had pointed out that due to the case being pending before the hon. High Court the Govt. is not in a position to proceed with the functioning of this Act. Sir, probably we have passed the Act before two years and after the clearance which we have received from the Govt. of India there is a big gap. During this gap period no attempt has so far been made by the State Govt. in respect of applying any machinery to collect this kind of tax. It has been said that the existing machinery is quite sufficient to cope with the situation which I do not think correct, as these people are very busy in collecting sales tax. I would rather suggest that there should be a separate machinery for collecting this kind of tax.

Shri Kamakhya Prasad Tripathi :

A separate machinery may also be inadequate. What is wanted is the adequate number of persons and whenever Govt. deems fit they will take necessary steps to appoint more persons for this task. When the Purchase Tax bill went to the Govt. of India for assent, the President did not

give assent and ultimately we had to reduce the tax to 3 per cent, and it is only after the amendment the Govt. of India has given its assent. Therefore, there is a big gap in between. There after when we wanted to collect the tax the parties went to the High Court and got stay order and as a result of this we were not in a position to collect the tax. It is not due to the shortage of the collection machinery instead it is due to the intervention of the High Court. We are hoping the High Court will vacate the stay order soon. And after the stay order was passed the parties were freely realising the money from the customers but they never deposited the money to the Govt. The matter is like that—when the Finance bill was passed the parties had gone to the High Court and got stay order but still then they were collecting the tax from the people at a rate which has been prescribed by the law but they are not paying it to the Govt. This is a very extraordinary situation and I would hope that High Court will take this matter into consideration wherein the parties are realising the money from the people but not depositing with the Govt.

Shri Gisuddin Ahmed :

Whether the hon. Minister is criticising the actions of the High Court ?

Shri Kamakhya Prasad Tripathi :

I am not criticising the order of the High Court. I am just mentioning how and why we are facing the difficulties. The point is when a law for taxation is passed what does the businessman do ? He does not pay from his

own pocket. He realises the money from the people. Now, due to the stay order by the High Court they are getting two types of benefits.

- (1) he gets the accumulated amount from the people for the Purpose of running his business;
- (2) even if he is to pay it when the stay order is vacated the Deptt, may not be able to know what amount they had realised at that time. Therefore, Sir, we are very sorry to see that there is a stay order. We are making contacts with the High Court for passing order on the merit of the case rather than staying it. Otherwise the business man will be given a anvantage of running their business with public money.

Shri Giasuddin Ahmed :

It is not clear Sir, the stay order was passed against whom ? Whether against the Govt. for realising the tax ? Whether the stay order was passed against the implementation of the Act ?

Shri Kamakhya Prasad Tripathi : The distinction is with out

Shri Giasuddin Ahmed :

Whether they have challanged the validity of the Act ? Or whether the stay order has been passed against the implmentation of the Act ? And if a stay order is there how could they realise the tax from the people ?

Shri Kamakhya Prasad Tripathi :

As soon as the Act is passed and the businessmen are

very clever they started collecting money from the people. They never pay the tax out of their own pockets rather they use the tax money for their own purpose. They collect the money from the people which is an income without any interest.

Shri Giasuddin Ahmed :

What steps Govt. propose to take ?

Shri Kamakhya Prasad Tripathi :

The State Govt. has already taken the matter with the High Court for vacating the stay order as soon as this is done.

Shri Giasuddin Ahmed :

Without taking resort to the High Court, I think, Govt. can take steps against the businessmen for realising the tax illegally.

Shri Kamakhya Prasad Tripathi :

This is a question which cannot be dealt with by the Government. If certain tax is realised by a merchant from certain party it is a question between two parties. If a party does not deposit the customers will have to go to the High Court to get back. Naturally we won't know when and how it has been paid. We will not be in a position to prove it. Therefore, our contention is when a measure of tax is passed, better not to pass any stay order; give a hearing on the merit of the case and pass final order so that any advantage accrues to businessmen advantageously for non-implementation of the Act is prevented. That is what we have wanted. Therefore, we are

taking up this matter with the High Court.

Mr. Deputy Speaker :

The question is that the Assam Finance Bill, 1970 be passed.

(The motion was adopted)

The Assam Criminal Law (Amendment) Bill, 1970

Shri Chatra Sing Teron (Minister, T. A. & W. B. C.) :

Sir, I beg to move that the Assam Criminal Law (Amendment) Bill, 1970 be taken into consideration.

Mr. Deputy Speaker :

The motion is moved. Mr. Barua ?

Shri Dulal Chandra Barua :

I withdraw it.

Mr. Deputy Speaker :

Has the Member leave of the House to withdraw it ?

(Voice : Yes)

(By leave of the House the amendment was withdrawn)

Now the question is : The Assam Criminal Law (Amendment) Bill, 1970 be taken into consideration.

(The motion was adopted)

Shri Chatra Sing Teron :

Sir, I beg to move that the the Assam Criminal Law (Amendment) Bill, 1970 be passed.

Mr. Deputy Speaker :

The question is : The Assam Criminal Law (Amendment) Bill, 1970 be passed.

(The motion was adopted)

The Assam Tea Plantations Provident and Pension Fund Scheme (Amendment) Bill, 1970.

***Shri Kamakhya Prosad Tripathi (Minister, Labour) :**

Sir, I beg to move that the Assam Tea Plantations Provident and pension Fund Scheme (Amendment) Bill, 1970 be taken into consideration,

In this connection I beg to submit that this is a very innocuous bill, practically a bill which has been already agreed by the representatives of the workers and employers. It will be known that formerly limit of salary was Rs. 500/- for enabling a man to be a member of the Provident Fund Scheme. This was limited to people who have right to organise in a union. Now voluntarily the up or categories-Managerial class and other people drawing more than 500/- also have come forward to become member of the Scheme. Since it is not a Trade Union matter but a social welfare matter there is no harm in permitting those who are in higher categories also to become members of the fund. Therefore, we have agreed that the limit may be raised to Rs.1000/- instead of Rs. 500/-

***Shri Dulal Chandra Barua :**

Sir, I move that this Bill be circulated for eliciting public opinion. Because while moving this amendment to this Bill I want to submit that it is a good thing that the Government has made such provision for the workers to build up their economic future, the future of their children. But by increasing this limit up to Rs. 1000/-they will ham-

per the smooth functioning of this organisation. If the Government is keen to give benefit to those who are getting higher salary they may have a separate organisation. Because till to-day, functioning of the present organisation Provident Fund organised by Government is not at all smooth for the betterment of the people. More so, I have smelt a political motive behind this which is not proper. If these things are allowed, lower class of workers who are drawing less than Rs. 500/- or a minimum salary of Rs. 100/- will suffer. When you are keen to give benefit to the workers you must see to it that their interest is safeguarded at all costs. If the people with higher salary are included in this scheme then automatically the management will go to the hands of those people and exploitation by them will start. Therefore, from the point of view of welfare of the workers, the other groups of workers that it with higher salary should not be included because the poor workers will be over-powered by the literate section. We have a Plantation Provident Fund Bill. It is quite alright. We expected, Sir, at least the economic condition of the tea garden labour population, who are organised workers through but the State will get certain benefit but by taking their income and by having such kind of fund rather we are utilising this for the benefit of the Government. Of course, I do not mean to say that Government should not derive any benefit out of such fund. But my point is that the fund which has been built up in the name of the workers, the benefit should go to the

workers first. In practical field, we are rather disappointed.

Shri Kamakhya Prasad Tripathi,

It is not proper to say that the benefit is derived by the Government.

Shri Dulal Chandra Barua :

My question is that so far as my information goes this fund has not been utilised for the workers alone. As for instance, my information is that the major portion of this fund was utilised for the construction of the Brahmaputra Bridge. (Shri K. P. Tripathy : It is not so) Yes, it was utilised without paying any interest. You may verify this. The Railways refused to give the money. Therefore, it was utilised. Of course, later on it was reimbursed but without any interest. My question is what interest we derive out of it should go for the benefit of the workers. We have taken up the Brahmaputra Tea Company and a tea garden in Cachar district. But what is the fate of the labour population there ? Is there any improvement of their economic condition, their educational, their employment opportunity ? No, Sir.

Therefore, my whole point is, even this organisation which is functioning in the name of benefit of the workers, actually the benefit goes to us, say, to the upper strata of the people who need not have any kind of help. Therefore, if these sorts of things are amalgamated with the present scheme then there may be chaos because automatically the literate section of the people will come and have the upper hand. Sir,

in this connection also, we got an assurance. I think, Hon'ble Finance Minister will remember that we pointed out that this management is a labour form management and should be allowed to manage by the labourer themselves. Because we have got qualified people now Qualified labour boys coming out from Universities and coming out from colleges with high qualification. Sir, if you make an assessment you will find that 1 or 2% or even less than that have been employed there. If I was the Manager of my own firm built up with my money, surely I would look after it with more interest than an employed Manager would look after. And the same thing may happen to this thing also. We have repeatedly requested the Government that this is to be managed by the Labourers themselves. But though they have given us that assurance they do not pay any heed to our requests. In this connection Sir, we have an apprehension. There are so many labour representatives here who have unofficially expressed their apprehension that the amount which has been taken in the name of labour provident fund welfare scheme has not been utilised for the welfare of the labour population. Only, it has been allowed to function through the labour organisation. That means, the organisation is not manned by the people who are highly qualified for the purpose. For that reason, instead of this becoming a welfare fund it become a fund for exploitation. I have observed that so many labour organisations are manned by people of represented by people who are actually not labour. That is the greatest

draw-back of the India Trade Union; where the so called politicians want to include themselves in such organisation and they consider that through these organisations they would be able to make their political future. Therefore, proper representatives of the labour population is not there. Sir, I do not agree with the Hon'ble labour Minister when he says that many of the labour population or representatives or different organisations have agreed upon to amend this Bill in this form. I do not think it is so. It is a question of sentiment as well as question of opinion coupled with the question of employment. It is very easy to adopt a Bill but it is very difficult to implement it. Sir, the Hon'ble Minister has just now said that though he proposed to have this Bill, the High Court is standing on the way. By considering all these aspects, Sir, I feel that this Bill is required to be circulated mostly to the labour organisations who should express their opinion. After that if the Government come forward with sound proposals, I think the House will have no objection to adopt this Bill. Already there is discontentment in the minds of the labour population. They think that we are there only to exploit them bothways-economically and politically. We become their best friends at the time of our elections and we are there only when we consider ourselves to be therefor our own benefit. Therefore, I feel it is a fit case to be referred for eliciting public opinion mainly from the labour representatives, I mean the real labour leaders. And with this I commend my amendment.

Shri Durgeswar Saikia:

মাননীয় অধ্যক্ষ মহোদয়, আমাৰ মন্ত্ৰী ডাঙৰীয়াই যিটো Amendment pro-
vident Fund ৰ আইনৰ পৰা আনিছে আৰু এই বিষয়ে শ্ৰীবৰুৱা ডাঙৰীয়াই
যি বিলাক কথা কৈছে, সেইটোত মই একমত হ'ব নোৱাৰোঁ। যিহেতু Amen-
dment খনত এইটো কথা নহয় যে Provident Fund ৰ দ্বাৰা Lab-
our বিলাক লাভবান হ'ব পৰা নাই। যি সময়ত আমাৰ বিল খনেই তেতিয়া
হোৱা নাছিল আৰু Labour বিলাক লাভবান নোহোৱাৰ কাৰণটো এইটোৱেই যে
তেতিয়া বনুৱা বিলাকৰ যিটো উপাৰ্জন আছিল বা তেওঁলোকে যি উপাৰ্জন
কৰিছিল, সেই সম্পদ খিনি তেওঁলোকে ক'তো জমা কৰি ৰখা নাছিল। ফলত
নাম কটাৰ শেষত বহু বনুৱাই গাৱেঁ গাৱেঁ মাগি ফুৰিছিল। কাৰণ তেওঁলোকে
কোনো Savings কৰিব নেজানিছিল আৰু কোনো পয়ছা গভৰ্ণমেণ্টৰ পুজিত জমা
কৰি ৰখা নাছিল। কিন্তু আইন পাচহ'বৰ পৰা এতিয়া নাম কটাৰ পিচত ৬০০/৭০০
টকা পায়, তাৰোপৰি মোট টকাৰ পৰা ইনফিৰৰ বেনিফিট পায়। তাৰোপৰি বিপদ
গ্ৰস্তলোকক Relief দিয়া, Housing de ths Housing বনোৱাৰ Advance
পায়, সেয়ে নহয় consumer shop গঠন কৰাত advance। এই ফালৰ পৰা
Pension Schedule কৰি প্ৰচাৰ কৰা হয়।

ইয়াৰোপৰি শিলচৰত চিনকুৰি আৰু কুৰিল P.F. contribution নিদিয়াৰ
কাৰণে Receiver হিচাবে চলাইছে। এই বাগানৰ বনুৱা বিলাকক মই লগ ধৰি-
ছিলো সেই যি বিলাক বাগিছাত Wage নাপাইছিল, P.F. Water Supply
Ration, তথাপিও সেই সময়ত কাম নোহোৱা হৈছিল। তাৰ পাচত ব্ৰহ্মপুত্ৰ
Tea company বছৰত তিনিমাহ বন্ধ হৈ থাকে। গতিকে এতিয়া P.F. এ
Receiver হিচাবে লোকৰ পিচত পৰা এই অসুবিধা বিলাক প্ৰায়েই আতৰিছে বৰং
কিছু নিবনুৱাক কামৰ যোগান দিব পাৰিছে।

তাৰ পাছত Consumer cooperative ও adnanec নিদিয়াকৈ থকা নাই।
কাৰণ Consumer co-perative বা Provident Fund ৰ Rule আছে যে
বিয়াবাক কৰিবৰ কাৰণে মাটি-বাৰি কিনিবৰ কাৰণে আৰু ঘৰ-বাৰী বনাবৰ কাৰণে
তেওঁলোকক টকা Advance দিছে। কাৰণ মই জানো যে মই আজি ২০/২৫
বছৰে Labour বিলাকৰ লগত জড়িত হৈ আছোঁ।

Shri Dulal Chndra Barua

That is the greatest drawback in the Assam Trade union and the Indian trade union.

Shri Durgeswar Saikia :

এতিয়া যি সংশোধন আইন তাৰ পৰা কোনো discrimination হোৱা নাই। যি ফালে এই সুবিধা পাব সেই বিলাককো আগৰ দৰমহা আদি বঢ়াব কাৰণে এই সংশোধনীৰ আৱশ্যক।

Shri Dulal Chandra Barua :

I.N.T.U.C. ৰ গাড়ী বিলাক কোনে চলায়। I.N.T.U.C. ৰ কৰ্মী সকলে।

Shri Durgeswar Saikia :

Labour বেও চলায়। শ্ৰী মলিয়া তাতিয়ে গাড়ী চলায়, শ্ৰী চায়মন কুলাৰে গাড়ী চলায়। শ্ৰী উপেন সনাতন, নাহৰকতিয়াত দুৰ্ঘোধন তাতিয়ে ইত্যাদি আঁচল কথা হৈছে I.N.T.U.C. যিবিলাক বাহিৰা মানুহে কাম কৰে সেই বিলাক সদায়ে থাকিব সেই বাবদ কাম কৰা নাই, মাত্ৰ বৰ্তমান নেতৃত্ব লৈছে। সেই কাৰণে তাত সদায় থকা মানুহ বিলাকে এই কাম কৰে। অসম চাহ কৰ্মচাৰী সংঘই সদায় আপত্তি কৰি থাকে। ডাক্তৰ, কেৰেণী সকল মেনেজৰীয়েল গ্ৰেডৰ কৰ্মচাৰী নহয়। সেই কাৰণে তেওঁলোকে I.N.T.U.C. ৰ সদস্য। গতিকে যিটো সংশোধনী আনিছে সেইটোত Labour organisation ৰ মতামত লব লাগে। আশা কৰো এইটোত সদনেও সমৰ্থন কৰিব।

Shri Dulal Chandra Barua :

আপুনি Labour নেকি ?

Shri Durgeswar Saikia :

আপুনি Transport Association অৰ কৰ্মী জানো ?

Shri Kamakhya Prasad Tripathi (Minister, Labour) :

Sir, I frankly did not expect a debate on this small Bill. I had thought that it would pass smoothly but unexpectedly objections had been raised. The suspicion seems to be that

literate people would come and manage it and therefore they will carve out certain benefits for themselves against the illiterate workers. I think even now literate people are members of this scheme because all the clerks who are members are literate. So this theory that we are bringing literates new-by is not correct and if there is a conflict of interest between the literates and non-literates then the conflict is only in the administration. In point of fact we find that in such organisation because of the scheme the contribution to the fund is on a percentage basis, i. e., the percentage of income. 8% of the income of the workers and 8% as contribution from the employers is to go to this fund. That percentage is fixed. If a member is a manual worker his contribution will be lower and accordingly the 8% of the employer also will be lower. Therefore there is no discrimination in the matter of taking the percentage of income of individual into this fund. With regard to the benefit, here also there is no discrimination because the benefits are all common. Benefits of Provident Fund, Insurance, death or retirement Gratuity, all these are common because they get them on percentage basis according to their contribution. So one category of the workers cannot exploit the other category. This is embodied in the Scheme itself. Therefore to think that some sort of exploitation of a class-type has entered into this is not correct.

I may tell you, Sir, that this has been one of the most interesting Schemes not merely in Assam but in the whole of Asia. I have received enquiries even from as far as Ceylon.

They have asked for our Scheme and the Government of India itself has come to accept our Scheme. In the last Budget the Prime Minister announced certain benefits and the type of scheme which they are taking up is also like ours. The Government of India's officials have come to study our scheme. Therefore to say that this is a scheme in which some sort of hidden discrimination is practised between one class and another is not correct. I would invite Mr. Barua to come forward and have a tour of our administrative set up and see how it is being worked and find for himself whether there is any discrimination in the matter. (Mr. Dulal Ch. Barua—I have already seen it) I do not think he has found any discrimination in the matter. Therefore to say that no improvement in the condition of workers has taken place is not correct. I agree with Shri Saikia when he said that formerly a worker had no surplus but now when he retires he retires with a surplus. When he dies his successors get the insurance plus whatever he has deposited in the Provident Fund. If he does not die but survives and retires he gets the money from the Provident Fund plus the gratuity. Therefore this will benefit the working class as they have no savings and any scheme which gives a savings is a great boon to them and that is how this scheme has been able to give a new breath of life to the workers and we were the first in the country to implement the scheme. In point of fact, the Govt of India's scheme came several years after we introduced the scheme in Assam and even today the Govt of India's scheme with regard to Plantation has not been able to introduce all

these benefits which we have been able to introduce in this Scheme. So we are still ahead in the Scheme. It has been disclosed by Shri Barua that interest free loan was given for construction of the Brahmaputra Bridge it is not known to me. I will certainly make enquiry about it but I think the manner in which this fund is being utilised may be one of the best operated fund in the whole country. There has been hardly any defalcation in this management of this fund. Therefore to think that interest-free loan was ever given out of this fund seems to be surprising. There have been only a few cases in which this fund has come as loan to the Assam Government. Normally all this fund is invested in the Government of India's Security. Of course we have been investing in a large way in Small Savings Scheme because the interest for this investment is higher. Therefore the fund has given higher benefit by investment in the Securities and it is for the higher benefit that we have been able to get the insurance and pension scheme. You know Sir, that the Government of India have been trying to introduce the Insurance and Pension Scheme in the Provident Fund Scheme but they have not been able to do it out of the existing rate of contribution. That can be done only at the higher rate of contribution. Whereas in our scheme we have not increased the rate at all. Yet we have given all these benefits. Here also we have scored over the Govt of India's Scheme because our administration cost of the Scheme is the lowest in the country.

There is no Scheme that has such a small operation cost as this one.

Shri Atul Chandra Goswami :

উপাধ্যক্ষ মহোদয়, Provident Fund ত টকা Meanagement এ জমা নথয়।

Shri Kamakhya Prasad Tripathi :

Therefore it will be seen, Sir, that this has been managed in a most economic way. In the implementation of the scheme, I have no doubt that it has been one of the best managed schemes in the country and there is no reason to suspect that any untoward affect will fall on the working class as a result of what we are doing. A point was made with regard to the management of some tea gardens by this fund. Here again I may point out that no fund from this Provident Fund is being utilised for the management of the gardens....

Shri Atul Chandra Goswami :

উপাধ্যক্ষ মহোদয়

Shri Kamakhya Prasad Tripathi :

I was answering another point. A point was made that the Brahmaputra Tea Company is being managed by the authorities of this Fund for managing the two gardens this was one in Cachar. Why was it necessary ? Because they had not paid the provident fund into our coffers. So, when the gardens closed and there was chance of losing the entire money, we approached the court and the court appointed us as receivers and we are managing these gardens as receivers.

ers. Once our money is realised we will give up the management. We do not want to manage the tea garden, it is only that the money should not be lost and for that reason we are managing them to the advantage of the workers if the gardens have become closed and they are deprived of the employment. By taking up the management we have been able to give them their wages for the interim period. There also the workers have been benefitted by this scheme.

Now, Sir, it is true that there are many gardens which have not paid their contribution to the provident fund. The gardens have been prosecuted also. Every year we are prosecuting a number of gardens for non payment. Therefore, if any garden does not pay naturally it will qualify for prosecution. Some people when they are prosecuted they deposit the money and some people ask for payment in instalments in which case instalment is permitted. In this way the money is being regularly realised. If the money is not realised, in that case we will not be able to give them the comprehensive benefits which we have given them. Therefore, while I say that all the money is being realised, I do not at the same time say that there are no arrears. There are arrears but by and large the size of arrears in our provident fund is far lower than the size of arrears in the Govt. of India's provident fund. Therefore from all points of view the operation and management

of this fund has been far better than any other provident fund scheme in the whole of India. Now, a large number of gardens are changing hands. Therefore, most of the people feel safe if they become members of this provident fund and this is one of the reasons why they are coming in. It is known that after the Wage Board have given their award many members of the working class like head clerks, doctors etc who were getting less than Rs. 500/- per month are now getting about Rs. 700/-. They were members but now they have come out of membership. Therefore the qualifying scale has to be increased. After all it is in a socialist society that so much increase could be made. Otherwise there is no point in keeping a wage scale for the purpose of benefit in this scheme. Now, it is said that workers were not consulted. How are we to consult the workers? Through the representatives in the Trade Unions? Now, the Trade Unions are represented in the Tripartite Conference here at Shillong in which the representatives of the working class are there which includes manual labour as well as clerical staff and the employers and the Government. They meet periodically to solve their problems under the aegis of the Government, and they have passed resolutions unanimously that this salary limit should be raised to Rs. 1,000/-. So, there is nothing hidden or shady behind this move. I may assure the hon. Member that in this matter there is no political intention involved. Therefore, hon. Members should not

have any feeling that for some ulterior motive somebody is trying to do it. In point of fact, we are trying to do it only on the technical side so that the benefit may accrue to the workers as has been done before. So, in view of this clarification of mine, the hon. Member, I hope, would consider withdrawing this objection. His remark as to how Trade Unions are managed—whether they are managed by outsiders or whether they should be managed by insiders, other opinions which are not germane this question I am personally of the same opinion as Mr. Barua that the management of Trade Unions should gradually devolve upon the representatives of the working class themselves. I do not hold that the outsiders who have given their life for amelioration of the hardships of the working class should not be there. After all, you know Sir, that even in communist theology there is such a thing as declassed. What is declassed? A man who may be a Rajah, he may be a capitalist but his thoughts have become 'declassed.' He can represent the poor. So the people who have been working for the illiterate people have become declassed. For instance, Mr. Barua himself represents the State Transport workers, He will represent far more effectively than the workers themselves do. Therefore, the workers would seek him to represent their cause. So it is the efficient and effective representation which is a material. Therefore he should not deny himself of his own performance for the purpose of giving benefit to the working class.

Shri Atul Chandra Goswami :

উপাধ্যক্ষ মহোদয়, তেখেতে “কোৱাভাতুৰি” বস্তুটো চিনিয়েই নাপায়। এই ফলটো বাহিৰত দেখিবলৈ বৰ ধনীয়া কিন্তু ভাঙি দিলে ভিতৰখন একেবাৰে বেয়া।

Shri Kamakhya Prasad Tripathi :

তেখেতে “কোৱাভাতুৰি” গল্পটোহে সমৰ্থন কৰিছে যথার্থতালৈ যোৱাই নাই। কোৱাভাতুৰি ধনীয়া দেখিয়েই আকৃষ্ট হৈছে ভিতৰত চোৱা নাই।

Shri Atul Chandra Goswami :

কোৱাভাতুৰিত আকৃষ্ট হোৱা নাই। মন্ত্ৰীসকল যাতে কোৱাভাতুৰিৰ প্ৰেমত নপৰে।

Shri Dulal Chandra Barua :

বিভূমন্ত্ৰীয়ে বৰ ধনীয়া কথা কয় আৰু হাঁহি থাকে। আপোনালোকে জানে কামত তেখেতে কিমান ধনীয়া।

Shri Atul Cuandra Goswami :

মই এটা কথা জনাব খুজিছো যে আমাৰ যি Kaliabar বাগিচা আছে তাত Azijur Rohman Choudhury চাহাবৰ বাগানত Provident Fund ৰ টকা জমা হোৱা নাই, এতিয়াও তাৰেই Payment চলি আছে। এইটো কাৰণেই Baruah ডাঙৰীয়াই দাঙ্গিত লৈছে যে Transport workers ৰ দাঙ্গিত পালন চৰকাৰে আইনমতে কৰা নাই।

Shri Kamakhya Prasad Tripathi:

এই কথাত মই একমত, মাননীয় সদস্য শ্ৰীবৰুৱাৰ নিচিনা এজন Advocate যদি আহে তেওঁকেই আগবঢ়াই দিম।

Shri Dulal Chandra Barua :

মই এইটো কথা কব বিচাৰিছো যে আমি ২১ বছৰেও নহল কিন্তু এইটো আমি কৰিবই লাগিব। এই ধৰণে কৰি কৰি উঠি অহা অৱস্থাক গনু কৰি পেলাইছে। সেইকাৰণেই State Transport workers representation কৰিছো আৰু তাৰ কাৰণেই workers য়ে তেওঁলোকৰ President য়ো কৰি লৈছে আৰু

সেই বিষয়ে অহাবছৰ যদি আমাৰ আৱশ্যকতা অনুভৱ কৰো তেতিয়াহলে আমাক আমন্ত্ৰণ কৰিব পাৰে বা আমাৰ পৰামৰ্শ লব পাৰে। “এইটো I.N.T.U.C. out Post of progress নিচিনা যেন নহয়। শইকীয়া ডাঙৰীয়াই কোৱাৰদৰে পিছে পিছে লেম্প লৈ যাব লাগিব”। আমাৰ যিসকল শিক্ষিত ডেকা আছে তেওঁ-লোকক workers Association ৰ কাম কাজ কৰিবলৈ সুযোগ দিব লাগে আৰু যেতিয়া আমাৰ কোনো আৱশ্যকতা বিচাৰে বা পৰামৰ্শ বিচাৰে আমি তেওঁলোকক সহায় কৰিব লাগিব।

Shri Kamakhya Prasad Tripathi ;

মাননীয় সদস্য জনাই থাকেই কৈছে ; ডুমডুমা আৰু নাহৰকটীয়াত এই association খন সম্পূৰ্ণ Labour class য়ে পৰিচালনা কৰিছে। বেলেগ বেলেগ Worker Union ৰ Representative আহিয়েই আছে। আৰু আহি যাব। কিন্তু বাধা দিব খুজিলেও বাধা দিব পৰা নাযাব।

Shri Atul Chandra Goswami :

বাধা দি থাকিলেও বাধাৰ ভেটা ভাঙি যাব।

Shri Kamakhya Prasad Tripathi :

গতিকে এই কথাত বাধা দি ৰাখিব নোৱাৰি, যেতিয়া নগাৱৰ এজন Labour ৰ পৰা General Secretary হৈছে। এই প্ৰচেষ্টাত মাননীয় সদস্য সকলে বাধা দিব খুজিলেও বাধা দি ৰাখিব নোৱাৰে। গতিকে এই বিলখনত আপত্তি কৰিলেও বাধা দি ৰাখিব নোৱাৰে। যিহেতু এইটো Social welfare অৰ্থাৎ গোটেই সমাজৰ কল্যাণৰ কাৰণে কৰা হৈছে। সেইকাৰণে Trade Union ৰ গতি লেহেম হলেও বাধা দি ৰাখিব নোৱাৰে। তেখেতে নিজৰ উদাহৰণ দি শিক্ষিত worker ৰ কথা কৈছে। Tea garden ৰ Labour ৰ নতুন ডেকা-লৰা ওলাই আছে আৰু সেইসকল শিক্ষিত হৈয়ে থাকিব। তাত শিক্ষিত মানুহে কাম কৰি আছে। গতিকে আমাৰ শিক্ষিত মানুহৰ বেগ যিমান হব লাগিছিল সিমান বেগ হোৱা নাই। এইবিলাক কথাত আমি আগবাঢ়ি যাম। আৰু খৰখেদাকৈ কাম কৰিলে মোৰ বোধেৰে জুল হব। মোৰ মতে তেখেতৰ লগত বৰ বেচি প্ৰাৰ্থনা নাই। মই অনুসন্ধান কৰি গোটেই কথাখিনি জনাম।

Mr. Deputy Speaker :

I put the amendment of Shri Dulal Chandra Barna.

The question is :

“That the Assam Tea Plantations Provident and Pension Fund Scheme (Amendment) Bill, 1970 be circulated for eliciting public opinion within two months.”

(The motion was lost)

Now I put the main question :

The question is that the Assam Tea Plantation Provident and Pension Fund Scheme (Amendment) Bill, 1970 be taken into consideration.

(The Motion was adopted)

Shri Kamakhya Prasad Trspathi :

Mr. Deputy Speaker, Sir, I beg to move that the Assam Tea Plantations Provident and Pension Fund Scheme (Amendment) Bill 1970, be passed.

Mr. Deputy Speaker :

Motion moved. The question is that the Assam Tea Plantations Provident and Pension Fund Scheme (Amendment) Bill 1970 be passed.

(The motion was adopted)

The Assam Aid to Industries (Small and Cottage Industries) (Amendment) Bill, 1970.

Mr. Deputy Speaker :

There is a Governor Message.

"I recommend under Article 207 (3) of the Constitution of India that the Assam Aid to Industries (Small and Cottage Industries) (Amendment) Bill, 1970 be taken into consideration by the Assam Legislative Assembly."

Shri Biswadev Sarma (Minister, Industries) :

Mr. Deputy Speaker, Sir, I beg to move that the Assam Aid to Industries (Small and Cottage Industries) (Amendment) Bill, 1970 be taken into consideration.

The statement of objects and reasons is given below :

"In order to assist unemployed Engineer/Technologists/Technician who are keen and capable of setting up Small Scale Industry but are unable to do so owing to inadequate financial resources of their own, it is considered necessary to make provision for set up small Scale Industry. The facility of the provision will be available to unemployed Technologists/Technician/Engineer provided the enterprenour has no other industry of his own and or is not a partner in any other business concern and his project is technically sound and economically viable.

Further, to liberalise the terms and conditions for issue of loans to industrialists, for proper development of Small Scale and Cottage Industries in the State, it has been considered necessary to raise the quantum of loan admissible on the security of one or more sureties in addition to a personal bond for Rs. 2,500 to Rs. 5,000. It is also considered nece-

ssary to state explicitly the necessity of furnishing personal bond by the applicant when loan is sanctioned to him on the security of one or more sureties.

Hence this Bill."

* Shri Dulal Chandra Barua :

Sir, I beg to move that the Assam Aid to Industries (Small and Cottage Industries) (Amendment) Bill, 1970 be circulated for eliciting public opinion within two months.

Sir, the idea of bringing this kind of bill in order to assist the unemployed Engineers or Technicians who are keen and capable of setting up Small Scale Industries but unable to do so owing to inadequate financial resources of their own, is very good. But it should be in practical use. From our past experience, we find this kind of idea is always in paper and not in practice. Sir, at the instance of the Minister in charge of Industries, I personally asked some of the young unemployed boys to form such kind of Corporation and accordingly, some highly qualified Engineers and Technicians came forward and applied for such kind of assistance to the Industries Department just to start work. But till today that assistance has not reached the destination. The boys are still not in a position to draw the amount. A few days back they rang me from Jorhat saying that they have not yet got the money. Sir, the 31st March, the last day of the financial year, is not far off, still there is no sanction. If this is the state of affairs, how can we expect that

this scheme can give benefit to our unemployed youths.

Sir, the second point is that there should be co-ordination between the Government Departments for successful implementation of the scheme. There should be some policy of norm as to how to form the Corporation. Simply giving loan by the Industries Department will not do. With that assistance alone they cannot start an Industry. They must get other facilities also. For proper guidance on the line of the Assam Construction Corporation, some Corporations at the Sub Divisional level should be formed with qualified Engineers and Technicians. If the Industries Department wants to encourage them and also to some extent solve the unemployment problem. But till to-day no effort has been made in this regard. Sir, the other day while I went to the residence of the Revenue Minister with some qualified engineers, one of the high ranking official of the Department passed a very bad remark. He asked the engineers - "why don't you organise a band party? Now-a-days there are many marriage ceremonies and you can earn a lot of money. "Sir, this is an insult.

Shri Mohendra Mohan Choudhury :

Was I present there ?

Shri Dulal Chandra Barua :

You were present in your residence but you were not present when he passed that remark. I was there along with my friend Shri Ramesh Mohan Kouli, I did not

like the remark. Therefore, Sir, efforts should be made to utilise the qualified engineers and the red-tapism should be shortened: We have seen that after a Minister passes an order, it goes to the Department and then it goes to the Directorate and again from the Directorate to the Department and so on, and Parkinson's law is prevailing. Therefore if the objects of this Bill is to be achieved then the Minister-in-charge should see that all efforts are made to help those who want to organise themselves. All facilities should be given without observing the formalities and if that is done then I think this Bill will serve the purpose.

Mr. Deputy Speaker :

What Mr. Barua wants to know is whether the Minister is serious about the Bill and means business.

Shri Biswadev Sharma :

Sir, I am very serious about this Bill and I hope Mr. Barua will support me.

Mr. Deputy Speaker :

Now, will you withdraw your amendment ?

Shri Dulal Chandra Barua :

Yes, yes.

(The amendment was withdrawn with the leave of the house)

Mr. Deputy Speaker :

Now, the question is that the Assam Aid to Industries

(Small and Cottage Industries) (Amendment) Bill, 1970 be taken into consideration.

(The motion was adopted)

Shri Biswadev Sharma :

Sir, I beg to move that the Assam Aid to Industries (Small and Cottage Industries) (amendment) Bill, 1970 be passed.

Mr. Deputy Speaker :

The question is that the Assam Aid to Industries (Small and Cottage Industries) (Amendment) Bill, 1970 be passed.

(The motion was adopted)

Resolutions : Approval of Expenditures for the Public Works

Shri Altaf Hossain Mozumder :

Sir, I beg to move that this Assembly do approve of an expenditure of Rs. 35,11,361 under the head "50 Public works-State (Excluding Establishment, Tools and Plant).

Mr. Deputy Speaker :

The question is that this Assembly do approve of an expenditure of Rs. 25,11,361 under the head 50 - Public Works- State (Excluding Establishment, Tools and Plant).

Shri Dulal Chandra Barua :

Sir, I have something to say on it. This is a big amo-

unt and this demand could have come in the form of a supplementary demand. In every session this sort of demand comes, and I want to have a clarification from the Minister and I want to know the circumstance under which such a resolution has come. It has practically become a habit, specially with the P. W. D., to come with this sort of resolution and as you know, during the last year the Minister of State for P. W. D. had to face a privilege motion. Sir, at page 4 an explanation has been given that "construction of the drain is considered necessary for the purpose of draining out flood water from the P. W. D. Culvert to a nearby stream, as the same has been causing damages to the adjacent private land and properties. At present the existing kutchra drain run through the compound of Shri Warjri resulting in heavy scouring and causing much damage to the crops and houses. The construction of the culvert is therefore essential, "But where is that culvert we do not know and where is the house of Mr. Warjiri. Therefore, detailed estimates should have been given. Then again it is said "diversion of the road is considered urgently necessary as the same is threatened at two points by erosion of Brahmaputra river. The construction of diversion will save the only communication in the area. There being no specific Budget provision, it is proposed to meet the current year's requirement from over all savings." Here also no explanation has been given and we do not know where the diversion will be. The details ought to have been given so that the Members could know all about it.

Again Sir, it has been said "financial sanction and technical approval of Government of India to the estimate have been received after the current year's Budget estimates have been finalised. The entire amount will be provided by Government of India by way of Grant-in-aid to State Government and the provision in the State Budget is only necessary to incur the initial expenditure. Hence it is proposed to meet the initial expenditure out of over-all savings through the process of resolution." But that we cannot believe because we suffered in the past. Sir, you may remember that the Government of Assam since 1962 or even before constructed border roads in Nagaland and other areas on the assurance from the Government of India that the entire money will be re-imbursed to the Govt. of Assam but uptill now the Assam Govt. has not received any money. Therefore, where is the guarantee that the Government of India will come forward and give cent percent aid. Then Sir, there is a most beautiful thing, the Assam House and I call it a Taj Mahal. If you go to Assam House at Delhi you will see on the main door it is written in a small letters 'Taj Mahal' and I wrote it when I went to Delhi on 27th February last. There is no end to this building and it is still not complete.

(Voices : It has been incompleted)

Recently also I went there and I saw that it was incomplete then. Now, it is said that the building has been completed in all respects for the facilities of the dignitaries including visiting dignitaries (dignitaries means Ministers). There is no specific budget provision. It is proposed from the overall

savings. Sir, the Assam Govt. House is a project of the State budget. Repair grants and other provisions have been made in the budget. This demand should have come in the general budget and not in the form of a resolution. Why this sort of backdoor method ? This practice should be completely abolished. I would urge upon the Govt. not to adopt such kind of reckless financial policy in respect of spending public money. We should be very much careful about it. In the budget there is provision for Assam Govt. House at Calcutta and Delhi. Then again "Additions and alterations to wards No. 10,12,13 etc. additional alterations are immediately necessary." Sir, the jail budget is there ; the jail Deptt. has provided fund for annual repairs of the jails. Why then this has to be brought in the form of a resolution. I feel that this is not the proper procedure for the Govt. to follow. Sir, my contention is that the Govt. must follow a clear financial policy. This sort of resolution depicts a picture as to how the Govt. Departments are being run in respect of financial matters and policy. Therefore, I want an explanation from the Minister why he has to resort to such an unusual and extraordinary procedure when there are other procedures open to get the amount required voted. If it is possible we should prepare the budget in such a way that all the required amounts can be incorporated in the budget itself. Of course, there might be some sort of an emergency, but even for emergency we should make provision in the budget itself. For the reasons enumerated above I oppose the demand. The explanations given by the Govt. are also not satisfactory.

Shri Giasuddin Ahmed :

Just a point of order, Sir. I fail to understand what this item No. 9 means. If it is a resolution it cannot be accepted. Demands for grants is dealt with under Chapter XIX of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly. The relevant Rule is 151. Here it has been laid down "supplementary, additional, excess and exceptional grants and votes on credit shall be regulated by the same procedure as is applicable in the case demands for grants subject to such adaptations, whether by way of modification, addition or omission, as the Speaker may deem to be necessary or expedient. "This is mandatory. "Supplementary, additional, excess and exceptional grants and votes on credit shall be regulated....I put emphasis on "shall be regulated" by the same procedure as applicable in the case of demands for grants subject to such adoption whether by way of modification, addition or omission, as the Speaker may deem to be necessary or expedient. The present demand has not come in the form of a supplementary demand. So it cannot be accepted, it should be rejected by the House.

Shri Altaf Hussain Majumdar (Minister of State P.W.D.) :

Mr. Deputy Speaker, Sir. I shall try to deal first with the question of procedural propriety that has been raised by Hon'ble Member Shri Giasuddin Ahmed. We are following the procedure provided under Rule 151 of the Rules of Procedure and Conduct of Business. The Hon'ble Member has referred to the resolution. Resolutions are provided in Sec.

99 of the Budget Manual of the Govt. of Assam. I am reading the relevant portion of the provision. 'If, however, the expenditure is to be incurred on an existing or recognised service, the submission of a demand for additional grant is not compulsory when it can be met from the savings anticipated. When however, the explicit concurrence of the Legislature to such an item of expenditure is considered necessary on account of its extent, importance or any other reason, it may be obtained through the process of a resolution ...'

Shri Giasuddin Ahmed :

I want to know the definition of the word "resolution" if there is any in the Budget Manual.

Shri Altaf Hossain Mazumdar :

Literal meaning of Resolution is 'Prastab'. Now this 'Prastab' may be of various types. It may be a financial Prastab..... (Interruption)...

Shei Dulal Chandra Barua :

No, No. By Resolution we mean what has been defined in the Rules of Procedure of this Assembly. Somebody may preside over a meeting and pass a 'Prastab'. But that 'Prastab' is not going to be accepted as Resolution in this House.

No explanation has been given as to whether this amount is met from the savings of the existing Budget. So, it is highly irregular and I fully agree with the hon'ble member Shri Ahemd on this point.

Restoration of damages caused to L.R. in Assam (Section I)
from Sonkosi to Para pata by the unprecedented floods
during october, 1968

গতিকে ১৯৬৮/৬৯ চনৰ flood ত যিবিলাক বাস্তা মেৰামতি কৰাৰ কাৰণে যথেষ্ট টকা পইচা খৰচ হৈছে আৰু প্ৰয়োজনীয় যি বিলাক ক্ষতিগ্ৰস্ত কামত টকা পইচা বিনিয়োগ কৰিছিল তাৰ পৰা কেইটামান অঞ্চলহে বিশেষ ভাৱে উপকৃত হৈছিল। চৰকাৰে জানে আৰু মন্ত্ৰী মহোদয়েও অস্বীকাৰ নকৰিব যে যোৱা বছৰ অন্যান্য জিলাৰ তুলনাত বানপানীয়ে Sibsagar জিলাত অত্যন্ত ক্ষতি কৰিছে আৰু সেই বানপানীতেই P.W.D, বাস্তা চিগি গৈছিল; সেই বাস্তাটো আগতকৈ যথেষ্ট শক্তিশালী আৰু ওখ কৰাৰ কাৰণে মন্ত্ৰী মহোদয়ক কৈছিলো যে আগৰ বছৰৰ দৰে এই বছৰো বাস্তা ছিগি নাযায়; কিন্তু মন্ত্ৰীসকলে কয় বোলে টকা নাই টকা নাই; তেওঁলোকে মাত্ৰ ৩ লাখ টকাৰ Estimate দিছিল; কিন্তু এতিয়া দেখা গ'ল ৩৫ লাখ টকা খৰচ কৰিলে। যিবিলাক বাস্তা বানপানীত নষ্ট হ'ল; সেই বিলাক বাস্তাত Culvert দলং আদি নিৰ্মাণ কৰাটো অতীব প্ৰয়োজনীয় কথা। কিন্তু সেই বিলাক নিৰ্মাণ কৰোতে যিবিলাক ঠাইত আগতে বানপানীৰ ফলত বিশেষ ভাৱে ক্ষতি হৈছিল সেই ক্ষেত্ৰত যাতায়তৰ সুবিধাৰ কাৰণে চৰকাৰে বাহী নামত ৩৫ লাখ টকা খৰচ কৰিলে। সাধাৰণ ক্ষেত্ৰত দেখা যায় চৰকাৰে যিবিলাক ঠাইত বিশেষ ভাৱে মনোযোগ দিয়া দৰকাৰ সেই বিলাক ক্ষেত্ৰত মনোযোগ দিয়া নাই। এইদৰে লাখে লাখে টকা খৰচ কৰিলে ইয়াৰ পৰা ক্ষতি কি হ'ব পাৰে। চৰকাৰ পক্ষৰ পৰা দৃষ্টি ৰখা দৰকাৰ যিবিলাক ঠাইত বিশেষ বিপদ হৈছে সেই বিলাক ক্ষেত্ৰত চৰকাৰৰ কোনো দায়িত্ব নাই নেকি? সেই কাৰণে যোৱাবাৰ প্ৰস্তাৱত উল্লেখ কৰিছিলো মাননীয় উপাধ্যক্ষ মহোদয়ৰ মনত আছে ইয়াৰ এটা খৰচ লৈ হজ্জ যাত্ৰীৰ Rest House লৈ যোৱাৰ সুবিধাৰ কাৰণে এটা Approach Road দৰকাৰ বুলি সেই Road টো নিৰ্মাণৰ প্ৰস্তাৱ কৰা হ'ল কিন্তু পিছত দেখা গ'ল তাত কোনো Rest House নাই গতিকেই সেই প্ৰস্তাৱটো সংশোধন কৰিব লগীয়া হ'ল। গতিকে এনেদৰে টকা পইচা খৰচ কৰাৰ প্ৰস্তাৱ গ্ৰহণ কৰাটো বন্ধ কৰিব লাগে।

গতিকে Economy Drive নামত যি টকাৰ খৰচ কৰোৱা হয়, সেই

টকা খৰচ কৰাৰ ক্ষেত্ৰত যি বিলাক অঞ্চলৰ প্ৰয়োজন বৰবেচি আৰু যিবিলাক অঞ্চল বিশেষ ভাৱে ক্ষতিগ্ৰস্ত হৈছে ; সেই বিলাক কথা চৰকাৰে বিবেচনা কৰা দৰকাৰ। কিন্তু এতিয়া দেখাইছে যে চৰকাৰে আজি এই বিলাক কথা যথেষ্ট পৰিমাণে অৱহেলা কৰে। সেই কাৰণে মই কও এইদৰে লাখে লাখে টকা খৰচ কৰাৰ সুবিধা লৈ প্ৰস্তাৱৰ যোগেদি পাছ কৰি নিব পাৰে তেনে পদ্ধতি পৰাপক্ষত বন্ধ কৰাটো প্ৰয়োজন। যদি খৰচ কৰিবই খোজে গোটেই প্ৰদেশতে যি বিলাক ক্ষতিগ্ৰস্ত অঞ্চল আছে সেইবিলাক অঞ্চললৈ বিশেষ ভাৱে চিন্তা কৰা দৰকাৰ। এই প্ৰস্তাৱটোৰ সম্পৰ্কত মই এই খিনিকেই উল্লেখ কৰিনো।

Shri A. N. Akram Hussain :

উপাধ্যক্ষ মহোদয়, P. W. D. টো মই ভাবি আছিলো সৰ্বসাধাৰণ বাইজৰ যাতায়তৰ সুবিধা, দেশৰ সৰ্বাসীন উন্নতিৰ কাৰণে যাতায়তৰ ব্যৱস্থা কৰিব কিন্তু আজি আমি কি উপলব্ধি কৰিছো ; P. W. D. টো এটা Public waste Deptt য়ে হৈছে ; ই এটা ৰাজহুৱা ধন অপচয় কৰাৰ সুনিপুৰ্ণ Deptt হৈ পৰিছে।

আজি P. W. D. Minister এ Chamber লৈ মোক মাতি পঠিয়াইছিল কুকুৰমৰা ছয় গাবৰ এটা বাস্তা নিৰ্মাণৰ আলোচনা কৰিবলৈ। এই বাস্তাটো মাত্ৰ 0.50 K.M.

Mr. Dy. Speaker :

How does it arise ?

Shri A. N. Akram Hussain :

মই এই বিভাগৰ টকা অপচয়ৰ এটা নমুনা হৈ দিব বিচাৰিছো। এই সৰু আৰু কম দৈৰ্ঘ্যৰ বাস্তাটোৰ কাৰণেই কেৱল ২৫ হাজাৰ টকা খৰিছে ; এই বাস্তাটো নিৰ্মাণ কৰিব বিচাৰিছে কেৱল ২টা পৰিয়ালক সুবিধা দিবৰ কাৰণেই সেই কাৰণেই মই আপত্তি কৰিছিনো, যে এই অ-গণতান্ত্ৰিক বাস্তাৰ কাৰণেই টকা অপচয় কৰিব নালাগে। গতিকেই উপাধ্যক্ষ মহোদয়, মই আপোনাৰ জৰিয়তে সদনত জনাও যেন এই ৰাজহুৱা ধন যাতে অপব্যৱহাৰ নহয় আৰু

যাতে এই বাজহুৱা ধনৰ সদব্যৱহাৰ হয় ; তাৰ কাৰণে এটা-পৰ্য্যবেক্ষন কমিটি গঠন কৰি দিয়ে ।

*Shri Atul Chandra Goswami :

মাননীয় অধ্যক্ষ মহোদয়, মই এই সম্পৰ্কে দুবাৰ মান কব খোজো । আমাৰ P.W.D. বিভাগটোৰ কাৰণে প্ৰতি বছৰেই ঘাটি বাজেট অনা হৈছে । আৰু আজি কেইবা বছৰো ধৰি এই বিভাগটোৰ কাৰণে বাজেট ঘাটি কৰি অনা হৈছে । আমাৰ বিত্তীয় অৱস্থা সুচনীয় হোৱাৰ কাৰণেই আমাৰ প্ৰদেশ খনত বয় বস্ত্ৰৰ দাম বৃদ্ধি পাই আহিছে । তাৰ ফলতে Inflation অৱস্থা চলি আহিছে । এতিয়া ৩৫ লাখ ১১ হাজাৰ ৩৬১ টকাৰ ঘাটি বাজেট এখন আনি গোটেই খিনি over all saving বুলি কৈছে । এই saving বাজেটতত অন্তৰ্ভুক্ত কৰিবলৈ প্ৰদেশ খনৰ অনান্য গুৰুত্বপূৰ্ণ ঠাই বিলাকলৈ চকু দিব লাগে । কিন্তু ইয়াৰ আগৰ পৃষ্ঠাত দেখা গৈছে যে আমাৰ P.W.D. বিভাগে বেলেগ বেলেগ ঠাইৰ কাৰণে বেলেগ বেলেগ আঁচনি লৈ কাম কৰা নাই । North Trunk Road ৰ যেনে তেজপুৰৰ পৰা মঙ্গলদৈ, বঙিয়াৰ পৰা গৰঙালৈ একো কাম হোৱা নাই । তাৰ বাহিৰে অনান্য বাষ্টা বিলাকৰো একো কাম হোৱা নাই । নগাৱৰ পৰা টিলৈ যোৱা বাষ্টাতো যোৱা বানপানীয়ে নষ্ট কৰিলে । সেইদৰে মায়ঙত নষ্ট কৰিলে, শিৱসাগৰত নষ্ট কৰিলে কিন্তু এই বিলাক বাষ্টাৰ প্ৰতি চৰকাৰে একো নজৰ দিয়া নাই । যদি এনেদৰেই বাজেট ঘাটি কৰি আনি থাকে তেনেহলে মই এইটো কথা অনুভৱ কৰিছো যে তেখেত সকলে ইচ্ছা কৰিয়েই Over all saving দেখুৱাইছে । P.W.D. ৰ মিনিষ্টাৰে নিজৰ স্বাৰ্থৰ কাৰণেই বাজেট ঘাটি কৰাৰ চেষ্টা কৰিছে । সেই কাৰণেই মই, অধ্যক্ষ মহোদয়, আপোনাৰ জৰিয়তে অন্তত : তেখেতক সতৰ্ক কৰি দিব খোজিছো যে তেখেতে এইদৰে বাইজৰ টকাৰ অপব্যয় নকৰে । আৰু মই বিত্ত মন্ত্ৰীকো অনুৰোধ কৰি কব খোজিছো যে ঘাটি বাজেট পাচ কৰি তেখেতে কিয় এনেদৰে ঘাটি বিত্তীয় অৱস্থা চলাই আছে । আমাৰ P.W.D. বিভাগে ৩৫ লাখ টকাৰ over all saving দেখুৱাইছে আৰু অনান্য বিভাগ বোৰেও সেইদৰেই saving দেখুৱাইছে । অথচ এই সদনত ঘাটি বাজেট দেখুৱাইছে । ইয়াৰ দ্বাৰা সদনক ভুল পথে পৰিচালিত কৰা হোৱা নাইনে ?

Shri Kamakhya Prasad Tripathi : Diversion কৰা হৈছে ।

Shri Atul Chandra Goswami :

Dirver ion কৰিলেও একালে saving দেখুৱাইছে আৰু আনফালে বাজেট ঘাটি হৈছে ।

Snri Kamakhya Prasad Tripathi :

এই বছৰ বাজেট পাচ কৰোতে প্ৰথমে ৫২ কোটি টকাৰ ঘাটি আছিল । কিন্তু শেষত দেখা গল ২ কোটি টকা খৰচ কৰিব নোৱাৰি Diversion কৰিলে । এই টকা Diversion কৰি আনি খৰচ কৰা হৈছে । যিটো বিভাগত savings হয় সেই টকা তাতেই নাৰখি এঠাইৰ পৰা আন এঠাইলৈ নিয়া হয় । আফলতে এই টকা Finance Department লৈ ঘূৰি নাহে ।

Shri Atul Chandra Goswami :

আমি এই বিলাক কথা বুজি পোৱা নাই । প্ৰকৃততে যাক যিমান টকা লাগে সিমান খিনিহে লব লাগে । বেচিকৈ নি ঘূৰাই দিয়াৰ কোনো স্বার্থ থাকিব নোৱাৰে । যোৱা ১৫ বছৰত তেজপুৰ, মঙ্গলদৈত একো কাম হোৱা নাই । এই বছৰ গোটাই টকা নিছে তাত কিন্তু আমাৰ একো আপত্তি নাই । মুঠতে ভাল কাম হব লাগে আৰু লগতে একোটা আঁচনি কৰি নিলে ভাল হয় ।

Shri Kamakhya Prasad Tripathi :

মাননীয় সদস্যৰ লগত মই একমত । Department বিলাকে টকা নিওতে একোটা আঁচনিৰ যোগেদি নিব লাগে আৰু যাক যিমান টকা লাগে সিমান হে নিব লাগে । অতিৰিক্ত টকা লৈ খৰচ কৰিব নোৱাৰি বছৰৰ শেষত ঘূৰাই দিলে একো কাম নহয় ।

Shri Pitsingh Konwar :

মাননীয় উপাধ্যক্ষ মহোদয় ৰাজ্যিক গড়কাপ্তানি বিভাগৰ মন্ত্ৰীয়ে P.W.D. শিতানত অধিক টকা খৰচ কৰিবৰ কাৰণে মঞ্জুৰী বিচাৰিছে । এইটো সদায়েই চলি আছে আৰু চলি থাকিব ।

কিন্তু মই এটা কথা বুজি পোৱা নাই । কথাটো হৈছে Economic

Shri Altaf Hossain Mozumdar :

As regards point raised by hon'ble Member Shri Ahmed I have already said that has come under the provision of Sec. 99 of the Budget Manual of the Govt. of Assam which I read out a little while ago. Hon'ble Member will find that the explanation that has been given below the resolution it has been said that it is from the savings the expenditure is going to be met. So, I have referred to under what provision we have come before this House. So, it is perfectly legal and correct, and in order. Now, coming about the fact, it is from the saving that have been stated here. Hon'ble Member Shri Barua was just telling that there is a lack of clear cut policy, well, I disagree. It is not a question of Supplemematry Demand. It is a case where saving is utilized and the provision for that is given in the Budget Manual. It is a financial procedure. There is nothing unclear or nothing wrong about the procedure itself.

Shri Dulal Chandra Barua :

It is not so. Reappropriation can be made if money is spent in addition to the amount that has been allotted for that under the same Head. It is the wrong explanation given by the Minister of State, PWD that from the savings appropriation can be made. Rule is very clear about this.

Shri Gaurisankar Bhattacharyya :

Sir, if you permit me to assist you I will say a few words because every moment of the House is valuable.

The Minister should make it very clear as to whether

by this Resolution he wants any supplementary Grant, or additional grant, or excess or exceptional grant. In these cases i. e., in the case of Supplementary Additional, excess and exceptional grant and vote on credit, the ordinary financial procedure will follow. Now, as far as I can see, so far as the amount which is sought to be reappropriated through this Resolution is concerned, that has already been sanctioned by this House in the over all grant. Now, under the Major Head there are certain minor heads, sub-heads, etc. What happens is that under one minor head there may be some saving and under another sub-head there may be shortage of money. But instead of surrendering the saving and coming with a Supplementary Demand for the shortage, well, the Budget Manual says that within the overall grant which this Assembly has voted there may be reappropriation between minor head and sub-head. And because of occasional failure on this, the P.A.C. has always been insisting on the Govt that when the Govt. can do by the reappropriation they should always avoid Supplementary Demand. Now, if that is the position which the Minister of State PWD wants to take then he should make it clear to the House. If this is not and the position is something else then he should make it clear to the House.

Shri Altaf Hossain Mazumder :

This is what I have said, From the savings from certain heads reappropriation is sought to be made as provided in Budget manual. Then coming about the fact, Sir,.....

... (Interruption) ...

Shri Dulal Chandra Barua :

What is the total amount allotted for the construction of the Assam House ?

Shri Altaf Hossain Mazumdar :

The amount is given in Appendix 'A' i. e. Rs. 300/-

Shri Dulal Chandra Barua :

No, No. What is the amount already spent ?

Shri Altaf Hossain Mazumdar :

That figure I have not got with me at the moment, Sir.

Now, Sir, the amount as mentioned in Appendix 'A' is necessary for making some addition and alterations and also for making accommodation of Prisoners and so on and so forth. This could not be anticipated in view of the law and order situation which is developing from time to time.

Now, another point hon. Member Shri Barua has referred regarding at page 5 here it is categorically stated that financial sanction and technical approval of Govt. of India is given. There is no question of uncertainty because the Govt. of India accepted the liability of the payment. We have got technical sanction and so we have started the work and by doing it we have gained. If we had waited for the Govt. of India money probably it would have taken another year to start the work. By this way our people are getting employment. Apart from that we are also getting agency commission at the rate $7\frac{1}{2}$ per cent. By a resolution the State is going to be gainer.

So there is nothing irregular about it, because the entire money as I have already stated earlier are coming from the Government of India. It is the accepted liability of the Govt. of India. In view of what I have said, I think the hon. Member Shri Barua will kindly withdraw his objections.

*Shri Promode Chandra Gogoi :

উক্ত গড়কাপ্তানী বিভাগৰ শিতানত ৩৫ লাখ ১১ হাজাৰ ৩শ ৬১ টকা খৰচৰ অনুমোদনৰ কাৰণে প্রস্তাব এটা আগবঢ়াইছে আৰু Explanatory Note ত কোৱা হৈছে যে “The Proposals cropped up after finalisation of the current years Budget (1969—70). The fund required for the works will be met out of overall savings under the grant No55. The savings are due to less grant sanctioned by Government of India for Border Roads and also for stoppage of certain works due to economic.

যোৱা বাজেট অধিবেশনৰ পাছত কিছুমান কাৰণত নতুন কিছুমান কাম চৰকাৰে লব লগা হ'ব পাৰে, সেই কথা মই অস্বীকাৰ নকৰো, কিন্তু এই কাৰণত যিটো টকা বাহী কৰা হ'ল; তাৰ এটা অংশ ভাৰত চৰকাৰে দিয়ে আৰু আন এটা অংশ Economy drive নামত চৰকাৰে যিবিলাক কাম বন্ধ কৰি দিছে, তাৰেই বাহী হোৱা টকা।

Economy Drive তেনো কি? যি বিলাক স্কুলঘৰ নিৰ্মাণ কৰা হৈছিল সেইবিলাক কেতিয়াবা Economy Drive ৰ নামত বন্ধ কৰা হয়। জৰুৰী কামৰো বন্ধ কৰা প্ৰয়োজন তেওঁলোকে বোধকৰে। কিন্তু যিখিনি টকা Economy Drive ৰ নামত কাম বন্ধ কৰি বাহি কৰা হ'ল সেই টকাখিনি বাহী কৰাৰ ক্ষেত্ৰত গোটেই প্ৰদেশৰ সকলো ঠাইৰ কাৰণে ব্যৱহাৰ কৰা হৈছে নে নাই তাক বিবেচনা কৰি চাব লাগে। ইয়াৰ Appendix ত দিছে Page No 10.

cut । কাম কৰিব নোৱাৰি বা কাম কৰি টকা বিলাক ঘূৰাই আনি Economic cut কৰিছেনেকি ? নে কাম বিলাক বন্ধ কৰি টকাটো ঘূৰাই আনে ? ইয়াৰ কোনটো বুলি ধৰিম। আজি আমাৰ বাজেটত ৪১ কোটি টকা ঘাটি দেখুৱাইছে আচলতে ৪১ কোটি টকা ঘাটি নহয়। কাম নকৰি টকা ঘূৰাই আনিলে টকা বাহিৰে হয়। এইটো আমি বুজি না গাও যে কেনেকৈ ঘাটি হৈছে। P.W.D ৰ ইঞ্জিনিয়াৰে আজি এটা বাস্তা টানোতে Railway Level crossing টো অন্তৰ্ভুক্ত নকৰাকৈয়ে estimate শিলংলৈ পঠায় আৰু এইখন আকৌ ঘূৰি যাব লগা হয়; লগে লগে পাচৰ বছৰত টকাটো surrender কৰা হয়। এই দৰে Economic cut কৰি ৰাইজক মাত্ৰ ঠগিছেহে। মই ৰাজ্যিক মন্ত্ৰীক আৰু এটা কথা কব খুজিছো যে আগতে কিছুমান দলঙৰ খুটা পুতিছিল আৰু এতিয়া সেইবিলাক পুনৰ উঠাই আনিছে। এনেয়ে টকা মঞ্জুৰী দিয়াত আমাৰ কোনো আপত্তি নাই। কিন্তু এনেকৈ টকা খৰচ কৰাত আমাৰ আপত্তি আছে। আজি বাঘবৰ আৰু মানকাছাৰলৈ এনেকৈ টকা Economic cut কৰি দিছে। এনেধৰণৰ কামত আমি সমৰ্থন জনাব নোৱাৰো।

Shri Bhubanaswar Barman :

মাননীয় উপাধ্যক্ষ মহোদয়, গড়কাপ্তানি বিভাগৰ মন্ত্ৰী মহোদয়ে যি প্ৰস্তাৱ আগবঢ়াইছে এই প্ৰস্তাৱ সংক্ৰান্তত আমাৰ দলৰ সদস্য সকলে মতামত ডাঙি ধৰিছে। মন্ত্ৰী মহোদয়ে ৰাহি টকা খৰচ কৰাৰ যিটো পদ্ধতি বুলি কৈছে সেইটো একেবাৰেই অগনতাত্মিক। কাৰণ আজি বাজেটত যি মতে টকা ধৰা হয় সেইমতে খৰচ কৰা নাই। পাচত তেওঁলোকৰ নিজৰ দলীয় স্বার্থ ৰক্ষাৰ কাৰণে হে সেই টকা কামত খটুৱায়। ক'ত ক'ত কি কাম কৰিব লাগে তাক পৰীক্ষা কৰি নকৰে। আজি য'ত বানপানীয়ে বাস্তা-ঘাট ক্ষতিগ্ৰস্ত কৰিছে য'ত আজি বহু বছৰ ধৰি বাস্তা-ঘাট ভাল হৈ উঠা নাই বা দিব পৰা নাই সেই বিলাকৰ বিতং বিবৰণী দি যদি দৃষ্টি আকৰ্ষন কৰিব পাৰিলেহেতেন তেতিয়াহলে আমাৰ কোনো আপত্তি নাছিল। আজি যি টকা খৰচ হৈছে সেইখিনি টকা বিশেষ প্ৰভাৱ শালী সদস্যৰ ওচৰে পাজৰেহে খৰচ কৰা হৈছে। আজি বিশেষকৈ শিৱসাগৰ আৰু বৰপেটা মহকুমাৰ যিবোৰ বাস্তাঘাট-বানপানীত নষ্ট হৈছিল তাৰ উন্নতিৰ কাৰণে খৰচ কৰা নাই বৰপেটা ৰোড বোৰ্ডৰ, নলবাৰী ৰোড বোৰ্ডৰ

M.L.A. ৰ Sub-Committee কৰি এটা প্ৰস্তাৱ লৈ বৰপেটা হাজো গুৱাহাটী বাস্তাৱ উন্নতিৰ বাবে দৃষ্টি আকৰ্ষন কৰা হৈছিল অথচ সেই বাস্তাৱ খৰচ কৰাৰ কাৰণে চৰকাৰে টকা দিয়া নাই। আজি ৩৫ লাখ টকাৰ ভিতৰত দেখিছো যি টকা খৰচ কৰিছে তাত চাৰিওফালে দেখিব যি কাম কৰিছে তাত বাইজৰ স্বার্থৰ কাৰণে একো কৰা হোৱা নাই। গতিকে এইটো সম্পূৰ্ণ অগনতাত্মিক। সেই কাৰণে নিজৰ প্ৰভাৱ বক্ষাৰ কাৰণে আওপাকে নিজৰ স্বার্থ পূৰণৰ কাৰণে টকা খৰচ কৰি যিটো দাবী আনিছে তাত সন্মতি দিব নোৱাৰো।

Mr. Deputy Speaker :

The resolution is under sub rule 4 of Rule 115 of the Rules of the House which reads "Notwithstanding anything hereinbefore contained 7 days notice shall be sufficient in respect of resolution of which notice is given by a Minister or the Advocate General". It is also in compliance with the section 99 of the Budget Manual which inter alia reads :

Explicit concurrence of the Legislature shall be obtained through the process of a resolution for all re-appropriation from saving under any new sub-head containing provision of funds made through Schedule of new schemes or under any existing sub-head accommodating provision made through such Schedule. The resolution to be moved in the Assembly should indicate in brief the reason for the savings and the excess anticipated.

So, it is quite in order.

I now put it to vote. That this Assembly do approve of an expenditure of Rs. 35,11,361 under the head "50—Public Works-State (Excluding Establishment, Tools, and Plants)".

(The resolution was passed)

Shri Altaf Hossain Mazumdar (Minister of State P.W.D
R. & B.)

Sir, I beg to move that this Assembly do approve of an expenditure of Rs. 50,000 under the head "103—Capital Outlay on Public Works Outside the Revenue Account, etc".

Mr. Deputy Speaker :

The question is that this Assembly do approve of an expenditure of Rs. 50,000 under the head '103-Capital Outlay on Public Works Outside the Revenue Account, etc."

(The resolution was passed)

Resolution—Approval of Expenditure for Cottage Industries

Shri Biswadev Sarma (Minister, Industries) :

Sir, I beg to move that Assembly do approve of an expenditure of Rs. 2.50 lakhs under the head "35-Industries-II Cottage Industries-Development Schemes-(Fourth Five Year Plan) · II-Other State Plan Scheme-F-Payment by way of deposit to guarantee fund".

Mr. Deputy Speaker :

The question is that this Assembly do approve of an expenditure of Rs. 2.50 lakhs under the head "35-Industries-II-Cottage Industries-Development Schemes-(Fourth Five Year Plan)-II-other State Plan Scheme-F-Payment by way of deposit to guarantee fund".

(The resolution was passed)

Resolution—Measures to deal with water pollution control

Shri Chatrasing Teron (Minister, Health and Family Planning) :

Sir, I beg to move that whereas, the enactment of a single law regarding measures to deal with water pollution control activities both at the Centre and State level is necessary for the State,

And whereas, with a view to securing uniform law prevention of water pollution throughout the Union of India it is desirable that Parliament should pass an Act applicable to the whole of India.

Now, therefore, in pursuance of Article 252 (i) of the Constitution of India, this Assembly resolves that the aforesaid matter and all other matters connected therewith or incidental thereto be regularised by an Act of Parliament.

Mr. Deputy Speaker :

The question is, whereas the enactment of a single law regarding measures to deal with water pollution control activities both at the Centre and State level is necessary for the State.

And whereas, with a view to securing uniform law for prevention of water pollution throughout the Union of India it is desirable that Parliament should pass an Act applicable to the whole of India.

Now, therefore, in pursuance of Article 252 (i) of the Constitution of India, this Assembly resolves that the

aforesaid matter and all other matters connected therewith or incidental thereto be regularised by an Act of Parliament.

(The motion was adopted)

**Motion : This Assembly disapproves the actions of
Shri Lakshmi Prasad Goswami, Minister
-in-charge of Co-operation and
Agriculture**

Shri Govinda Kalita :

Sri, I move the motion. My motion-is that this Assembly disapproves the actions of Shri Lakshmi Prasad Goswami, Minister-in-charge of Co-operation and Agriculture.

That the Minister had acted against the interest of the Co-operative Societies in general and the Assam Apex Marketing Society in particular by his personal intervention in the matter of export of rice to other States during the year 1969-70 and that thereby he has caused greatest harm to the cause of Co-operative movement in the State of Assam.

উপাধ্যক্ষ মহোদয়, মই যি.টা প্ৰস্তাৱ আনিছা, এই প্ৰস্তাৱত মোৰ মাননীয় মন্ত্ৰী ডাঙৰীয়াৰ ওপৰত আখোজ নাই। মাননীয় মন্ত্ৰী ডাঙৰীয়াৰ লগত মোৰ কোনো ব্যক্তিগত আখোজ নাই। আৰু কোনো দিনে তেখেতে মোৰ পৰা একো বিচৰা নাই আৰু মইও তেখেতৰ পৰা একো বিচৰা নাই। আমাৰ ৰাইজৰ স্বাৰ্থৰ পিনে চাই আজি এই প্ৰস্তাৱটো আনিব লগা হৈছে। মই আশা কৰো যে এই প্ৰস্তাৱটো বিৰোধী পক্ষৰ পৰা অনাৰ কাৰণে যেন সেই ফালৰ সদস্য সকলে নাভাবে যে ভাল চকুৰে প্ৰস্তাৱটো চাব নাগাগে মই এইটোও অনুৰোধ কৰো যে মই কোৱা কথাখিনি যেন তেখেত সকলে সুস্থিৰ ভাৱে বিবেচনা কৰি এই সম্পৰ্কত উচিত ব্যৱস্থা দিব।

উপাধ্যক্ষ মহোদয়' আমাৰ অসম চৰকাৰে ধান সংগ্ৰহৰ এজেন্ট হিচাপে F. C. I. আৰু Apex Marketing Society এই দুটাক এক চেতীয়া এজেন্ট কৰিছে।

অকল অসমতেই নহয় ভাৰতবৰ্ষৰ বিভিন্ন ৰাজ্যিক চৰকাৰ বিলাকে ধান সংগ্ৰহ চৰকাৰৰ এজেন্ট বিলাকৰ যোগেদি কৰে অৰু তাৰ উদ্দেশ্য হৈছে যাতে খেতিয়কে ধানৰ উচিত মূল্য পায় আৰু Consumer সকলে অতি পাত দামত চাউল কিনি খাব নালাগে তাৰ প্ৰতি নজৰ দিয়া।

দ্বিতীয় কথা হৈছে যে আমাৰ ৰাজ্যত কিছুমান খাদ্য ব্যৱসায়ীয়ে খাদ্যৰ চোৰাং বজাৰ কৰি কৃত্ৰিম খাদ্য সৰুটৰ সৃষ্টি কৰি দাম বৃদ্ধি কৰি ৰাইজক হাহাকাৰত পেলাব পাৰে। তাৰ পিচত Apex Marketing Society ৰ যোগেদি ধান সংগ্ৰহ কৰাৰ একমাত্ৰ কাৰণ হ'ল Apex Marketing Society অনুষ্ঠানটোক শক্তিশালী কৰা। এই Co-operative Society টোৰ আদৰ্শমতে যাতে সমবায় আন্দোলন ঠন ধৰি উঠিব পাৰে তাৰ প্ৰতি লক্ষ্য কৰা।

অসম চৰকাৰে প্ৰায় ১৮ লাখ টকাৰ অংশ Apex Marketing ক দিছে আৰু ২ কোটি টকাৰ অধিক বেঞ্চে গ্ৰাণ্ট লৈছে। গতিকে এইটো এক বৰ কম অৰ্দ্ধ চৰকাৰী অনুষ্ঠান আৰু ইয়াত ধন নিয়োজিত হৈছে। এই সমবায়ৰ ওপৰত আমাৰ অসমৰ সমবায় আন্দোলনৰ কৃতকাৰ্য্যতা নিৰ্ভৰ কৰে।

উপাধ্যক্ষ মহোদয়, যোৱা বছৰৰ পৰা আমাৰ চৰকাৰৰ ফালৰ পৰা বিশেষকৈ কৃষি মন্ত্ৰী আৰু Supply মন্ত্ৰীৰ ফালৰ পৰা এটা ব্যাপক প্ৰচাৰ চলিছে যে অসমত হেনো বহুত ধান হৈছে আৰু খাদ্যৰ ভৰাল উৰ্ত্তি হৈ গৈছে, ধান থবৰ ঠাই নাই ইত্যাদি; গতিকে অন্য ঠাইত ধান বিক্ৰী নকৰিলে উপায় নাই। এইটো কথা যে অকল অসমতে প্ৰচাৰ হৈছে এনে নহয়, ভাৰতবৰ্ষৰ প্ৰায়বিলাক ঠাইতেই প্ৰচাৰ কৰা হৈছে।

অসম খাদ্য শস্যৰ ক্ষেত্ৰত বাহি বুলি ধৰা হৈছে আৰু ভাৰতৰ কেন্দ্ৰীয় মন্ত্ৰী এজনেও কৈছিল যে অসমত যথেষ্ট শস্য উৎপাদন হৈছে আৰু

অসম ৰাজ্যখন উৎপাদনৰ ক্ষেত্ৰত যথেষ্ট আগ বাঢ়িছে। যদি সেয়ে সঁচা হয়, তেন্তে ভাল কথা আৰু যদি অসমত উন্নত ধৰণৰ শস্য উৎপাদন হৈয়ে থাকে তেন্তে এইটোত আমি বেয়া নাপাওঁ। কিন্তু দুখৰ কথা অসমৰ বিত্তীয় অঞ্চলৰ কথা যদি বিচাৰ কৰা যায় তেনেহলে আমি পাওঁ বৰ্তমানে শালি ধানৰ দাম মোনত ৩০ টকা কম নহয়। কাছাৰত খাদ্যৰ কাৰণে হাঁহাকাৰ লাগিছে। নগাওঁ য'ত অসমৰ শস্যৰ ভৰাল তাতই মোনে ৩০ টকা হৈছে। এইটোৱে হৈছে আমাৰ অৱস্থা। আনফালে মই জনামতে Apex Marketing ক চৰকাৰে Apex ৰ ভৰালৰ পৰা ৫৯,২৫০ মেট্ৰিক টন চাউল export কৰিবলৈ permit দিছে। এই সংখ্যাটোত আহ আৰু শালি দুয়ো বিধেই আছে আৰু এইখিনি বাহিৰলৈ পঠোৱাৰ হুকুম দিয়া হৈছে। আৰু এইটোৱেই কাৰণ যিটো কাৰণত মই সমবায় মন্ত্ৰীৰ ওপৰত অনাস্থা প্ৰস্তাৱ আনিছোঁ। এই ক্ষেত্ৰত আমাৰ সমবায় মন্ত্ৰীয়ে কিছুমান ব্যৱসায়ীৰ লগত লগ লাগিছে আৰু সেই ব্যৱসায়ীসকল হ'ল সেই সকল যি সকলে আমাক Buffer [Stock ৰ পৰা হাজাৰ হাজাৰ মোন অখাদ্য, পচা দাইল আৰু পচা জিনিচপত্ৰ বিভাগীয় কিছুমান কৰ্মচাৰীৰ লগত লগ লাগি ৰাইজক খুৱাইছিল আৰু যাৰ ফলত চৰকাৰৰ লাখ লাখ টকা লোকচান হৈছিল।

এইসম্পৰ্কত মই চৰকাৰক নানা আবেদন নিবেদন কৰা স্বত্বেও Inquiry নচলালে। সেই সকল হৈছে—কেদিয়া, মতিলাল, দেওবা আদি ব্যৱসায়ীসকল, যাৰ লগত বৰ্তমানে সহযোগ কৰিছে আমাৰ Co-operative Minister এ

Shri Lakshmi Prasad Goswami :

মই এজনকহে চিনি পাওঁ।

Shri Govinda Kalita :

সেইজনৰ লগতেই বাকী কেইজনৰো সম্বন্ধ আছে। এজন চিনিলেই যথেষ্ট। গতিকে দেখা গ'ল যে সমবায় মন্ত্ৰীয়ে সেই কেইজনৰ লগত লগ লাগি বিশেষকৈ Apex Co-operative Marketing ক কেদিয়া সকলক বিক্ৰি কৰিছে আৰু এইদৰেই দেশৰ অন্যান্য সাধন কৰিছে।

এই সম্পৰ্কত মই কেইটামান হিচাব আপুৱাইছোঁ। আমাৰ আহ ধানৰ

তিনিটা কিস্তিত তিনিটা permit দিছে আৰু ইয়াৰ মুঠ পৰিমাণ ১৬,৭৫০ মেট্ৰিক টন ১নং permit ৰ নম্বৰ হ'ল S.D.B./414/69/152, dated 14th October 1969, এই পৰমিটত চাউলৰ পৰিমাণ হ'ল ৬,৫০০ মেট্ৰিকটন।

Shri Lakshmi Prasad Goswami :

এই কাগজখিনি মোক দিব লাগিব।

Shri Govinda Kalika :

এইবিলাক কাগজ আপুনি অফিচতেই পাব। তাৰ পাছত permit নম্বৰ দুই। S.D.B.414/69/234, dated 29th November 1969, ইয়াৰ পৰিমাণ ৪,৭৫০ মেট্ৰিক টন। এইখিনি হ'ল আহ চাউল ধান নহয়। এতিয়া permit No. 3, S.D.B./414/69/235, dated 2nd December 1969, ইয়াৰ পৰিমাণ হ'ল ৫,৫০০ মেট্ৰিক টন চাউল (আছ

এই সকলো খিনি মিলি সৰ্ব্বমুঠ পৰিমাণ হ'ল ১৬,৭৫০ মেট্ৰিক টন। তাৰ পাছত শালি চাউল, এইটো Permit No. 4. SDB/633/69/12, dated 16th December 1969 ইয়াৰ মুঠ পৰিমাণ হ'ল ১০,০০০ মেট্ৰিক টন শালি চাউল।

এতিয়া মই কও শুনক। কেইটামান পাৰ্টিৰ লগত advertise নকৰাকৈ বা tender call নকৰাকৈ গোপনে গোপনে চাউলৰ কি কাৰবাব হৈছে। মই এতিয়া পঢ়ি যাম। শালি চাউলৰ পৰমিট দিলে—

- ১। ভাগৱতী ট্ৰেডিং কোম্পানী, চাপৰমুখ, নগাওঁ—২ হাজাৰ মেট্ৰিকটন।
- ২। মেৰ্চাণ্ট মোহনলাল মতিচান্দ কোঠাৰী—২০০০ মেট্ৰিক টন।
- ৩। মেৰ্চাণ্ট শ্ৰীচান্দ কিচাৰী কোম্পানী, বহা—২০০০ মেট্ৰিক টন।
- ৪। মেৰ্চাণ্ট দেওৰা ট্ৰেড এণ্ড চান্নাই এজেন্সি (ভিক্টৰগড় পাৰ্টি) চিলং—১½ হাজাৰ মেট্ৰিক টন।
- ৫। গৌহাটী কমাৰ্চিয়েল কোম্পানী— ১½ হাজাৰ মেট্ৰিক টন।
- ৬। কে, পি, চিকিৰিয়া ৫০০ মেট্ৰিক টন।
- ৭। মেবস ইণ্ডাষ্ট্ৰী—২৫০ মেট্ৰিক টন।

৮। এচ,এন ট্ৰেডিং এজেন্সি—২৫০ মেট্ৰিক টন।

পিচৰ দুটা অসমীয়া কোম্পানী সম্ভৱ সেই কাৰণেই ইমান কম দিয়া হৈছে।
আহ চাউলৰ Permit দিয়া সকল।

৯। শ্ৰীনিবাস বাসুদেৱ—২,৭৫০ মেট্ৰিক টন।

১০। মিতালি ব্ৰাদাৰ্চ—২৫০ মেট্ৰিক টন।

১১। ভাগৱতী ট্ৰেডিং কোম্পানী—প্ৰথমবাৰ ১ হাজাৰ মেট্ৰিক টন, দ্বিতীয়বাৰ ১ হাজাৰ মেট্ৰিক টন, তৃতীয় বাৰ ২ হাজাৰ মেট্ৰিক টন।

১২। ইণ্ডিয়ান চাপ্ৰাই ট্ৰেডিং এজেন্সি—প্ৰথম বাৰ ২ হাজাৰ মেট্ৰিক টন, দ্বিতীয় বাৰ ১ হাজাৰ মেট্ৰিক টন, তৃতীয় বাৰ ২ হাজাৰ মেট্ৰিক টন।

১৩। মে: কেডিয়া কোম্পানী, বহা—দ্বিতীয় বাৰ ১ হাজাৰ মেট্ৰিক টন, তৃতীয় বাৰ ৭৫০ মেট্ৰিক টন।

১৪। মেৰ্চাণ্ট গৌহাটী ট্ৰেডিং কোম্পানী—দ্বিতীয় বাৰ ১ হাজাৰ মেট্ৰিক টন তৃতীয় বাৰ ৭৫০ মেট্ৰিক টন।

১৫। নিউ বতনমল নিম্নলি কুমাৰ—দ্বিতীয় বাৰ ৭৫০ মেট্ৰিক টন।
মুঠ ১৬ হাজাৰ ৭৫০ মেট্ৰিক টন।

এই ফালৰ নাম বিলাক বেচি ভাগ ভুৱা নাম, এই যে কেডিয়া ভাগ-ৱতী এইবোৰ ছব ভুৱা নাম; দেওবা কোম্পানীটো “ডিব্ৰুগড় কোম্পানী” বুলি জনাজাত। ইয়াৰ Agency স্থলভূতো আছে। এই ধৰণে ভুৱাদি বাতাবাতিয়ে অসমৰ সমস্ত চাউল আন ঠাইলৈ পঠিয়াই উদং কৰি দিছে।

এতিয়া মোৰ কথা হ'ল এইবোৰৰ কাৰণে মই ধৰিব লাগিছিল যোগান বিভাগৰ মন্ত্ৰীক কিন্তু ধৰিলো Co-operative মন্ত্ৰীক Co-operative মন্ত্ৰীক কিয় ধৰিলো তাৰ কাৰণ হ'ল এই যে Co operative মন্ত্ৰী Co-operation ত স্বয়ম্ভু।

ধানৰ বেপাৰ কৰিবলৈ আমাৰ ৰাজ্যত Apex Marketing আছে। আন আন ৰাজ্যতো State Trading ৰ ব্যৱস্থা আছে। যদি অগত্যা ধান বিক্ৰী কৰিবলৈ হয়, তেন্তে Apex ৰ লগত সহযোগ কৰি আৰু আন আন ৰাজ্যত ধান-চাউলৰ কি দাম আছে সেইটো চাই-চিন্তি কৰিব লাগিছিল। কিন্তু

Co-operative মন্ত্ৰীয়ে Apex ৰ লগত সহযোগ নকৰাকৈ বা আন ৰাজ্যৰ চাউলৰ মূল্যৰ কথা চিন্তা নকৰাকৈ ব্যক্তিগত ব্যৱসায়ীৰ লগত এই কাৰবাৰ কৰিছে। কিয়নো সেইটো নকৰিলে তেখেতে টকা ঘটাব সুযোগ নাপায়।

Minutes of discussions held in the room of the Minister Co-operation on the 19th December, 1969, at 2-30 P.M.
Members present—

- (1) Minister, Co-operation;
- (2) Chairman, Apex Marketing Society,
- (3) Registar, Co-operative Society.
- (4) Additional Secretary, Apex Bank.
- (5) Shri B. Kedia.

The question of fixation of price of paddy for supply of resultant rice to the Central Pool on Trade a/c was discussed. The Managing Director, Apex Bank discussed this matter with the Minister, Co-operation earlier.

After elaborate discussion in the matter it was decided as under :—

(1) The Apex Marketing Society will deliver paddy to the allottees from the pledged stocks in Nowgong, Makir Hills and Darrang District on deposit of the full value viz. at Rs. 66.88 per quintal to the Apex Bank, Nowgong.

(2) Shri B. Kedia agreed to pay the price of paddy at Rs. 66.88 per quintal. He assured that the entire stocks of paddy equivalent to 10,000 Tonnes of rice will be taken delivery of by him and other allottees as quickly as possible but not later than 31st January, 1970. He also assured that he would see that atleast Rs. 60 lakhs is deposited to the

Bank on or before 10th January 1970 being the value of paddy received from the Apex Marketing Society.

(3) It was agreed that the stocks of paddy would be taken delivery of by the allottees irrespective of the quality. In other words the delivery will be taken from the pledged godowns as they are at present.

(4) It was agreed that in order to expedite the deliveries of paddy, the Apex Marketing Society will immediately post one officer at Nowgong to supervise the transactions.

(5) It will be the responsibilities of the allottees export rice to the Central Pool as per permit given by the State Government.

(6) It was agreed that necessary agreement would be made with the Apex Marketing Society and the allottees within three days so that delivery of paddy may start immediately thereafter.

(7) After the lifting of paddy equivalent to 10,000 Tonnes of rice the remaining stock of last year's procurement, if allotted to Trade a/c, preference will be given to the present allottees.

গতিকে দেখা যায় যে আমাৰ মন্ত্ৰী মহোদয়ে কেডিয়াৰ লগত বন্দবস্ত কৰি ৬৬.৮৮ প্ৰতি কুইণ্টল হিচাবে শালি ধান বেচিলে। এই দামত বিক্ৰী কৰাত Apex ৰ বহু টকা লোকচান হ'ল।

এই থিনিতে এটা কথা কওঁ। মই আগতেই কৈ আহিছো যে ভুৱা কেডিয়া আদি ফাৰ্মৰ নাম বিলাক আচল নাম নহয়—এই বিলাক আচলতে ভুৱা নামহে। এই বিলাক নামৰ ফাৰ্ম প্ৰকৃততে আছেনে নাই তাক ভগৱানেহে জানে। তাত যি বিলাক পাটিৰ (ফাৰ্ম) কথা কোৱা হৈছে মই জনাত সেই বিলাক

প্রকৃত সত্য নহয়। আৰু তেখেতেও সঁচা মিছা নাজানিয়েই Permit দিলে। এইখন Permit দিয়া হয় ৬ ডিচেম্বৰত। এই বিলাক বন্দবস্তৰ কাৰণে Supply বিভাগে কিয় Prosecute কৰা নাই? এই খান Permit নোহোৱাকৈ Co-operative Minister শ্ৰী লক্ষীপ্ৰসাদ গোস্বামীয়ে কেনেকৈ বিক্ৰী কৰি দিলে? তেখেতক under Foodgrain Control Act মতে prosecute কৰা নাই কিয়? আৰু তাত যি বিলাক কোম্পানী আছে আটাই বিলাকেই ভুৱা কোম্পানী। ১০।১২।৬৯ তাৰিখে এই ফাৰ্ম বিলাকক Apex ৰ চেক্ৰেটৰীয়ে এখন চিঠি লিখিছিল। সেইখনত Secretary এ লিখিছিল-সেইখন পঢ়িলেই বুজায় Apex এ তেওঁলোকক নমিনি কৰি দিয়া নাই।

এই কোম্পানী কেইটা একেবাৰে ভুৱা। এই চিঠি খন চেক্ৰেটৰীয়ে ১০ ডিচেম্বৰত এই পাৰ্টি কেইটালৈ লিখিছে। চিঠিখনৰ নং SDB.633/69/12, dated 6th December 1969. তাত লিখিছে—

“Dear Sir, We like to draw reference to the communication quoted above from the Government of Assam with regard to the export of winter variety of boiled and raw rice to out-side the State of Assam and request you to furnish us an attested copy of registration certificate in case your firm is a registered one or attested copy of Partnership Deed with the names and full address of the Partners in order to facilitate the Society to deal with you in the matter of export of rice.,,

মন্ত্ৰীয়ে আগতে nominee appointment দিলেই। পিচতহে চেক্ৰেটৰীয়ে চিঠি লিখি ইয়াক regularise কৰিবলৈ চেষ্টা কৰিছে। এইটো হোৱাৰ কাৰণ হৈছে মিনিষ্টাৰ তেওঁলোকৰ হাতৰ মানুহ আৰু তেওঁলোকে মন্ত্ৰীক পকেটত লৈ ফুৰিছে। তাৰ পিচত আৰু এটা কথা আছে। ১০ হাজাৰ টন শালি চাউলৰ Permit দিছে ৬ ডিচেম্বৰত আৰু সেই Permit valid upto 10th January 1970 লৈ। Term শেষ হ’ল, কিন্তু গোটেই চাউল নিয়া নহ’ল। তেওঁলোকে extension বিচাৰিলে Co-oper-

ative মন্ত্ৰীৰ ঘৰলৈ (মানে Assembly room লৈ) আহি। মন্ত্ৰী হাতৰ মানুহ। সেইবাবে মন্ত্ৰীয়ে যোগান মন্ত্ৰীলৈ এখন official চিঠি লিখিলে। চিঠিখন হ'ল এই :-

‘Minister, Supply,

Enclosed please find a representation from the Chairman of the Apex Marketing Society. The repayment position of the parties allotted paddy from the Apex Marketing Society is shown below :

1. Received Payment from the Bills submitted to the Apex Bank against allotment of paddy from the F.C.I.... Rs.8, 60, 000
2. Received payment from the traders on trading account —M/s Bhagawati ... 50,00,000

চাব, এইটো মিছা কথা বুলি কলে unparliamentary হব, মই Bank ত খবৰ ললো, Apex Marketing ত খবৰ ললো আৰু জানিব পাৰিলো যে বেক্ত ৫০ লাখ টকা জমা দিয়া নাই যদিও তেওঁলোকে জমা দিছে বুলি কৈছে। এই তাৰিখৰ ভিতৰত ৩৫ লাখ টকাৰ বেচি জমা দিয়া নাই। জমা দিছে বুলি যি চিঠি লিখিছে সেইটো একেবাবে অসত্য।

Shri Lakshmi Prasad Goswami : মই Apex Marketing ৰ চিঠিখন চালেহে কব পাৰিম। এতিয়া মনত নাই।

Shri Govinda Kalita :

Beside thoses two Parties the bank had not received any payment from any other party. So my feeling is that we have to depead mainly on these two parties for lifting of paddy from the Apex Marketing Society.So as these two parties are concerned, they should be liberally considered. It is however better to complete the deal with

the parties who can lift from the Apex Marketing godown instead of going for the small parties who do not regularly clear the bank dues for which the Government would guarantee. The last date for expiry of the guarantee is 31st January 1970. From their assurance I feel that these two parties will be able to help us in paying the bank dues within the fixed time. So, considering this major point extension of time to the parties till 31st January 1970 for lifting the paddy has to be considered. I arrived at this conclusion after having a joint discussion with the parties and the Apex Marketing Society and the Apex Bank. In order to avoid any dislocation I thought it proper to advise the Apex Marketing Society to continue delivery of paddy within the limit already allowed. I hope you will agree with me and pass necessary orders in time...

Mr. Deputy Speaker :

Order' order. It is 5 p. m. The House stands adjourned till 10 a. m. on Monday. Shri Kalita will continue.

ADJOURNMENT

The Assembly then adjourned till 10 A.M. on Monday, the 30th March 1970.

Shillong,

The 26th March 1970

U. Tahbildar,
Secretary

Legislative Assembly, Assam.